

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR SEPTEMBER 28, 2026**

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

SUNSHINE ANNOUNCEMENT

ROLL CALL

DISCUSSION

1. Proposed Expansion of CAFRA Center Area – Ocean City Campground.

Gary Ott and Gary Ott, Jr., owners of the Ocean City Campground, were in attendance along with their Engineer, Vincent C. Orlando. It was stated that an expansion of the campground has received Zoning Board approval and is currently going through the NJDEP permitting process, but progress has been slow. In order to advance the project with the NJDEP Ocean City Campground is requesting an expansion of the CAFRA Center Area to include the campground and potentially additional properties. It was stated that the Township would need to provide an endorsement/support to move the matter forward. After a brief discussion, there was a consensus to authorize Ocean City Campground, through its authorized agent, Vincent Orlando, to correspond with the Office of Planning Advocacy regarding the proposed expansion of the CAFRA Center Area. A Resolution will be placed on tonight's agenda for formal action.

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 September 25, 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	Present
Curtis Corson	Present

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

APPROVAL OF MINUTES – September 14, 2026 Regular and Closed Session Minutes and
September 21, 2026 Special Meeting Minutes

Motion by Victor Nappen, second by Zachary Palombo, to approve the September 14, 2026 Regular and Closed Session Minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

Motion by Zachary Palombo, second by Tyler Casaccio, to approve the September 21, 2026 Special Meeting Minutes as submitted. During roll call vote four Committee members voted in the affirmative. Committeeman Victor Nappen abstained.

PRESENTATION

1. Congratulating the Upper Township Challenger Sports Special Olympics Track & Field Team on their achievements in the 2026 New Jersey Special Olympics Summer Games. Mayor Corson and the Township Committee presented the following Resolution to the members of the Upper Township Challenger Sports Special Olympics Track & Field Team.

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

RESOLUTION NO. 320-2026

**RE: CONGRATULATING THE UPPER TOWNSHIP CHALLENGER SPORTS
SPECIAL OLYMPICS TRACK & FIELD TEAM ON THEIR ACHIEVEMENTS IN THE
2026 NEW JERSEY SPECIAL OLYMPICS SUMMER GAMES**

WHEREAS, the Upper Township Challenger Sports Special Olympics Track & Field Team had an outstanding showing at the 2026 New Jersey Special Olympics Summer Games; and

WHEREAS, thirty-four athletes competed in the Special Olympics Track & Field qualifying event held at Ocean City High School on May 9, 2026, with athletes from Cape May, Atlantic, and Cumberland Counties participating; and

WHEREAS, the Upper Township Challenger Sports Special Olympics Track & Field Team was invited to compete in the 2026 New Jersey Special Olympics Summer Games, held from June 5 through June 7, 2026, at The College of New Jersey and surrounding locations; and

WHEREAS, all thirty-four athletes competed in a total of eighty events, earning twenty-four gold medals, twenty-eight silver medals, and seventeen bronze medals; and

WHEREAS, it is appropriate that the Township Committee, on behalf of the citizens of Upper Township, recognize and congratulate these outstanding athletes:

Aneudy Valerio

Anna Allen

Anthony Conner

Elijah Mason

Erika Schmid

George Rose

Kalin Raynis

Louie Matto

Lukas Herrera-Gong

Bailey Fluke	Hunter Bailey	Marissa Faralli
Blake Kennedy	Hunter G. Murray	Megan McLaughlin
Brett Patro	Ian Thomson	Mia Palmer
Charlie Johnson	Ivanna Lopez	Raymond Pashuck
Cheyenne Miller	Izayah Peterson	Roddy Gilman
Chloe Byrne	Jeff DiAntonio	Steven Rash
Chris Britton	Jordyn Lees	Xander Allwine
Cooper Sokolov	Kaitlin Manson	Zachary Schreiber
Dawson Owens		

WHEREAS, the Township Committee also extends its recognition and appreciation to coaches John Thomson, Megan Thomson, Jackie Adams, Ford Palmer, Ashley Franco, Nicole Owens, Jenny Schreiber, Amanda Schuler, Lauren Johnson, Jim Lees, Trish Byrnes, Helena Mason, and Daryl DiTroia, who have generously given their time and service to coach and support these athletes; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, on behalf of the citizens of the Township of Upper, that it hereby extends its congratulations to the Upper Township Challenger Sports Special Olympics Track & Field Team on their outstanding achievements in the 2026 New Jersey Special Olympics Summer Games; and

BE IT FURTHER RESOLVED that the Township Committee extends its sincere appreciation and gratitude to the coaches for their generous commitment of time, dedication, and service to the athletes and to the community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 14th day of September, 2026.

REPORT OF GOVERNING BODY MEMBERS

Samuel Palombo, Committeeman, reported that the Upper Township Fall Fest will be held on October 4th at Amanda's Field and invited all to come out.

Tyler Casaccio, Committeeman, reported that the ribbon cutting ceremony for the new Fitness Court at Amanda's Field will be held on Thursday October 1st at 3:30 pm.

Zachary Palombo, Committeeman, reported that Public Works is surveying the Township for any damage from the recent nor'easter and addressing any necessary cleanup.

Victor Nappen, Committeeman, reported that the Division of EMS will be hosting Fire Prevention Night on October 7th at Amanda's Field. He next reported that the Rescue Squad's Trunk or Treat event will be held October 27th. Next, he reported on several EMS community outreach activities, including an AED orientation at the Petersburg Methodist Church and a Touch-a-Truck event held at Little Prodigy. Next her reported that EMS coverage in Woodbine has been running smoothly, averaging approximately one call per day. Last, he thanked EMS for providing a presence during the home football games at Caldwell Park.

Curtis Corson, Mayor, reported that the recently completed beach replenishment at the north end held strong during the storm, with some minor erosion and a small gully in front of the new dune. He stated that there was some additional erosion at the southern end where no replenishment was completed. A survey will be conducted to determine the amount of beach lost.

ADMINISTRATOR OVERVIEW

James Van Zlike, Township Administrator, reported that NJDOT will be holding a public information meeting on October 5th at 6:00 p.m. at the Municipal Building regarding the Route 50 bridge replacement, including the anticipated construction and detour plans. He next reported that physical beach tags will be available for sale at the Clerk's Office starting October 1st. Online sales portal and the mobile beach tag app will be available soon. Last, he recognized Ronnie Town on her retirement from Atlantic City Electric and thanked her for her longstanding service to the community.

John Amenhauser, Municipal Attorney, requested that Ordinance No. 17-2026 listed on the agenda for introduction tonight be removed from the agenda for further review. He next requested that a Resolution be added to the consent agenda authorizing Ocean City Campground, through its authorized agent, Vincent Orlando, to correspond with the Office of Planning Advocacy regarding the proposed expansion of the CAFRA Center Area.

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

There was no public comment.

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 Zachary Palombo, to approve the consent agenda items listed below. During roll call vote all five Committee members voted in the affirmative.

FILING OF REPORTS BY CONSENT

RESOLUTIONS TO BE APPROVED BY CONSENT

2. Designating October 4th through October 10th, 2026 as "Fire Prevention Week" in the Township of Upper.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 349-2026

RE: DESIGNATING OCTOBER 4TH THROUGH OCTOBER 10TH, 2026 AS "FIRE PREVENTION WEEK" IN THE TOWNSHIP OF UPPER

WHEREAS, the National Fire Protection Association (NFPA) reports that lithium-ion batteries are used in many of the electronics and devices found in homes every day, including smartphones, tablets, laptops, power tools, e-bikes, e-scooters, and toys; and

WHEREAS, lithium-ion batteries can overheat, start a fire, or explode if they are damaged, improperly charged, or used with incompatible charging equipment; and

WHEREAS, larger devices powered by lithium-ion batteries, such as e-bikes, e-scooters, and power tools, should be charged outside when possible and should not be charged in a manner that blocks exits; and

WHEREAS, the NFPA’s 2026 Fire Prevention Week theme, “Charge into Fire Safety™: Safe Charging Is a Superpower,” seeks to educate the public about safe charging practices and the steps that can be taken to help prevent lithium-ion battery fires; and

WHEREAS the Township Committee of the Township of Upper is dedicated to the safety of life and property from the devastating effects of fire and is joined by our Volunteer Fire Departments and Emergency Services in encouraging all citizens to practice safe charging habits and to follow the NFPA’s fire safety recommendations; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, that the week of October 4, 2026 through October 10, 2026 shall be designated as “Fire Prevention Week” in Upper Township, and encourage the citizens of Upper Township to participate in the 2026 Fire Prevention Week theme, “Charge into Fire Safety™: Safe Charging Is a Superpower,” to help protect their homes, families, and community from battery-related fires.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 28th day of September, 2026.

Resolution No. 349-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

3. Recognizing October 6th as “Knock Out Opioid Abuse Day” in Upper Township.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 350-2026

RECOGNIZING OCTOBER 6TH AS “KNOCK OUT OPIOID ABUSE DAY” IN UPPER TOWNSHIP

WHEREAS, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

WHEREAS, the “Knock Out Opioid Abuse Day” campaign is sponsored by the Partnership for a Drug Free New Jersey in cooperation with the Governor’s Council for Alcoholism and Drug Abuse and the NJ Department of Human Services Division of Mental Health and Addiction Services, to educate residents and healthcare providers about preventing the tragedy of overdose deaths and addiction that has already affected many New Jersey families and communities; and

WHEREAS, the New Jersey State Senate and the General Assembly jointly resolved that October 6th be permanently recognized as “Knock Out Opioid Abuse Day” in New Jersey in order to raise awareness of the dangers of opioid abuse and to educate healthcare providers, community leaders, state lawmakers and members of the public about the opioid abuse epidemic and its effects throughout New Jersey and across the country; and

WHEREAS, there were twenty-three suspected overdose deaths in Cape May County in the year 2025, according to the New Jersey Office of the Attorney General, and five hundred twenty-three treatment admissions of Cape May County residents were for heroin and other opiates in 2024, according to the New Jersey Department of Human Services, Division of Mental Health and Addiction Services; and

WHEREAS, the Township of Upper supports initiatives designed to raise awareness of the potential for dependency on prescribed pain medication and its link to heroin abuse in New Jersey.

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 October 6th be recognized as “Knock Out Opioid Abuse Day” in Upper Township, and that the citizens of Upper Township be encouraged to increase their understanding and awareness of the risks of prescription opioids and their link to addiction and overdose.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 28th day of September 2026.

Resolution No. 350-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

4. Celebrating the launch of the Fitness Court® in the Township of Upper and expressing appreciation to Horizon Blue Cross Blue Shield of New Jersey, the Horizon Foundation for New Jersey, the National Fitness Campaign, and the Cape May County Board of Commissioners.

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

RESOLUTION NO. 351-2026

**CELEBRATING THE LAUNCH OF THE FITNESS COURT® IN THE TOWNSHIP OF UPPER
AND EXPRESSING APPRECIATION TO HORIZON BLUE CROSS BLUE SHIELD OF NEW
JERSEY, THE HORIZON FOUNDATION FOR NEW JERSEY, THE NATIONAL FITNESS
CAMPAIGN, AND THE CAPE MAY COUNTY BOARD OF COMMISSIONERS**

WHEREAS, the Township of Upper is committed to promoting health, wellness, physical activity, and quality of life for its residents and visitors; and

WHEREAS, the Township of Upper has partnered with the National Fitness Campaign to bring a free outdoor Fitness Court® to Amanda's Field, providing residents and visitors with an accessible space for exercise, wellness, and physical activity; and

WHEREAS, the Fitness Court® was made possible through the generous support of Horizon Blue Cross Blue Shield of New Jersey and the Horizon Foundation for New Jersey, and the Cape May County Board of Commissioners; and

WHEREAS, the Township Committee wishes to celebrate the launch of the Fitness Court® and express its appreciation to Horizon Blue Cross Blue Shield of New Jersey, the Horizon Foundation for

New Jersey, the National Fitness Campaign, the Cape May County Board of Commissioners, and all project partners who helped make this community resource possible; and

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 celebrates the launch of the Fitness Court® in the Township of Upper and extends its sincere appreciation to all those whose support and partnership made this project possible.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 28th day of September, 2026.

Resolution No. 351-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

5. Amending Resolution No. 90-2026 appointing Abrianna Hoover as a part-time EMT to the Division of EMS.

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

RESOLUTION NO. 352-2026

**RE: AMENDING RESOLUTION NO. 90-2026 APPOINTING ABRIANNA HOOVER
AS A PART-TIME EMT TO THE DIVISION OF EMS**

WHEREAS, Resolution No. 90-2026 appointed Abrianna Hoover as a part-time EMT with the Division of EMS, effective March 9, 2026, at a salary of \$22.71 per hour; and

WHEREAS, it is necessary to amend Resolution No. 90-2026 to correct the salary for Abrianna Hoover from \$22.71 per hour to \$22.77 per hour; 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. 90-2026 is hereby amended to correct the hourly salary rate for Abrianna Hoover from \$22.71 per hour to \$22.77 per hour.

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. 352-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

6. Amending Resolution No. 161-2026 appointing William Shallcross as a part-time EMT to the Division of EMS.

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

RESOLUTION NO. 353-2026

**RE: AMENDING RESOLUTION NO. 161-2026 APPOINTING WILLIAM SHALLCROSS AS A
PART-TIME EMT TO THE DIVISION OF EMS**

WHEREAS, Resolution No. 161-2026 appointed William Shallcross as a part-time EMT with the Division of EMS, effective April 27, 2026, at a salary of \$22.71 per hour; and

WHEREAS, it is necessary to amend Resolution No. 161-2026 to correct the salary for William Shallcross from \$22.71 per hour to \$22.77 per hour; 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. 161-2026 is hereby amended to correct the hourly salary rate for William Shallcross from \$22.71 per hour to \$22.77 per hour.
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. 353-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

7. Amending Resolution No. 245-2026 appointing Caitlyn Schaffer as a part-time EMT to the Division of EMS.

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

RESOLUTION NO. 354-2026

**RE: AMENDING RESOLUTION NO. 245-2026 APPOINTING CAITLYN SCHAFFER
AS A PART-TIME EMT TO THE DIVISION OF EMS**

WHEREAS, Resolution No. 245-2026 appointed Caitlyn Schaffer as a part-time EMT with the Division of EMS, effective June 22, 2026, at a salary of \$22.71 per hour; and

WHEREAS, it is necessary to amend Resolution No. 245-2026 to correct the salary for Caitlyn Schaffer from \$22.71 per hour to \$22.77 per hour; 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. 245-2026 is hereby amended to correct the hourly salary rate for Caitlyn Schaffer from \$22.71 per hour to \$22.77 per hour.
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. 354-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

Z. Palombo	X			
Corson	X			

8. Authorizing the execution of an employment agreement with James Van Zlike, Township Administrator.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 355-2026

**RE: AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH JAMES
VAN ZLIKE, TOWNSHIP ADMINISTRATOR**

WHEREAS, a mutually agreeable Employment Agreement has been negotiated between the Township of Upper and James Van Zlike concerning his employment with the Township of Upper as Township Administrator; 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 Van Zlike, 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. 355-2026

Offered by: Nappen Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

9. Appointing Donna Heiler as Tax Collector of the Township of Upper.

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

RESOLUTION NO. 356-2026

**RE: APPOINTING DONNA HEILER AS TAX COLLECTOR
OF THE TOWNSHIP OF UPPER**

WHEREAS, effective September 24, 2026, the position of Tax Collector for the Township of Upper became vacant due to the retirement of the former Tax Collector; and

WHEREAS, said vacancy needs to be filled in accordance with N.J.S.A. 40A:9-141 et seq.; and

WHEREAS, the Township Committee has duly considered the matter and has determined that Donna Heiler possesses the designation of Certified Tax Collector as issued by the Director of the Division of Local Government Services, in accordance with N.J.S.A. 40A:9-141; and

WHEREAS, pursuant to N.J.S.A. 54:5-11, the Township Committee is required to designate a bonded municipal official to make examinations of the municipal records as to unpaid municipal liens and certify the results thereof; and

WHEREAS, the Township Committee desires to designate Donna Heiler, in her capacity as Tax Collector, to perform the duties of Tax Search Officer for the Township of Upper pursuant to N.J.S.A. 54:5-11; 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. Donna Heiler is hereby appointed Tax Collector of the Township of Upper for the unexpired term of Rhonda Sharp, effective September 24, 2026, at a salary of \$80,000.00 per year.
3. Donna Heiler, in her capacity as Tax Collector, is hereby designated as the Tax Search Officer for the Township of Upper and shall perform the duties of Tax Search Officer pursuant to N.J.S.A. 54:5-11.

4. Donna Heiler shall continue to serve in her duly appointed title as Passport Acceptance Officer at an annual stipend of \$1,000.00, in accordance with the Salary Ordinance.

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. 356-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

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

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

RESOLUTION NO. 357-2026

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

WHEREAS, Resolution No. 12-2026 established salaries for various officers and employees of the Township for 2026; and

WHEREAS, in accordance with the Upper Township Policy and Procedures Manual under the section Annual Salary Increases Policy, the Township Committee may provide an increase in salary of \$1,000.00 to any employee who has satisfied educational certification requirements for his or her position; and

WHEREAS, the Township Committee has determined it is necessary to amend said Resolution No. 12-2026 to amend the salaries of certain employees who have satisfied educational certification requirements for their respective positions; 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 effective September 18, 2026 as follows:

NAME	<u>POSITION</u>	SALARY
Marshall Kohler	Mechanic	\$73,427.00*
	Assistant CDL Training Coordinator	\$1,000.00*
	Air Brake Inspector	\$1,000.00*
	Automotive Refrigerant Specialist	\$1,000.00*
Joseph Shone	Mechanics Helper	\$71,305.00*
	Automotive Refrigerant Specialist	\$1,000.00*

3. The asterisk notation indicates that the listed salaries are the pensionable salary according to the criteria outlined in the New Jersey Statute Annotated (NJSA) 43:15A-25.2 and NJAC 17:2-2.2
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 357-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

11. Appointing Loren Ready as Claims Coordinator for the Township of Upper.

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

RESOLUTION NO. 358-2026

**RE: APPOINTING LOREN READY AS CLAIMS COORDINATOR
FOR THE TOWNSHIP OF UPPER**

WHEREAS, the Township of Upper is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the FUND requires that in the manner generally prescribed by law, each member shall appoint a Claims Coordinator to coordinate and oversee the Member claims reporting and record keeping efforts, and act as a liaison between the municipality, the JIF Claims Administrator, and other outside agencies; and

WHEREAS, the Township of Upper recommends the appointment of Loren Ready to serve as Claims Coordinator in accordance with the FUND requirements; 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 hereby incorporated in this reference.
2. Loren Ready is hereby appointed as the Municipal Claims Coordinator for the Township of Upper.
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. 358-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

12. Authorizing the award of a contract with Moove NA Distribution, LLC for supplies and materials.

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

RESOLUTION NO. 359-2026

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH MOOVE NA
DISTRIBUTION, LLC FOR SUPPLIES AND MATERIALS**

WHEREAS, the Township of Upper has a need to purchase supplies and materials from Moove NA Distribution, 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 Moove NA Distribution, LLC for the year 2026 will exceed \$17,500; and

WHEREAS, Moove NA Distribution, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Moove NA Distribution, 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 Moove NA Distribution, 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 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 Moove NA Distribution, 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. 359-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 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. 012-2024 in the amount of \$4,181.00.

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

RESOLUTION NO. 360-2026

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS
WITH FUNDS FROM CAPITAL IMPROVEMENT BOND ORDINANCE NO. 012-2024
IN THE AMOUNT OF \$4,181.00**

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

WHEREAS, the Township Committee adopted the 2024 Capital Improvement Bond Ordinance No. 012-2024 on July 8, 2024; and

WHEREAS, the Township's Qualified Purchasing Agent has reviewed and approved the quote for the purchase and installation of rain gutters at the Public Works Facility from The Gutter Guys, LLC of Egg Harbor Township, New Jersey; 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. 012-2024.

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 and installation of rain gutters at the Public Works Facility from The Gutter Guys, LLC of Egg Harbor Township, New Jersey in the amount of **\$4,181.0** with funds from 2024 Capital Improvement Bond Ordinance No. 012-2024.
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. 360-2026

Offered By: Nappen

Seconded By: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

14. Authorizing final payment to Capela Construction Inc. for the project known as Amanda's Field Recreational Improvements - Phase 1 with funds from the Cape May County Open Space Program in the amount of \$6,845.60.

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

RESOLUTION NO. 361-2026

**RE: AUTHORIZING FINAL PAYMENT TO CAPELA CONSTRUCTION INC. FOR THE
PROJECT KNOWN AS AMANDA'S FIELD RECREATIONAL IMPROVEMENTS - PHASE 1
WITH FUNDS FROM THE CAPE MAY COUNTY OPEN SPACE PROGRAM IN THE
AMOUNT OF \$6,845.60**

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

WHEREAS, the Township of Upper authorized a Shared Services Agreement with the County of Cape May for funding of the project known as Amanda's Field Improvements pursuant to Resolution No. 105-2026 on March 23, 2026; and

WHEREAS, the Township of Upper authorized a contract with Capela Construction Inc. of Medford Lakes, New Jersey pursuant to Resolution No. 199-2026 on May 26, 2026; and

WHEREAS, Capela Construction Inc. has submitted an invoice dated September 16, 2026, for final payment and closeout of the contract with a final payment in the amount of \$6,845.60; and

WHEREAS, the Township Engineer has certified that all work has been completed and is of acceptable quality in accordance with the contract documents such that Capela Construction Inc. is entitled to final payment in the amount of \$6,845.60; and

WHEREAS, the Township Chief Financial Officer has examined and approved Capela Construction Inc.'s final invoice and has certified that adequate funds have been appropriated for this purpose in the Cape May County Open Space Grant Program for Amanda's Field Improvements.

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 Chief Financial Officer is hereby authorized to make the final payment to Capela Construction Inc. of Medford Lakes, New Jersey in the amount of \$6,845.60 with funds from Cape May County Open Space Grant for Amanda's Field Improvements.

Resolution No. 361-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

15. Certification of costs for abatement of nuisance on Block 653.01, Lot 4 and Block 415, Lot 2.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 362-2026

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE
ON BLOCK 653.01, LOT 4 AND BLOCK 415, LOT 2**

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 Block 415, Lot 2; 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. 362-2026

Offered by: Nappen Seconded by: Z. Palombo

Adopted: September 28, 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	\$250.00	\$50.00	\$300.00
415/2	1430 RT 50	\$250.00	\$50.00	\$300.00

16. Accepting the conveyance of real property known as Block 858, Lot 1.05 on the municipal tax map of the Township of Upper, County of Cape May and State of New Jersey by gift.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 363-2026

RE: ACCEPTING THE CONVEYANCE OF REAL PROPERTY KNOWN AS BLOCK 858, LOT 1.05 ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY BY GIFT

WHEREAS, the Township of Upper has received an offer to convey property to the Township by gift from Bruce W. Riordan, Philip M. Riordan, and Barbara J. Contino; and

WHEREAS, said property is commonly known as Block 858, Lot 1.05 on the municipal tax map; and

WHEREAS, the Township has received evidence satisfactory to the Township that there are no liens or encumbrances affecting the property except for ad valorem real estate taxes; that the title is acceptable; that the property is not subject to any environmental hazards or conditions; and is not subject to any pending or threatened environmental enforcement action; and

WHEREAS, the Township Committee of the Township of Upper pursuant to Township Code Section 2-15 has determined to accept said real property by gift pursuant to its stated policy of acquiring certain properties.

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 is hereby authorized to accept the conveyance of the property, known as Block 858, Lot 1.05 on the municipal tax map of the Township of Upper, by gift from Bruce W. Riordan, Philip M. Riordan, and Barbara J. Contino so long as the title at the time of the gift remains as indicated above. In accepting the gift, the Township shall not require the payment of real estate taxes that are unpaid at the time of the gift.
3. The Municipal Attorney is hereby authorized to prepare a Deed of Conveyance, or to approve a Deed prepared by the current owner, and to submit said Deed to the Office of the Clerk of Cape May County to be recorded.
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. 363-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

17. Authorizing Ocean City Campground, through its authorized agent, to correspond with the Office of Planning Advocacy regarding an expansion of a CAFRA Center Area.

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

RESOLUTION NO. 364-2026

**RE: AUTHORIZING OCEAN CITY CAMPGROUND, THROUGH ITS AUTHORIZED AGENT,
TO CORRESPOND WITH THE OFFICE OF PLANNING ADVOCACY REGARDING AN
EXPANSION OF A CAFRA CENTER AREA**

WHEREAS, Ocean City Campground, through its authorized agent, Vincent C. Orlando, P.E., of Engineering Design Associates, P.A., has requested authorization to correspond with the Office of Planning Advocacy of the State of New Jersey regarding the proposed expansion of a CAFRA Center Area within the Township of Upper; and

WHEREAS, the Township Committee has discussed the proposed correspondence and desires to authorize Ocean City Campground, through its authorized agent, Vincent C. Orlando, P.E., to engage in such discussions with the Office of Planning Advocacy of the State of New Jersey; 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. Ocean City Campground, through its authorized agent, Vincent C. Orlando, P.E., of Engineering Design Associates, P.A., is hereby authorized to correspond and engage in discussions with the Office of Planning Advocacy of the State of New Jersey regarding the proposed expansion of a CAFRA Center Area within the Township of Upper. Such authorization as provided hereunder is limited to correspondence and discussions and does not constitute approval, endorsement, authorization, or

consent by the Township of Upper related to any proposed expansion of the CAFRA Center Area or other action relating thereto.

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. 364-2026

Offered By: Nappen Seconded By: Z. Palombo

Adopted: September 28, 2026

Roll Call Vote:

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

ORDINANCES

18. Public hearing and final adoption of Ordinance No. 016-2026 RE: A CAPITAL ORDINANCE APPROPRIATING FUNDS AVAILABLE IN THE RESERVE FOR BEACH REPLENISHMENT FUND TO FINANCE THE ACQUISITION OF A D2 CATERPILLAR BULLDOZER. **During the public hearing there were no speakers. Motion by Tyler Casaccio, second by Zachary Palombo, to adopt Ordinance No. 016-2026. During roll call vote all five Committee members voted in the affirmative.**

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

ORDINANCE NO. 016-2026

A CAPITAL ORDINANCE APPROPRIATING FUNDS AVAILABLE IN THE RESERVE FOR BEACH REPLENISHMENT FUND TO FINANCE THE ACQUISITION OF A D2 CATERPILLAR BULLDOZER

WHEREAS, the sum of \$130,697.76 is presently available in the Reserve for Beach Replenishment Fund; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township of Upper to utilize the funds in the Reserve for Beach Replenishment Fund for the acquisition of a D2 Caterpillar Bulldozer.

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

SECTION 1. The sum of \$130,697.76 is hereby appropriated from the Reserve for Beach Replenishment Fund for the acquisition of a D2 Caterpillar Bulldozer to be used for the maintenance of the beach coastline.

SECTION 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith.

SECTION 3. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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 14TH DAY OF SEPTEMBER, 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 28TH DAY OF SEPTEMBER, 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

19. Introduction and first reading of Ordinance No. 017-2026 RE: AN ORDINANCE VACATING MUNICIPAL ROADWAYS KNOWN AS MORRIS AVENUE AND NELSON AVENUE, AS WELL AS A PORTION OF LANDIS AVENUE, EACH OF WHICH ARE SITUATED WITHIN THE STRATHMERE SECTION OF THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY. **This matter was pulled from the agenda. No action was taken.**

APPEAL OF DETERMINATION OF NON-RESPONSIVE BID

20. Marlin Construction Services, Inc. appeal of the determination that its bid for the Strathmere Living Shoreline Project was technically non-responsive.

The Municipal Attorney reviewed the bidding process and explained that the Township had received bids for the Strathmere Living Shoreline Project on September 9, 2026, with Marlin Construction Services, Inc. identified as the lowest responsive bidder. Upon review of Marlin's bid submission, the Township's Engineer for this project, ACT Engineers, identified two areas of concern regarding Marlin's responsibility as a bidder. The Township notified Marlin of the concerns by letter dated September 16, 2026, and Marlin requested a responsibility hearing.

The Municipal Attorney then explained the procedure for the hearing, noting that Junetta Dix, Director of Environmental Services for ACT Engineers, would first address the concerns identified in the bid submission, after which Marlin Construction Services, Inc. would have an opportunity to respond. Ms. Dix would then be given an opportunity to consider the information presented and advise the Township Committee whether her professional opinion had changed. The Attorney further explained that Ms. Dix's recommendation was advisory and that the final determination as to whether Marlin was a responsible bidder rested with the Township Committee.

Junetta Dix then reviewed her professional qualifications and experience and explained her involvement with the Strathmere Living Shoreline Project, including preparation of the permit applications, oversight of the bid specifications, and review of the bids received. Ms. Dix identified two concerns with Marlin's bid submission: the equipment certification did not identify the in-water equipment necessary for the project, and the statement of responsibility did not provide the requested information concerning three similar projects performed for government agencies within the previous five years.

Louis Modugno, legal counsel on behalf of Marlin Construction Services, Inc. and Michael McCoy, Project Manager for Marlin Construction Services, Inc., were given an opportunity to respond to the concerns raised by the Engineer and provided information regarding the company's experience, personnel, equipment and ability to complete the project.

The Township Attorney then explained the distinction between a bidder being responsive and being responsible and advised that the Committee had the authority to determine whether Marlin Construction Services, Inc. was a responsible bidder based upon the information presented during the responsibility hearing. The Committee discussed the concerns raised, the information provided by Marlin, the project schedule, and the safeguards contained in the bid documents, including bonding, insurance, inspections and other contractual protections. Following the discussion, Ms. Dix recommended that the Committee determine Marlin Construction Services, Inc. to be a responsible bidder.

The Township Committee then considered the following Resolutions for adoption:

21. Determining Marlin Construction Services, Inc. to be a responsible bidder for the Strathmere Living Shoreline Project following a responsibility hearing.

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

RESOLUTION NO. 365-2026

**RE: DETERMINING MARLIN CONSTRUCTION SERVICES, INC. TO BE A
RESPONSIBLE BIDDER FOR THE STRATHMERE LIVING SHORELINE PROJECT
FOLLOWING A RESPONSIBILITY HEARING**

WHEREAS, the Township of Upper solicited bids for the Strathmere Living Shoreline Project pursuant to the specifications and bid documents prepared for the project; and

WHEREAS, Marlin Construction Services, Inc. ("Marlin") submitted a bid for the project; and

WHEREAS, following review of the bid submission, the Township raised concerns pertaining to certain responses contained therein that required clarification in order for the Township to be able to determine that Marlin was as responsible bidder; and

WHEREAS, the Township provided Marlin with the ability to request a responsibility hearing before the Township Committee; and

WHEREAS, Marlin requested that a responsibility hearing be scheduled before the Township Committee of the Township of Upper in order to address the concerns raised by the Township's professionals; and

WHEREAS, a responsibility hearing was conducted before the Township Committee on September 28, 2026, during which Marlin was given an opportunity to present information concerning its equipment capabilities and the experience of its personnel; and

WHEREAS, after consideration of the bid package and the information presented at the responsibility hearing, the Township Committee made a determination that Marlin is a responsible bidder for the Strathmere Living Shoreline Project; 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. Marlin Construction Services, Inc. is hereby determined to be a responsible bidder for the Strathmere Living Shoreline Project.
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. 365-2026

Offered By: Casaccio Seconded By: Nappen

Adopted: September 28, 2026

Roll Call Vote:

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

22. Accepting the bid and authorizing the execution of a contract with Marlin Construction Services, Inc. of Freehold, New Jersey, for the Strathmere Living Shoreline Project at a cost of \$959,500.00.

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

RESOLUTION NO. 366-2026

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A CONTRACT
WITH MARLIN CONSTRUCTION SERVICES, INC. OF FREEHOLD, NEW JERSEY, FOR
THE STRATHMERE LIVING SHORELINE PROJECT AT A COST OF \$959,500.00**

WHEREAS, the Township of Upper solicited bids for the Strathmere Living Shoreline Project, which bids were received on September 9, 2026; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Township Engineer and a recommendation was submitted to the Township Committee with respect to the award of said bids; and

WHEREAS, the Chief Financial Officer of the Township of Upper has certified the availability of funds attached hereto as "Exhibit A" in a sufficient amount to award a contract in the amount of \$959,500.00 for the project; and

WHEREAS, the Township intends to take formal action awarding the bid to the lowest responsible bidder as hereinafter provided.

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 hereby accepts the bid submitted by Marlin Construction Services, Inc. of Freehold, New Jersey, for the Strathmere Living Shoreline Project, in the amount of \$959,500.00, subject to the following:
 - (A) The Bidder shall comply with all Bid Documents, including the Notice to Bidders, all of which are hereby incorporated herein by this reference.
 - (B) The Contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.
3. The Mayor and Township Clerk are further authorized to execute a Contract with the successful bidder and/or the Chief Financial Officer is hereby authorized, directed and empowered to issue a Purchase Order to the successful bidder in the amount authorized in this Resolution.

Resolution No. 366-2026

Offered By: Casaccio

Seconded By: Nappen

Adopted: September 28, 2026

Roll Call Vote:

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

CORRESPONDENCE

NEW BUSINESS

UNFINISHED BUSINESS

PAYMENT OF BILLS

23. "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 all five Committee members voted in the affirmative.**

Bills approved for payment: \$391,048.02

Payroll: \$266,119.30

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

Lou Barbuto, Petersburg, inquired about the Resolution appointing the Tax Collector and the Resolution authorizing an employment agreement with the Township Administrator.

Alice March, Strathmere, on behalf of the Strathmere Fishing and Environmental Association, thanked the Committee for moving forward with the living shoreline project.

Nathalie Neiss, Petersburg, inquired about several matters including the appeal hearing that was held earlier in the meeting, the status of the Bowker matter, and ADA accommodations. She also spoke regarding written comments she submitted after the July 27th Committee meeting.

CLOSED SESSION

24. 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 6:35 P.M., with a motion by Zachary Palombo, second by Tyler Casaccio, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for October 13, 2026 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bill List

88179 09/28/26 A0018 ACTION SUPPLY INC. 194.54 3526
88180 09/28/26 A0025 ADVANTAGE RENTAL & SALES 0.00 09/28/26 VOID 0
88181 09/28/26 A0025 ADVANTAGE RENTAL & SALES 610.71 3526
88182 09/28/26 A0030 OCHS AFTER PROM 2,833.82 3526
88183 09/28/26 A0091 ATLANTIC CITY ELECTRIC 13,969.34 3526
88184 09/28/26 A0117 AT&T 727.62 3526
88185 09/28/26 A0191 ACTION UNIFORM CO. LLC 117.00 3526
88186 09/28/26 A0193 ATLANTIC INVESTIGATIONS, LLC 631.50 3526
88187 09/28/26 A0212 ANCERO, LLC 12,720.00 3526
88188 09/28/26 A0218 ATLANTIC CITY CYCLE CENTER LLC 939.96 3526
88189 09/28/26 A0235 AMAZON CAPITAL SERVICES, INC. 3,405.78 3526

88190 09/28/26 A0248 AIRESRING, INC. 2,508.26 3526
88191 09/28/26 A0268 ARTHEON, INC. 1,200.00 3526
88192 09/28/26 B0220 BERGEY'S TRUCK CENTERS 701.57 3526
88193 09/28/26 C0019 CITY OF OCEAN CITY 3,161.90 3526
88194 09/28/26 C0031 CAPE ASSIST 5,000.00 3526
88195 09/28/26 C0048 CAPE MAY COUNTY MUA 39,678.48 3526
88196 09/28/26 C0061 CAPRIONI FAMILY SEPTIC 280.00 3526
88197 09/28/26 C0068 COMCAST 1,761.21 3526
88198 09/28/26 C0072 CATERINA SUPPLY INC. 523.50 3526
88199 09/28/26 C0143 CODY'S POWER EQUIPMENT 216.89 3526
88200 09/28/26 C0223 CASA PAYROLL SERVICE 380.00 3526
88201 09/28/26 C0279 CASA REPORTING SERVICES LLC 144.00 3526
88202 09/28/26 C0352 COLUMN SOFTWARE, PBC 69.16 3526
88203 09/28/26 C0367 CAPELA CONSTRUCTION INC 6,845.60 3526
88204 09/28/26 D0186 DOCUTREND IMAGING SOLUTIONS 279.76 3526
88205 09/28/26 D0252 DEBLASIO & ASSOCIATES PC 9,817.50 3526
88206 09/28/26 E0017 EDMUNDS GOVTECH INC 4,835.00 3526
88207 09/28/26 F0069 FRED'S AUTO 289.90 3526
88208 09/28/26 F0232 FAMILY AUTO GLASS 450.00 3526
88209 09/28/26 F0243 FOLEY INCORPORATED 5,690.00 3526
88210 09/28/26 G0016 GARDNER HARDWARE INC. 29.53 3526
88211 09/28/26 G0028 GENTILINI FORD, INC. 1,443.97 3526
88212 09/28/26 G0120 PATRICK F. MARTIN 2,083.33 3526
88213 09/28/26 G0147 GREATAMERICA FINANCIAL SVCS. 191.00 3526
88214 09/28/26 G0157 GRANTURK EQUIPMENT CO., INC. 1,866.03 3526
88215 09/28/26 G0194 E.M. GRANT 1,237.00 3526
88216 09/28/26 G0211 GRACETOWN LUMBER CO., LLC 167.50 3526
88217 09/28/26 H0002 H.A. DEHART & SON CORP. 739.59 3526
88218 09/28/26 H0148 HEIST INSURANCE AGENCY 21,621.51 3526
88219 09/28/26 H0180 HD SUPPLY FACILITIES MANT 779.68 3526
88220 09/28/26 J0024 JERSEY CAPE DIAGNOSTIC 2,240.00 3526
88221 09/28/26 J0079 JAMES WYERS LANDSCAPING, LLC 770.00 3526
88222 09/28/26 K0086 KD NATIONAL FORCE SECURITY 575.00 3526
88223 09/28/26 M0032 MARINE RESCUE PRODUCTS, INC. 191.00 3526
88224 09/28/26 M0164 MURPHY FENCE COMPANY. INC. 2,670.95 3526
88225 09/28/26 M0277 EQUITABLE FINANCIAL LIFE INS. 220.31 3526
88226 09/28/26 M0345 MAJESTIC OIL 3,814.30 3526
88227 09/28/26 M0346 MOOVE NA DISTRIBUTION 1,700.16 3526
88228 09/28/26 N0052 NATL ALLIANCE FOR YOUTH SPORTS 292.00 3526
88229 09/28/26 N0176 NJ SOLUTIONS JOINT HEALTH 171,678.15 3526
88230 09/28/26 O0012 OCEAN CITY BD. OF EDUCATION 678.01 3526
88231 09/28/26 O0079 OSK DESIGN PARTNERS PA 990.00 3526
88232 09/28/26 P0140 PIONEER MANUFACTURING CO, INC 1,998.64 3526
88233 09/28/26 R0030 RIGGINS, INC. 11,942.14 3526
88234 09/28/26 R0092 RUTGERS, THE STATE UNIVERSITY 573.00 3526
88235 09/28/26 R0100 ROBERTS OXYGEN COMPANY, INC. 133.95 3526
88236 09/28/26 R1058 REC DESK, LLC 275.00 3526
88237 09/28/26 S0056 SEASHORE ASPHALT CORPORATION 3,296.37 3526
88238 09/28/26 S0057 SERVICE TIRE TRUCK CENTERS 647.24 3526
88239 09/28/26 S0134 SO. JERSEY GAS COMPANY 166.82 3526
88240 09/28/26 S0191 STRATHMERE FIRE CO.DISTRICT #1 28,821.98 3526
88241 09/28/26 S0253 SAMPLE MEDIA, INC. 1,126.00 3526
88242 09/28/26 S0377 SHONE, JOSEPH 24.52 3526
88243 09/28/26 S0411 SUNBELT RENTALS, INC. 369.56 3526
88244 09/28/26 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3526
88245 09/28/26 U0037 UT Parent Teacher Organization 1,000.00 3526
88246 09/28/26 U0076 U.S.BANK NATIONAL ASSOCIATION 896.32 3526
88247 09/28/26 U0778 UGI ENERGY SERVICES, LLC 4.77 3526
88248 09/28/26 V0013 VERIZON WIRELESS 684.71 3526
88249 09/28/26 V0022 VERIZON 604.56 3526
88250 09/28/26 V0025 V.E. RALPH & SON, INC. 352.82 3526
88251 09/28/26 V0027 VANORDER, ROGER 247.91 3526
88252 09/28/26 W0087 W.B. MASON EGG HARBOR 334.60 3526
88253 09/28/26 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3526
88254 09/28/26 X0008 XEROX FINANCIAL SERVICES 511.63 3526
Total: 391,048.02