

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR AUGUST 24, 2026**

REGULAR MEETING OF THE TOWNSHIP COMMITTEE – 5:30 P.M.

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

Mayor Corson read the following Open Public meeting notice into the record:

“In compliance with the Open Public Meetings Law, I wish to state that on August 21, 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	Present
Samuel Palombo	Present
Zachary Palombo	Absent
Curtis Corson	Present

Also present were Municipal Clerk Joanne Herron, Municipal Attorney John Amenhauser, Chief Financial Officer Barbara Ludy, and Township Administrator James Van Zlike.

APPROVAL OF MINUTES – August 10, 2026 Regular Minutes

Motion by Victor Nappen, second by Tyler Casaccio, to approve the August 10, 2026 Regular Session Minutes as submitted. During roll call vote all four Committee members present voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Tyler Casaccio, Committeeman, thanked Committeeman Zachary Palombo for working with him to establish the beach tag program in Strathmere and stated that he is happy that the matter will be completed soon.

Samuel Palombo, Committeeman, reported that the Township will be holding the annual Fall Fest on October 4th at Amanda’s Field and encouraged all to attend. He next thanked Cape May County for partnering with the Township on the new fitness court at Amanda’s Field. Lastly, he commented on the improved condition of the beaches in Strathmere and thanked Congressman Van Drew for his efforts in collaborating with the shore communities and facilitating the much-needed beach replenishment.

Victor Nappen, Committeeman, reported that he recently attended the Eagle Scout ceremony for Joseph Elsie and Ryan Lick of Troop 1079 and congratulated the two Eagle Scouts on their accomplishments. He next provided mid-year call volume numbers for the Township’s fire companies. Next, he reported that

the Township is seeking a part-time crossing guard for the elementary school. More information is available on the Township's website under Employment Opportunities. Lastly, he reported that Upper Township EMS will begin providing services to Woodbine on September 15th, noting that additional revenue from the shared services agreement will be reinvested into EMS to increase staffing and strengthen the overall system. He stated that EMS staffing has increased by approximately 33%, while the anticipated call volume increase is approximately 25%, and noted that the additional staffing will increase the Township's capacity to respond to simultaneous calls and maintain coverage.

Curtis Corson, Mayor, reminded the public to please swim only in front of guarded beaches. He stated that as the beach season winds down, the number of lifeguards has decreased due to their return to school. He next reported that the dredge has completed pumping sand and has left the area. The remaining work includes the completion of several crossovers and demobilization. He reported that a tentative beach walk-through with the Army Corps of Engineers is scheduled for Wednesday. Lastly, he complimented the new fitness court, stating that it looks spectacular.

ADMINISTRATOR OVERVIEW

James Van Zlike, Township Administrator, reported that the 2026 Municipal Road Improvement Program and the Living Shoreline Project are both out to bid, with formal bid openings scheduled for September 9th. He stated that contract awards will be expedited following review of the bids so construction can move forward. He next reported that the beach replenishment contractors are expected to be completely demobilized by the middle of next week, in advance of Labor Day weekend. Next, he reported that the new fitness court is open for public use and that the ribbon-cutting ceremony with the County is being scheduled. He next reported that demolition of the existing skate park is scheduled to begin on September 21st, with construction of the new skate park scheduled to begin on September 28th and expected to take approximately three months. Lastly, he reminded the public that vehicles, including dirt bikes and four-wheelers, are not permitted on the fitness court.

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

Eric Weeks, Strathmere, expressed concerns regarding recreational funding and improvements in Strathmere, specifically the proposed playground. He was advised that the Township will pursue available grant funding once plans and project details are received.

Lyn Gras, Beesley's Point, inquired about No. 25 on the Agenda, authorizing a Ninth Amended Memorandum of Understanding with the Beesley's Point Development Group. It was stated that the amendment provides for an additional six-month extension of the existing Conditional Redeveloper Agreement without changing its terms and conditions.

CONSENT AGENDA

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

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

FILING OF REPORTS BY CONSENT

1. Division of EMS
2. Public Works

RESOLUTIONS TO BE APPROVED BY CONSENT

3. Commemorating the 25th Anniversary of September 11, 2001.

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

RESOLUTION NO. 295-2026

RE: COMMEMORATING THE 25TH ANNIVERSARY OF SEPTEMBER 11, 2001

WHEREAS, 25 years ago, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two into the World Trade Center in New York City, a third into the Pentagon outside of Washington, D.C., and a fourth into a field near Shanksville, Pennsylvania; and

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

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

WHEREAS, in the 25 years since September 11th, hundreds of thousands of American troops have served, and sacrificed, around the world to deny terrorists safe haven and protect the American people; and

WHEREAS, on the 25th anniversary of this tragic day, the thoughts of the citizens of Upper Township are with all of the victims of the events of September 11, 2001 and their families.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, that we do hereby observe the 25th anniversary of September 11 as “Always Remember Day”, to honor the innocent victims of September 11, 2001, the heroic actions of those who rushed to help their fellow citizens, and those who continue to fight for the freedom of this great Nation; and

BE IT FURTHER RESOLVED, that all persons within this municipality are urged to remember and commemorate the 25th anniversary of September 11, 2001.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 24th day of August, 2026.

Resolution No. 295-2026

Offered by: Nappen
Adopted: August 24, 2026
Roll Call Vote:

Seconded by: Casaccio

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

4. Requesting the County of Cape May to conduct a speed study of County Road 557 (Woodbine Road).

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

RESOLUTION NO. 296-2026

**RE: REQUESTING THE COUNTY OF CAPE MAY TO CONDUCT A SPEED STUDY
OF COUNTY ROAD 557 (WOODBINE ROAD)**

WHEREAS, there has been an increase in vehicles traveling at high speeds along County Road 557 (Woodbine Road), particularly during the summer season; and

WHEREAS, the Township Committee has received several complaints from residents concerning the rate of speed of vehicles traveling along Woodbine Road; and

WHEREAS, there are private driveways and streets along Woodbine Road, and this fact, in combination with high vehicle speeds and increased summer traffic, creates concerns regarding the safety of residents and the general public; and

WHEREAS, in order to ensure the safety of residents and the general public, the Township Committee of the Township of Upper supports a study of the existing speed limit along County Road 557 (Woodbine Road) to determine whether a reduction in the maximum speed limit is warranted; 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 requests that the County of Cape May conduct a speed study of County Road 557 (Woodbine Road) to evaluate existing traffic speeds, determine whether a reduction in the maximum speed limit is warranted, and make such recommendations as may be appropriate based upon the results of the study.
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.
4. A certified copy of this Resolution shall be forwarded to the Cape May County Engineer.

Resolution No. 296-2026
Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

5. Requesting the County of Cape May to investigate traffic-calming measures on County Road 628 (New Bridge Road).

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

RESOLUTION NO. 297-2026

**RE: REQUESTING THE COUNTY OF CAPE MAY TO INVESTIGATE
TRAFFIC-CALMING MEASURES ON COUNTY ROAD 628 (NEW BRIDGE ROAD)**

WHEREAS, County Road 628 (New Bridge Road) is a County roadway located within the Township of Upper; and

WHEREAS, the Township Committee has received concerns from residents regarding the volume and speed of traffic traveling along New Bridge Road, including concerns regarding cut-through traffic in the vicinity of the intersection of New Bridge Road and Corson Tavern Road; and

WHEREAS, the volume and speed of traffic along New Bridge Road have created concerns regarding the safety of residents, motorists, pedestrians and other users of the roadway; and

WHEREAS, the Township Committee is concerned with the safe and efficient movement of traffic along New Bridge Road and believes that an evaluation of potential traffic-calming measures is warranted; 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 requests that the County of Cape May conduct an investigation of County Road 628 (New Bridge Road) and evaluate potential traffic-calming measures to address concerns regarding traffic volume, traffic speeds and roadway safety, and make such recommendations as may be appropriate based upon the results of the investigation.
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.
4. A certified copy of this Resolution shall be forwarded to the Cape May County Engineer.

Resolution No. 297-2026
Offered by: Nappen
Adopted: August 24, 2026

Seconded by: Casaccio

Roll Call Vote:

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

6. Amending Resolution No. 288-2026 to correct the name of the contractor from Starr General Contracting Corporation to Starr Septic, LLC.

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

RESOLUTION NO. 298-2026

**RE: AMENDING RESOLUTION NO. 288-2026 TO CORRECT THE NAME OF THE
CONTRACTOR FROM STARR GENERAL CONTRACTING CORPORATION
TO STARR SEPTIC, LLC**

WHEREAS, Resolution No. 288-2026, adopted on August 10, 2026, authorized the award of a contract to Starr General Contracting Corporation for equipment rental; and

WHEREAS, the contractor was incorrectly identified in Resolution No. 288-2026 as Starr General Contracting Corporation; and

WHEREAS, the correct legal name of the contractor is Starr Septic, LLC; and

WHEREAS, it is necessary to amend Resolution No. 288-2026 to correct the name of the contractor.

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. 288-2026 is hereby amended to correct the name of the contractor from Starr General Contracting Corporation to Starr Septic, LLC.
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. 298-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

7. Authorizing the award of a contract with South Jersey Off-Road, Inc, dba Atlantic City Cycle for equipment and repairs.

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

RESOLUTION NO. 299-2026

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH SOUTH JERSEY OFF-ROAD,
INC, DBA ATLANTIC CITY CYCLE FOR EQUIPMENT AND REPAIRS**

WHEREAS, the Township of Upper has a need to purchase equipment and repair services from South Jersey Off-Road, Inc, dba Atlantic City Cycle 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 South Jersey Off-Road, Inc, dba Atlantic City Cycle for the year 2026 will exceed \$17,500; and

WHEREAS, South Jersey Off-Road, Inc, dba Atlantic City Cycle has completed and submitted a Business Entity Disclosure Certification which certifies that South Jersey Off-Road, Inc, dba Atlantic City Cycle 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 South Jersey Off-Road, Inc, dba Atlantic City Cycle 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 South Jersey Off-Road, Inc, dba Atlantic City Cycle 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. 299-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

8. Authorizing the award of a contract with LB GTMA OPCO LLC, dba Core Equipment Group for parts and equipment.

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

RESOLUTION NO. 300-2026

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH LB GTMA OPCO LLC, DBA
CORE EQUIPMENT GROUP FOR PARTS AND EQUIPMENT**

WHEREAS, the Township of Upper has a need to purchase parts and equipment from LB GTMA OPCO LLC, dba Core Equipment Group 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 LB GTMA OPCO LLC, dba Core Equipment Group for the year 2026 will exceed \$17,500; and

WHEREAS, LB GTMA OPCO LLC, dba Core Equipment Group has completed and submitted a Business Entity Disclosure Certification which certifies that LB GTMA OPCO LLC, dba Core Equipment Group 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 LB GTMA OPCO LLC, dba Core Equipment Group 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 purpose 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 LB GTMA OPCO LLC, dba Core Equipment Group, 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. 300-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

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

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

RESOLUTION NO. 301-2026

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

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

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

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

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

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

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

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Atlantic Investigations, LLC, with offices at 583 13th Street, Suite 101 Hammonton, NJ 08037, is hereby appointed to administer an alcohol and controlled substances training and testing program in compliance with Federal rules, regulations and guidelines and Township policy and to provide other training and testing services as the Township may request.
3. This Contract has been awarded without competitive bidding for the following reason or reasons:
 - (A) Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual providing the service and, in fact, may require the creation of a confidential or fiduciary relationship between that individual and the municipality;
 - (B) The services required are highly specialized or technical in nature;
 - (C) The services require peculiar ability or skill and demand a high degree of specialized knowledge or expertise;

(D) The services are such that their relative work must be judged by subjective considerations that are not susceptible of valuation by competitive bidding; and

(E) The individual who will provide these services has demonstrated his competence and particular expertise in the services required.

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

NOTICE OF CONTRACT AWARD

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

6. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Atlantic Investigations, LLC in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

7. Atlantic Investigations, LLC has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township.

8. A notice of this contract award shall be posted on the Legal Notices page of the official website of the Township of Upper within ten (10) days from the date of adoption.

9. This Resolution shall be effective as of adoption.

Resolution No. 301-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

10. Authorizing a contract with ACT Engineers, Inc. for the preparation of a Regional Greenhouse Gas Initiative Round 2 Natural Climate Solutions grant application for the Strathmere Living Shoreline project.

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

RESOLUTION NO. 302-2026

**RE: AUTHORIZING A CONTRACT WITH ACT ENGINEERS, INC. FOR THE
PREPARATION OF A REGIONAL GREENHOUSE GAS INITIATIVE ROUND 2 NATURAL
CLIMATE SOLUTIONS GRANT APPLICATION FOR THE STRATHMERE LIVING
SHORELINE PROJECT**

WHEREAS, the Township requires engineering consulting services for the preparation of a Regional Greenhouse Gas Initiative (RGGI) Round 2 Natural Climate Solutions (NCS) grant application for funding for the remaining portion of the living shoreline project in the Strathmere section of Upper Township; and

WHEREAS, ACT Engineers, Inc. possesses the requisite skill and knowledge to perform these services; and

WHEREAS, ACT Engineers, Inc. has submitted a proposal in the amount of \$7,500.00 for the preparation and submission of the RGGI Round 2 Natural Climate Solutions grant application; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township to retain ACT Engineers, Inc. to provide such professional services; and

WHEREAS, ACT Engineers, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that ACT Engineers, Inc. has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit ACT Engineers, Inc. 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. ACT Engineers, Inc., with offices at 320 S. Shore Road, Unit D, Marmora, New Jersey, is hereby appointed to provide professional services for the preparation and submission of a

Regional Greenhouse Gas Initiative (RGGI) Round 2 Natural Climate Solutions (NCS) grant application for the Strathmere Living Shoreline Project, in accordance with its proposal.

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

4. This contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contracts Law.

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 ACT Engineers, Inc. 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 the 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.

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Services Contract with ACT Engineers, Inc. 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 by all parties thereto, said contract shall become effective.

8. 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.

9. This Resolution shall be effective as of adoption.

Resolution No. 302-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

11. Authorizing a Second Memorandum of Understanding with the Strathmere Fishing & Environmental Association with regard to the Strathmere Living Shoreline project.

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

RESOLUTION NO. 303-2026

**RE: AUTHORIZING A SECOND MEMORANDUM OF UNDERSTANDING
WITH THE STRATHMERE FISHING & ENVIRONMENTAL ASSOCIATION
WITH REGARD TO THE STRATHMERE LIVING SHORELINE PROJECT**

WHEREAS, the Township of Upper and the Strathmere Fishing & Environmental Association (“SFEA”) previously entered into a Memorandum of Understanding related to the 1st Phase of the Strathmere Living Shoreline Project on April 14, 2025; and

WHEREAS, an amendment to the 1st Memorandum of Understanding was subsequently approved by the Township Committee of the Township of Upper on July 27, 2026; and

WHEREAS, the Township and SFEA desire to enter into a second Memorandum of Understanding pertaining to Phase 2 of the Strathmere Living Shoreline Project; and

WHEREAS, a Memorandum of Understanding has been prepared setting forth the obligations of the Township and SFEA with respect to the matters described herein;

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 is hereby authorized to execute, on behalf of the Township of Upper, the attached Second Memorandum of Understanding with the Strathmere Fishing & Environmental Association pertaining to Phase 2 of the Strathmere Living Shoreline Project.
3. All Township officers and representatives are hereby authorized to take such action as necessary to carry out the intent and purpose of this resolution.

Resolution No. 303-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

Corson	X			
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12. Authorizing 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. 304-2026

**RE: AUTHORIZING 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

Maley Givens, PC (Affordable Housing Services)	\$2,259.16
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Resolution No. 304-2026
Offered By: Nappen
Adopted: August 24, 2026
Roll Call Vote:

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

13. Authorizing the purchase of certain items with funds from Capital Improvement Bond Ordinance No. 012-2026 in the amount of \$3,563.85.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 305-2026

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS
WITH FUNDS FROM CAPITAL IMPROVEMENT BOND ORDINANCE NO. 012-2026
IN THE AMOUNT OF \$3,563.85**

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

and

WHEREAS, the Township Committee adopted the 2026 Capital Improvement Bond Ordinance No. 012-2026 on May 26, 2026; and

WHEREAS, the Township's Qualified Purchasing Agent has reviewed and approved the quote for the purchase of irrigation supplies for softball fields at Amanda's Field from Turf Equipment and Supply Company of Jessup, Maryland; 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 these purposes from Capital Improvement Bond Ordinance No. 012-2026.

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. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the purchase of irrigation supplies for softball fields at Amanda's Field from Turf Equipment and Supply Company of Jessup, Maryland in the amount of **\$3,563.85** with funds from 2026 Capital Improvement Bond Ordinance No. 012-2026.
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. 305-2026

Offered By: Nappen

Seconded By: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

14. Authorizing a refund in the amount of \$122.61 to Dean Evans.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 306-2026

RE: AUTHORIZING A REFUND IN THE AMOUNT OF \$122.61 TO DEAN EVANS

WHEREAS, on June 23, 2026, Dean Evans submitted a payment intended for his MUA Convenience Account; and

WHEREAS, the payment was inadvertently posted to an incorrect account; and

WHEREAS, the Township Committee has determined that a refund of the \$122.61 payment 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
\$122.61

NAME
Dean Evans
601 Tuckahoe Road
Marmora, NJ 08223

Resolution No. 306-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 307-2026

**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, Cape May County, 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 as 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. 307-2026

Offered By: Nappen

Seconded By: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

EXHIBIT "A"

<u>Asset</u>	<u>Department</u>	<u>Asset No.</u>
Structure-Skate Ramp Course	Parks & Recreation	427

16. Authorizing the disposal of blank banking checks which are no longer of use to the Township of Upper.

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

RESOLUTION NO. 308-2026

**RE: AUTHORIZING THE DISPOSAL OF BLANK BANKING CHECKS WHICH ARE NO
LONGER OF USE TO THE TOWNSHIP OF UPPER**

WHEREAS, there exists blank banking checks for the Township's Payroll account that contain checks with incorrect sequential numbering that are no longer of use after the Township upgraded their payroll system and the numbering sequence changed; and

WHEREAS, the Township Committee of the Township of Upper hereby determines that the blank checks listed below are no longer needed for public use and should be disposed of accordingly to ensure security:

<u>Account Name</u>	<u>Check Numbers to be Destroyed</u>
Payroll	78455-78457 78579-78583

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 blank banking checks listed above are hereby determined to be useless for any public purpose and the Township Committee authorizes their disposal by shredding.

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. 308-2026

Offered By: Nappen

Seconded By: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

17. Certification of costs for abatement of nuisance on Block 453, Lot 170.02.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 309-2026

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE
ON BLOCK 453, LOT 170.02**

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 453, Lot 170.02; 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. 309-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 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>
453/170.02	170 RT 50	\$265.00	\$53.00	\$318.00

18. Certification of costs for abatement of nuisance on Block 455, Lot 31.

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

RESOLUTION NO. 310-2026

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE
ON BLOCK 455, LOT 31**

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 455, Lot 31; 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:

4. The allegations of the preamble are incorporated herein by this reference.
5. 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.
6. 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. 310-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 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>
455/31	300 DENNS/PTSBG RD	\$225.00	\$45.00	\$270.00

19. 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. 311-2026

**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:

7. The allegations of the preamble are incorporated herein by this reference.
8. 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.
9. 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. 311-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 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	\$265.00	\$53.00	\$318.00

20. Authorizing the execution of an employment agreement with James Michael Jones, Superintendent of Public Works.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 312-2026

RE: AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH JAMES MICHAEL JONES, SUPERINTENDENT OF PUBLIC WORKS

WHEREAS, a mutually agreeable Employment Agreement has been negotiated between the Township of Upper and James Michael Jones concerning his employment with the Township of Upper as Superintendent of Public Works; and

WHEREAS, the Employment Agreement, attached hereto as Exhibit A, has been reviewed by the Municipal Attorney; 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 of the Township of Upper hereby approves and authorizes the execution of the Employment Agreement with James Michael Jones, attached hereto as Exhibit A.
3. The Mayor and Municipal Clerk are hereby authorized and directed to sign the Employment Agreement on behalf of the Township of Upper.
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. 312-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

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

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 313-2026

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 August 21, 2026 in accordance with the Salary Ordinance as follows:

NAME	POSITION	SALARY
Sean Ferrier	Maintenance Worker 1 Grounds	\$71,305.00*

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. 313-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

22. Appointing Donald Polo as School Traffic Guard.

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

RESOLUTION NO. 314-2026

RE: APPOINTING DONALD POLO AS SCHOOL TRAFFIC GUARD

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

WHEREAS, this Resolution is intended to ratify the action heretofore taken; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Donald Polo is hereby appointed to the part-time position of School Traffic Guard effective August 24, 2026, on an as needed basis, at an hourly rate of \$20.00 per hour in accordance with the Salary Ordinance.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 314-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

23. Adopting revisions to the Upper Township Personnel Policies and Procedures Manual Division of Emergency Medical Services (EMS) Standard Operating Policies and Procedures.

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

RESOLUTION NO. 315-2026

**RE: ADOPTING REVISIONS TO THE UPPER TOWNSHIP
PERSONNEL POLICIES AND PROCEDURES MANUAL DIVISION OF EMERGENCY
MEDICAL SERVICES (EMS) STANDARD OPERATING POLICIES AND PROCEDURES**

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 section entitled “Division of Emergency Medical Services (EMS) Standard Operating Policies and Procedures” (the “Policy”); and

WHEREAS, the Township Committee of the Township of Upper has reviewed and approved 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 Division of Emergency Medical Services (EMS) Standard Operating Policies and Procedures; 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 Division of Emergency Medical Services (EMS) Standard Operating Procedures 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. Said revisions shall replace in its entirety the Policy set forth in the Manual.
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. 315-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

24. Approving the application for a Catering Permit from Jersey Coastal Breweries, LLC for the Upper Township Fall Fest event on October 4, 2026.

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

RESOLUTION NO. 316-2026

**RE: APPROVING THE APPLICATION FOR A CATERING PERMIT FROM JERSEY
COASTAL BREWERIES, LLC FOR THE UPPER TOWNSHIP
FALL FEST EVENT ON OCTOBER 4, 2026**

WHEREAS, in accordance with Chapter 6-7 of the Code of Upper Township, the Township Committee, by resolution, may permit the sale and consumption of alcoholic beverages on Township lands, including public parks, on a one-day permit basis as provided in N.J.S.A. 33:1-74 or on a catering permit basis as provided by regulation or rule of the New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Township of Upper will be holding a Fall Fest event on October 4, 2026 at Amanda's Field; and

WHEREAS, the Township Committee deems it appropriate to approve the application of a one-day Catering permit from Jersey Coastal Breweries LLC for the sale of 12 oz. distilled spirits and 16 oz. malt alcoholic beverages during said Fall Fest event; 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 approves the application for a one-day Catering permit from Jersey Coastal Breweries LLC for the Upper Township Fall Fest event to be held on October 4, 2026 at Amanda's Field.
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. 316-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2026

Roll Call Vote:

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

25. Authorizing execution of a Ninth Amended Memorandum of Understanding for Block 479, Lots 76, 76.01 and 94.01.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 317-2026

RE: AUTHORIZING EXECUTION OF A NINTH AMENDED MEMORANDUM OF UNDERSTANDING FOR BLOCK 479, LOTS 76, 76.01 AND 94.01

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, pursuant to Resolution #30-2021 adopted January 11, 2021, the Township Committee of the Township of Upper (the “Township Committee”), designated Block 479, Lots 76, 76.01, 94.01, 106.02, 107, 107.01, 108, and 108.01 within the Township of Upper, Cape May County, State of New Jersey (the “Township”) as an “Area in Need of Redevelopment” in accordance with the Redevelopment Law (the “Redevelopment Area”); and

WHEREAS, pursuant to Ordinance #001-2021 on January 25, 2021, the Township Committee adopted a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”), which sets forth, inter alia, the plans for the rehabilitation and redevelopment of the Township; and

WHEREAS, Beesley's Point Development Group, LLC (the “Conditional Redeveloper”) is the owner of property within the Redevelopment Area, known as Block 479, Lots 76.01, and 94.01, and a portion of Block 479, Lot 76 (the “Property”); and

WHEREAS, the Redevelopment Law, specifically N.J.S.A. 40A:12A-8(f), authorizes the Township to arrange or contract with a redeveloper for the planning, construction or undertaking of any project or redevelopment work in an area designated as an area in need of redevelopment; and

WHEREAS, pursuant to Resolution No. 083-2022, the Township and the Conditional Redeveloper entered into a Memorandum of Understanding dated March 28, 2022, in order to exclusively negotiate with Conditional Redeveloper for a period of one hundred and eighty (180) days in an effort to agree upon a Redevelopment Agreement for the rehabilitation and redevelopment of the Property (the “Original MOU”); and

WHEREAS, the Township and Conditional Redeveloper thereafter entered into successive amended Memoranda of Understanding extending the exclusive negotiation period pursuant to the following resolutions:

- First Amended MOU (Resolution No. 269-2022), expiring March 23, 2023;
- Second Amended MOU (Resolution No. 112-2023), expiring September 19, 2023;
- Third Amended MOU (Resolution No. 281-2023), expiring March 17, 2024;
- Fourth Amended MOU (Resolution No. 096-2024), expiring September 13, 2024;
- Fifth Amended MOU (Resolution No. 309-2024), expiring March 12, 2025;
- Sixth Amended MOU (Resolution No. 083-2025), expiring September 8, 2025;
- Seventh Amended MOU (Resolution No. 281-2025), expiring March 7, 2026; and
- Eighth Amended MOU (Resolution No. 071-2026), expiring September 3, 2026; and

WHEREAS, the Township continues to have discussions with the Conditional Redeveloper regarding the rehabilitation and redevelopment of the Property and the Township and Conditional Redeveloper have determined that additional time is necessary for negotiation of a Redevelopment Agreement; and

WHEREAS, the MOU provides that the period of time to negotiate can be extended by the Parties' mutual written agreement; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to enter into a Ninth Amended Memorandum of Understanding extending the exclusive negotiation period for an additional one hundred eighty (180) days from the expiration of the Eighth Amended MOU on September 3, 2026, through March 2, 2027.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The time for exclusive negotiation between the Township of Upper and Beesley's Point Development Group, LLC for the redevelopment of the Property is hereby extended for an additional one hundred and eighty (180) days from the expiration of the Eighth Amended MOU on September 3, 2026, through March 2, 2027.
3. The Township Committee does hereby authorize the Mayor and the Township Clerk to execute the Ninth Amended Memorandum of Understanding between the Township and Conditional Redeveloper evidencing the Parties' agreement to conduct exclusive negotiations toward the formulation of a Redevelopment Agreement for the rehabilitation and redevelopment of the Property.
4. This Resolution shall take effect immediately.

Resolution No. 317-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 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

26. Renewing a Mobile Home Park License.

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

RESOLUTION NO. 318–2026

RE: RENEWING A MOBILE HOME PARK LICENSE

WHEREAS, the Mobile Home Park hereinafter designated has attested that the operation of the mobile home park is in compliance with all applicable New Jersey Statutes and the rules and regulations promulgated pursuant thereto.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The following mobile home park license is hereby renewed for a term of (1) one year, commencing August 1, 2026.

**PINE HILL MHC, LLC
430 US ROUTE 9
MARMORA, NJ 08223
132 Sites**

3. All officials of the Township are hereby authorized to take such action as necessary or required in order to carry out the intent and purpose of this Resolution.
4. This Resolution shall become effective immediately upon adoption.

Resolution No. 318-2026

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 24, 2025

Roll Call Vote:

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

ORDINANCES

27. Public hearing and final adoption of Ordinance No. 014-2026 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER IX (RECREATIONAL FACILITIES) OF THE CODE OF UPPER TOWNSHIP. During the public hearing portion, there were the following speakers:

Eric Weeks, Strathmere, spoke in opposition to beach tags.

David Cummings, Strathmere, spoke in support of beach tags and requested additional information regarding enforcement.

David Chisholm, Strathmere, spoke in support of beach tags.

John Mansall, Strathmere, spoke regarding dogs and fires on the beach and enforcement of the Township's ordinances.

Sally Callahan, Strathmere, spoke in opposition to beach tags.

Fred Duffy, Strathmere, spoke in support of beach tags.

Richard Schutte, Strathmere, spoke in support of beach tags.

Mary Lynn Finelli, Strathmere, spoke in support of beach tags.

There being no more public comment, Mayor Corson then closed the public hearing. Motion by Tyler Casaccio, second by Victor Nappen, to adopt Ordinance No. 014-2026. During roll call vote all four Committee members present voted in the affirmative.

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

ORDINANCE NO. 014-2026

**RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE
CHAPTER IX (RECREATIONAL FACILITIES) 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 9 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:

9-1.2 – Definitions shall be revised to read as follows:

As used in this section:

BEACH — Shall mean that area consisting of natural sandy deposits within the Township adjacent to and abutting the Atlantic Ocean, Corson's Inlet, Peck's Bay, Great Egg Harbor Bay and the Tuckahoe River.

SEASONAL BEACH TAG – Shall mean a beach tag that is required by the Township for use of specified public beaches within the Township of Upper during the bathing season for which the beach tag is applicable by the purchaser of such beach tag.

BATHING SEASON – Shall mean between the Friday prior to Memorial Day and the end of September in any calendar year.

ENFORCEMENT AGENT – Shall mean any agent(s) authorized by the Township of Upper to enforce the terms and provisions of this Chapter of the Upper Township Municipal Code and shall specifically include, but shall not be limited to, a beach tag director, beach tag enforcement agents, the Upper Township Code Enforcement Department, the Upper Township parking

enforcement personnel, the New Jersey State Police, and/or the Township Administration Department.

9-1.3 – Paid Beaches Established shall be revised to read as follows:

a. Paid beaches are hereby established in the Township of Upper for the public health, recreation, and entertainment.

b. Such paid beaches shall be located upon all lands in the Township of Upper that front along the Atlantic Ocean, Corson's Inlet, and Whale Beach. The Township Committee reserves the right to revise this list of paid beaches, in their discretion, upon the adoption of an authorizing resolution.

9-1.4 – Beach Fees and Charges/Exemptions to Beach Fees shall be created to read as follows:

In order to provide the necessary funds to protect, guard, clean, police, maintain, and otherwise manage the beaches of the Township of Upper, the following fees shall be charged for use of the beaches proscribed in Section 1.3, above:

a. No fees shall be charged or collected from any person under the age of sixteen (16) years.

b. Beach tags for use on one (1) single day during the bathing season shall be charged at a rate of \$10.00 per beach tag.

c. Beach tags for use during any continuous seven (7) calendar day period during the bathing season shall be charged at a rate of \$20.00 per beach tag.

d. Beach tags for use during the entirety of a bathing season that are purchased between October 1st of a given calendar year and the Monday after President's Day shall be charged at a rate of \$30.00 per beach tag.

e. Beach tags that are purchased between the Tuesday after President's Day and the end of September of a given calendar year shall be charged at a rate of \$45.00 per beach tag.

f. No beach tag fees shall be charged to or collected from any person in active military service in any of the Armed Forces of the United States of America and up to one (1) additional guest of the active-duty service member. In order to obtain this exemption from the requirement for payment of beach tag fees, the active-duty service member shall be required to produce their military identification card when requested by the Enforcement Agent tasked with enforcing the provisions of this Chapter.

g. No beach tag fees shall be charged to those persons who have served in any of the Armed Forces of the United States of America and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least ninety (90) days in active duty or have been discharged or released from active duty by reason of a service-incurred injury or disability (“veterans”). In addition to a waiver of the requirement to purchase a beach tag for veterans, each veteran shall be permitted to obtain a beach tag for up to one (1) additional guest that is free of charge. In order to obtain a badge with no fee pursuant to this section, such veteran shall present to the Enforcement Agent documentation, consistent with laws, rules, and/or regulations promulgated by the Adjutant General of the New Jersey Department of Military and Veteran’s Affairs, sufficient to establish entitlement to a beach tag without payment of the otherwise required fee.

h. Records and Verification. As required by law, the Township shall maintain a list of all individuals to whom beach tags are issued pursuant to sections f and g, above, including the names of all individuals and, as applicable, their guests who qualify for the beach fee exemption. The Township Administrator shall also establish procedures for verifying that individuals who qualify for the beach tag exemption present the appropriate credentials that demonstrate active duty to veteran status.

9-1.5 – Revenue Depositing shall be created to read as follows:

All beach tag revenues shall be deposited into the Upper Township General Fund and from this fund shall be paid all operating and capital expenditures that are properly attributable to the beachfront operations of the Township of Upper.

9-1.6 – Rules and Regulations, which was previously codified in 9-1.3, shall be amended to read as follows:

The aforementioned facilities in subsection 9-1.1 shall be accessible to the public at all times, subject to the purchase of beach tags for those beaches identified in subsection 9-1.3(b), above, ensuring public access, use and enjoyment of those facilities in accordance with the following rules and regulation:

a. Beach Tag Required. No person 16 years of age or over shall bathe at or otherwise use or be upon the beaches identified in subsection 9-1.3, above, without having first acquired and then having in his or her possession a proper and effective beach tag, license, or permit to use the beach, which shall, in the event of a physical beach tag be worn conspicuously by the person during said use so that it is

visible at all times and is able to be exhibited on demand to an Enforcement Agent. In the event that the holder of a beach tag does not possess a physical beach tag and instead possesses a digital beach tag, the holder of such beach tag shall be required to display the digital beach tag to an Enforcement Agent upon demand.

b. Regulations for Beach Tags. It shall be unlawful to violate any of the rules and regulations contained herein, or those rules and regulations which may be subsequently adopted by the Township by way of resolution, during the bathing season or any other times if specifically provided for:

1. The Township or its duly authorized representatives shall be the sole and exclusive vendor and/or lessor of the privileges, rights, badges, or permits, as it is hereby deemed unlawful for any person or entity to purchase or lease the badges from anyone other than the Township or its duly authorized representatives.

2. The counterfeiting, copying, duplication, or other forms of reproduction of the beach badges or permits issued by the Township by anyone other than the Township or its duly authorized representatives is hereby prohibited.

3. The possession of counterfeit and/or fraudulently obtained beach tags or permits is hereby prohibited.

4. No later than December 1st of each calendar year, the Township's Chief Financial Officer shall provide the Township Committee with a report that includes the amount of revenue raised by beach tag fees, broken down by category of beach tag; the cost of operation of the beach utility for that calendar year; the amount of any excess or shortfall in revenue; and recommendations to the Township Committee as to whether the beach fee ordinance should be modified for the next calendar year. Township Committee shall review the information provided and, in its sole discretion, make any adjustments to the beach fee ordinance that it deems reasonable and necessary.

5. Any holder of a mercantile license within the Township of Upper that resells, leases for a fee, or marks up beach tags to its customers or guests, or distributes counterfeit or fraudulently obtained beach tags, shall be subject to possible suspension or revocation of its mercantile license.

c. Playing of Games. It shall be unlawful to throw, bat or catch a baseball, football, basketball or

d. Use of Objects in Water Prohibited; Exception. During the months of May, June, July, August, and September, it shall be unlawful to use lifebelts, inflatable rafts, water wings, innertubes or inflated objects or devices of any kind or description in the ocean adjacent to the beach, except on such areas of the beach designated by resolution of the Township Committee for the use of such objects, which resolution may be adopted and which, following adoption, may be amended, supplemented or rescinded. Such objects shall be utilized only in the designated areas and at no other place on the beach. The Township Committee shall cause the beach area designated for such specified purposes to be posted with appropriate notices.

e. Refuse and Debris. It shall be unlawful to throw, place, deposit or leave any bottles, glass, crockery, sharp or pointed article or thing, papers, refuse or debris of any kind, in beach areas except in the proper receptacles provided on the beach.

f. Orders and Directions of Lifeguards. It shall be unlawful to ignore or disobey all orders, directions, whistles or other signals used by Township lifeguards and police officers.

g. Alcoholic Beverages. It shall be unlawful to consume, openly display, dispense or offer to dispense or consume any beer, wine, whiskey or other alcoholic beverages upon the streets, highways, sidewalks, public or quasi-public places, or in automobiles or other vehicles while moving or parked upon the streets, highways, alleys, parking lots or other places not expressly licensed for the sale and consumption of such beverages upon the premises so licensed.²

h. Smoking and/or Vaping Prohibited. Pursuant to N.J.S.A. 26:3D-55 et seq., it shall be unlawful to smoke, burn, vaporize, or consume any tobacco product, cigar, cigarette, pipe, electronic smoking device/e-cigarette, cannabis, or cannabis item (as defined in N.J.S.A. 24:6I-33) upon any public beach, dune area, beach approach, or adjacent public boardwalk/pathway within the Township of Upper.

i. Damaging Township Property. It shall be unlawful to climb upon or stand on the railings, fences or benches so as to cause or to likely cause damage to such, or approaches thereto, or tamper with or handle the lifeguard boats or other equipment used by the lifeguards on the beach.

j. Conduct on the Beach. It shall be unlawful to revel, disport or behave in a noisy and boisterous manner, emitting loud cries and other noises, so as to inconvenience others, or otherwise disrupt and disturb the public peace and dignity within the defined areas. It shall be unlawful to act in a loud, indecent, obscene, offensive or lascivious manner within the defined areas.

k. Loitering. It shall be unlawful to loiter, assemble, band or crowd together, so as to interfere or to likely interfere with the ingress and egress of others at the street ends approaching the beach or within the areas defined as the beach and approaches thereto.

l. Hours of Swimming. It shall be unlawful for any person to swim, bathe or enter any waterway from any public beach after sunset and before sunrise, except where permission to do so has been provided the Township of Upper or their designated representative, or unless the person entering the ocean is doing so in an attempt to assist or save someone else in the waterway.

m. Hours Where Beach Tags are Required. Beach tags shall be required on the beaches proscribed in subsection 9-1.3, above, between the hours of 9:00 a.m. and 5:00 p.m. EST. The Township of Upper reserves the right to close beaches or other areas during periods of inclement weather or other emergent situations.

n. Vehicles and Horses Prohibited; Exceptions. It shall be unlawful to drive a motorcycle, bicycle or any motor operated or horse drawn vehicle or to ride a horse upon the beach or approaches thereto. This provision shall not apply to Township-owned vehicles in the course of public needs or requirements.

o. Changing in Public; Sleeping in Cars. It shall be unlawful to use any vehicle within the boundaries of the Township, or any public rest room or other public shelter or place not designed for that purpose, as a place for the changing from street attire into bathing suits or vice versa, or to sleep in cars at any time, either day or night.

p. Fires. It shall be unlawful to build beach fires upon and within the amusement or recreational areas as defined in this section.

q. Use of Public and Private Property.

1. It shall be unlawful to use any public or quasi-public bench or seat, upon and within the defined recreational and amusement areas, for sleeping, or to lie upon them, or to usurp

the uses thereof for the storage of baskets, bundles, clothing or other like objects so as to prevent the reasonable use thereof by others.

2. It shall be unlawful to enter upon any public or quasi-public place or private property, without the consent of the owner or person in lawful control and possession thereof, to change apparel, dress or undress, perform any of the functions of the human body, or commit any other nuisance.

r. Fishing. It shall be unlawful to fish on any public beach within 250 feet of any lifeguard stand between the hours of 9:00 a.m. and 7:00 p.m.

s. The Township Committee of the Township of Upper is hereby authorized and empowered to:

1. Adopt by resolution, in addition to the rules and regulations set forth herein, such other rules and regulations as may be necessary for the proper control and regulation of the beachfront and other areas and the waters adjacent thereto.

2. Designate by resolution the protected bathing beaches where lifeguards are attendant equipment are to be provided by the Township and from which beaches persons shall be permitted to bathe or swim; however, the Township Administrator may change or abolish the precise location of any one or more bathing beaches from time to time as safety and attending circumstances shall require.

3. To determine and establish by resolution the period during each calendar year when the Township's paid bathing beaches shall be opened and closed to the public.

Editor's Note: For regulation of dogs in public parks, playgrounds and beaches, see subsection 8-5.4 of Chapter 8, Animal Control. For regulations concerning the protection of sand dunes, see Section 3-4 of Chapter 3, Police Regulations.

9-1.7 Use of Surfboards, Sailboats, Catamarans, and Other Similar Non-Inflatable Devices, which was previously codified in 9-1.4, shall read as follows:

During the months of May, June, July, August and September, the use of surfboards, sailboats, catamarans and other similar devices, shall be permitted only on one or more beaches so designated by

resolution of the Township Committee, which resolution may be adopted and which, following adoption, may be amended, supplemented or rescinded. The use of surfboards, sailboats, catamarans and other similar devices shall be permitted only on the designated beach or beaches and shall be permitted at any time between the hours of 6:00 a.m. and 9:00 p.m. Swimming and bathing on such beach or beaches designated for the use of surfboards, sailboats, catamarans and other similar devices is absolutely prohibited. The Township Committee shall cause the designated beach or beaches to be posted with appropriate notices.

9-1.8 – Hours of Lifeguard Protection, which was previously codified in 9-1.5, shall read as follows:

- a. The Township beach known and designated as the Beesley's Point Beach shall be protected by Township lifeguards between the hours of 9:00 a.m. and 5:00 p.m.
- b. All other public beaches within the Township, with the exception of the beach at Tuckahoe, shall be protected by lifeguards between the hours of 10:00 a.m. and 6:00 p.m.
- c. No lifeguard protection shall be provided at the beach at Tuckahoe. The area shall be designated as an unprotected beach and appropriate signs and notices to that effect shall be posted.

9-1.9 – Public Bathing Beach at Beesley's Point, which was previously codified in 9-1.6, shall read as follows:

- a. Swimming Prohibited. It shall be unlawful for any person to swim or dive from the general westerly side of the pier located in the public bathing area of Beesley's Point. Swimming shall only be permitted off the beach area.
- b. Fishing and Crabbing Prohibited. It shall be unlawful for any person to engage in fishing or crabbing from the pier or floating dock located at the public bathing beach at Beesley's Point.
- c. Penalty. Any person who violates the provisions of this subsection shall, upon conviction, be subject to the penalty stated in Chapter 1, Section 1-5.

9-3.12 - Impounding of Unlicensed and Abandoned Vessels, shall be amended to read as follows:

The Upper Township Code Enforcement Official or their designee is hereby authorized and directed to remove or have removed any catamarans left unattended after 4:00 p.m. on the beach, dunes or

surf and/or on which is not displayed the official decal, as well as any single-hull sailboat left unattended at any time on the beach, dunes or surf and/or on which is not displayed the official decal. Such vessel shall continue to be impounded until claimed. The Township Clerk shall notify the legal owner of the vessel, where such owner is known or can be reasonably ascertained, in writing, by personal service, or by certified mail, at the last known address of the owner that such vessel has been removed from the beach, the reason for such removal, and the location of the vessel. Such vessel shall be retained and impounded until the owner shall have paid the costs of such taking and removal, the charge to be \$50, together with a storage charge of \$5 for each and every day such vessel is retained and impounded. In the event that an owner fails to claim a vessel within 30 days of the aforementioned notice, then the Township is hereby empowered to dispose of same at public sale and apply the proceeds thereof to the aforementioned charges. Notwithstanding anything contained herein to the contrary, the Township expressly reserves the right to institute an action in a Court of competent jurisdiction against the owner of the vessel to recover the aforementioned charges.

9-7.7 – Violation of Rules/Regulations, shall be amended to read as follows:

Any person who violates any section of this Chapter or the rules and regulations set forth under this Chapter shall be immediately removed from the property. In addition, any person convicted of violating the provisions of this Chapter or the rules and regulations promulgated hereunder shall be guilty upon a first offense of a fine not to exceed \$200.00 and a second offense of a fine not to exceed \$500.00. For any person convicted of a third or subsequent offense for violation of the provisions of this Chapter and/or the rules and regulations promulgated hereunder, the fine to be levied for such conviction shall be the maximum fine permitted pursuant to Chapter 1-5.1 of the Code of the Township of Upper.

SECTION 2: 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 3: 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 4: EFFECTIVE DATE: This Ordinance shall take effect upon final adoption and publication as required by law.

SECTION 5: 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 10TH DAY OF AUGUST, 2026 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 24TH DAY OF AUGUST, 2026 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

28. Atlantic-Cape Multi-Jurisdictional Program for Public Information (MJPPPI) 2025 Annual Update.
The Township Administrator reported that the update was presented to the Township Committee as an informational report and to document activities related to CRS points.

NEW BUSINESS

UNFINISHED BUSINESS

PAYMENT OF BILLS

29. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting." **Motion by Victor Nappen, second by Tyler Casaccio. During roll call vote three Committee members voted in the affirmative. Committeeman Casaccio abstained from voting on PO #26-02189, and voted in the affirmative on the remaining items.**

Bills approved for payment: \$449,281.29
Payroll: \$315,533.67

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

Mary Lynn Finelli, Strathmere, inquired about the seagrass and snow fencing associated with the beach replenishment project. It was stated that the snow fencing is being coordinated with the State of New Jersey and the Army Corps of Engineers and is expected to be installed in the near future.

Shirley White, Strathmere, inquired about the projected beach tag revenue and future plans for maintaining the replenished beach. It was stated that the Township is exploring options for beach protection and will utilize a roaming patrol for beach tag enforcement.

Eric Weeks, Strathmere, inquired about the process for purchasing beach tags. It was stated that the beach tags will be available through multiple methods, including online and in-person purchases, with additional options being explored.

CLOSED SESSION

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

**RESOLUTION NO. 319-2026
MOTION GOING INTO CLOSED SESSION
AUGUST 24, 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. Litigation – Sharp v. Upper Township

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 litigation matters such discussions will be made public when litigation is complete, and the applicable appeal period has expired.

Moved by: Tyler Casaccio

Motion seconded by: Victor Nappen

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

RECONVENE PUBLIC PORTION OF MEETING

Motion by Victor Nappen, second by Tyler Casaccio to reconvene the public portion of the meeting, with all four Committee members present voting in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 7:08 P.M., with a motion by Victor Nappen, second by Tyler Casaccio, and all four Committee members present voting in the affirmative. The next regular Committee meeting is scheduled for September 14, 2026 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bill List

87988 08/24/26 A0018 ACTION SUPPLY INC. 24.48 3514
87989 08/24/26 A0091 ATLANTIC CITY ELECTRIC 36,585.32 3514
87990 08/24/26 A0117 AT&T 403.67 3514
87991 08/24/26 A0193 ATLANTIC INVESTIGATIONS, LLC 108.50 3514
87992 08/24/26 A0225 AUTOZONE NORTHEAST LLC 56.02 3514
87993 08/24/26 A0235 AMAZON CAPITAL SERVICES, INC. 379.28 3514
87994 08/24/26 A0251 ACT ENGINEERS, INC. 498.40 3514
87995 08/24/26 A0268 ARTHEON, INC. 643.00 3514

87996 08/24/26 B0032 BLANEY WEINBERG & CURIO PC 105.00 3514
87997 08/24/26 B0090 BROADLEY'S MDI 125.00 3514
87998 08/24/26 B0139 BATTELINI TRANSPORTATION 666.00 3514
87999 08/24/26 B0220 BERGEY'S TRUCK CENTERS 59.10 3514
88000 08/24/26 B0288 KINGBARNES LLC 1,200.00 3514
88001 08/24/26 B0308 Buddy's Ice Cream 335.00 3514
88002 08/24/26 C0019 CITY OF OCEAN CITY 19,305.08 3514
88003 08/24/26 C0042 CAMPBELL SUPPLY COMPANY 2,995.50 3514
88004 08/24/26 C0068 COMCAST 1,227.53 3514
88005 08/24/26 C0143 CODY'S POWER EQUIPMENT 126.25 3514
88006 08/24/26 C0223 CASA PAYROLL SERVICE 868.75 3514
88007 08/24/26 C0329 COASTAL EMERGENCY MEDICAL 2,500.00 3514
88008 08/24/26 C0352 COLUMN SOFTWARE, PBC 69.16 3514
88009 08/24/26 C0364 CAB VENTURES LLC 389.99 3514
88010 08/24/26 D0040 DELTA DENTAL OF N.J. INC. 5,852.28 3514
88011 08/24/26 D0186 DOCUTREND IMAGING SOLUTIONS 130.22 3514
88012 08/24/26 D0252 DEBLASIO & ASSOCIATES PC 50,847.50 3514
88013 08/24/26 E0012 EHRLICH PEST CONTROL INC 155.58 3514
88014 08/24/26 F0233 FORERUNNER INDUSTRIES, INC. 8,185.00 3514
88015 08/24/26 F0243 FOLEY INCORPORATED 5,690.00 3514
88016 08/24/26 G0016 GARDNER HARDWARE INC. 425.46 3514
88017 08/24/26 G0028 GENTILINI FORD, INC. 2,257.79 3514
88018 08/24/26 G0120 PATRICK F. MARTIN 2,083.33 3514
88019 08/24/26 G0212 GIFT, MICHAEL 170.93 3514
88020 08/24/26 H0002 H.A. DEHART & SON CORP. 146.82 3514
88021 08/24/26 H0073 HOME DEPOT CRC/GEFC 192.69 3514
88022 08/24/26 H0148 THOMAS H. HEIST INS AGENCY INC 11,237.00 3514
88023 08/24/26 I0016 INSTITUTE FOR PROF DEVELOPMENT 100.00 3514
88024 08/24/26 J0091 Jennis, Stephen 19.00 3514
88025 08/24/26 K0119 KATES SCHNEIDER ENGINEERING 270.00 3514
88026 08/24/26 L0007 LC EQUIPMENT, INC. 460.00 3514
88027 08/24/26 L0031 LORCO PETROLEUM SERVICES 300.00 3514
88028 08/24/26 L0167 LEVEL UP RETAIL SERVICES 20,875.00 3514
88029 08/24/26 M0019 MAXIMUM MARINE,LLC 85.50 3514
88030 08/24/26 M0046 MASON, DAVID 150.00 3514
88031 08/24/26 M0235 MODERN GROUP, LTD 11,896.60 3514
88032 08/24/26 M0277 EQUITABLE FINANCIAL LIFE INS. 220.31 3514
88033 08/24/26 M0303 MALEY GIVENS, A PROF CORP 15,656.75 3514
88034 08/24/26 M0342 MC NAIR, RYAN 104.98 3514
88035 08/24/26 M0345 MAJESTIC OIL 4,158.42 3514
88036 08/24/26 N0052 NATL ALLIANCE FOR YOUTH SPORTS 144.00 3514
88037 08/24/26 N0176 NJ SOLUTIONS JOINT HEALTH 168,306.30 3514
88038 08/24/26 O0006 SJSHORE MARKETING,LLC 185.00 3514
88039 08/24/26 O0079 OSK DESIGN PARTNERS PA 1,981.25 3514
88040 08/24/26 P0056 TURF EQUIPMENT AND SUPPLY CO 1,930.33 3514
88041 08/24/26 P0140 PIONEER MANUFACTURING CO, INC 1,999.50 3514
88042 08/24/26 R0030 RIGGINS, INC. 7,512.79 3514
88043 08/24/26 R0100 ROBERTS OXYGEN COMPANY, INC. 528.15 3514
88044 08/24/26 R0147 REVASCENT LLC 2,134.56 3514
88045 08/24/26 R0149 REMINGTON & VERNICK ENGINEERS 4,560.00 3514
88046 08/24/26 R0157 R&R CEILINGS INC. 32,100.00 3514
88047 08/24/26 S0056 SEASHORE ASPHALT CORPORATION 664.99 3514
88048 08/24/26 S0057 SERVICE TIRE TRUCK CENTERS 2,495.25 3514
88049 08/24/26 S0134 SO. JERSEY GAS COMPANY 724.23 3514
88050 08/24/26 S0161 SPICA STEEL, INC./J.D.L.GARAGE 395.00 3514
88051 08/24/26 S0191 STRATHMERE FIRE CO.DISTRICT #1 1,602.90 3514
88052 08/24/26 S0303 SITEONE LANDSCAPE SUPPLY, LLC 2,788.35 3514
88053 08/24/26 S0363 STARR SEPTIC, LLC. 1,405.50 3514
88054 08/24/26 T0089 TREASURER, STATE OF N.J. 500.00 3514
88055 08/24/26 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3514
88056 08/24/26 U0076 U.S.BANK NATIONAL ASSOCIATION 673.75 3514
88057 08/24/26 V0013 VERIZON WIRELESS 664.71 3514
88058 08/24/26 V0022 VERIZON 604.56 3514
88059 08/24/26 V0024 VAL-U AUTO PARTS L.L.C. 1,093.47 3514
88060 08/24/26 V0052 VIKING TERMITE & PEST CONTROL 66.74 3514
88061 08/24/26 W0038 WILLIAMS, JEREMIAH J. 155.44 3514
88062 08/24/26 W0123 WIRELESS ELECTRONICS, INC. 875.00 3514
88063 08/24/26 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3514

88064 08/24/26 X0008 XEROX FINANCIAL SERVICES 1,434.07 3514
88065 08/24/26 Z0017 ZOLL DATA SYSTEMS, INC. 339.80 3514
Total: 449,281.29