

Cape May Court House, NJ
August 19, 2013
REGULAR MEETING
FLAG SALUTE
THIS MEETING IS BEING RECORDED:

I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

The Township Committee met on the above date at 6:00 PM at the Middle Township Municipal Building. Members present were Mayor Lockwood, Committeemember Donohue, Committeemember DeLanzo, Township Clerk Kimberly Krauss, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon, Municipal Solicitor Marcus Karavan, and Township Engineer Marc DeBlasio.

1. QUESTION/ANSWER PERIOD ON AGENDA (*This question and answer session shall relate only to items as outlined and pending on current agenda. Issues and concerns not related to agenda item shall be withheld to public comment portion at the conclusion of meeting.*)
Ed Dillio – Asked why the Drive Sober Crackdown is only for a two week period?
Lt. Bill Adams, MTPD – Police Department receives a grant for this two week period, which requires the Township to acknowledge these dates in order to receive the grant.
2. RESOLUTION 431-13 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills)
– On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved: Current Acct. \$1,102,289.40
3. RESOLUTION 432-13 - APPROVING PAYMENT FOR BILLS – BILL LIST B (ANZELONE, DRIFTWOOD & LC) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved: Current Acct. \$971.42 ***Mayor Lockwood Abstain**
4. RESOLUTION 433-13 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember DeLanzo seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: Regular Meeting 08/05/203 and Closed Session 08/05/2013.
5. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Court for the Month of July 2013.
6. ORDINANCE NO. 1454-13 - AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1454-13 was adopted on motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
Amending ranges for the following positions:
Asst. Supervisor Public Works \$18,720.00 \$60,000.00
Payroll Clerk \$18,720.00 \$45,000.00
Adding titles for the following positions:
Payroll Supervisor \$18,720.00 \$45,000.00
Superintendent of Public Works \$65,000.00 \$75,000.00
7. RESOLUTION 434-13 through 435-13 – REFUND 2013 TAXES (ITEMS A through B) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
A) Refund due to overpayment by Mortgage Company

ACCOUNT	BLOCK	LOT	ASSESSED OWNER/LOCATION	AMOUNT
1911	95.02	8	Catalone, Edward A	\$1,485.98
			Property location: 28 Acorn Lane	

Please make check payable and send to:
QBE First
Rodrina Aaron
210 Interstate North Parkway, Suite 400
Atlanta, GA 30339

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2013 taxes.
BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

B) Refund due to overpayment by Mortgage Company

ACCOUNT	BLOCK	LOT	ASSESSED OWNER/LOCATION	AMOUNT
17050	1	18	Johnson, Philip E Property location: 437 Rte 47 N	\$1,432.79
1783	60	6	Coleman, Andrew D Property location: 5 Ella Ave	\$671.70
2876	148	16	Roach, Lisa & Garrison, Raymond E Property location: 7 Highs Beach RD	\$645.06
3293	165.01	56	Roma, Virginia Property location: 38 Solar Way	\$895.67
4301	212.11	11	Atkinson, Joann Property location: 309 Ch So Dennis RD	\$1,019.64
5494	305	2	Chase Holdings CM LLC Property location: 410 S Main St	\$1,154.30
7047	472	28	Reichert, James A & Rodia, Deborah A Property location: 302 Rte 47 S	\$1,495.29
13801	1410.02	3	Newman, Linda J Property location: 5 Blueberry Lane S	\$870.88
17377	1425.06	6	Burke, Thomas & Anna M Property location: 11 Centennial Drive	\$894.11
15118	1429	7	Mogavero, Justin J Property location: 6 Peach Tree Rd	\$622.77

Please make check payable and send to:
Corelogic
Attn.: Refunds
1 First American Way
Westlake, TX 76262
BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2013 taxes.
BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

8. RESOLUTION 436-13 - AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 40:48-2.13 authorizes the governing body of every municipality the power to make, enforce, amend and repeal ordinances requiring the owner or tenant of a dwelling or of lands lying within the municipality to provide for the removal or destruction of brush, weeds, debris, etc. constituting fire hazard or injurious to public health or safety and to provide for the imposition of penalties for the violation of any such ordinance, and

WHEREAS, N.J.S.A.40:48-2.14 authorizes the municipality the right to place a lien against such dwelling or lands to provide for the cost of removing brush, weeds debris, etc., and

WHEREAS, the Township of Middle has adopted Ordinance No. 316-76 known as Article I of Chapter 193 of the Code of the Township of Middle “Property Maintenance”, and

WHEREAS, the Township of Middle has noticed the following property owners as indicated below and furthermore these violations had not been remedied.

WHEREAS, in absence of compliance by said owners, the Township of Middle commenced and completed abatement of these violations, and

WHEREAS, the Code Enforcement Officer of the Township of Middle has certified the following cost as listed.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that it hereby impose a lien on the properties listed below as indicated.

FURTHER RESOLVED, that a copy of this lien shall be filed in the Office of the Tax Collector of the Township of Middle.

OWNER	PROPERTY LOCATION	BLOCK // LOT	AMOUNT
Cherie Daley	108 Bennett Avenue	270 // 7	\$54.37
OWB REO, LLC	105 W. Main Street	938 // 8	\$52.94
Herbert Jaudon	301 Goshen Road	60 // 11	\$50.79
Paul Greenspan	39 Crest Road	226.04 // 7	\$72.57
Mark & Carol Price	12 N. 15 th Street	402 // 4	\$50.79
Robert & Rosalie King	124 Indian Trail Road	208 // 4	\$73.67
Jacqueline Dearing	206 Vermont Avenue	1486 // 8	\$50.79
Martha Bell	5 Cardinal Drive	4.02 // 3	\$73.67

9. RESOLUTION 437-13 - APPOINTMENT – PART TIME - NEW HIRE – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Chris Parke	Public Safety	EMT	\$10.60ph	08/20/2013
Kirby Stiltner	Public Safety	EMT	\$10.60ph	08/20/2013

Ryan Braswell	Public Safety	EMT	\$10.60ph	08/20/2013
Joshua Giberson	Public Safety	EMT	\$10.60ph	08/20/2013
Alexander Bauer	Public Safety	EMT	\$10.60ph	08/20/2013

10. RESOLUTION 438-13 – SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2013 STATEWIDE CRACKDOWN - On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day and almost 18,000 people each year; and
WHEREAS, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and
WHEREAS, an enforcement crackdown is planned to combat impaired driving, and
WHEREAS, the summer season and Labor Day holiday in particular are traditionally times of social gatherings which include alcohol, and
WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over 2013 Statewide Crackdown, and
WHEREAS, the project will involve increased impaired driving enforcement from August 16 through September 2, 2013, and
WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.
NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey declares it’s support for the Drive Sober or Get Pulled Over 2013 Statewide Crackdown from August 16 through September 2, 2013 and pledges to increase awareness of the dangers of drinking and driving.
FURTHER RESOLVED, that Police Captain John Edwards is named as the Contact Person, and that the appropriate officials are hereby authorized to sign said documents.

11. RESOLUTION 439-13 - RATIFY SHARED SERVICES AGREEMENT WITH BOROUGH OF STONE HARBOR FOR ANIMAL CONTROL SERVICES – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Shared Services Agreement between the Borough of Stone Harbor and the Township of Middle for Animal Control Services effective January 1, 2013 through December 31, 2013, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

12. RESOLUTION 440-13 - MIDDLE TOWNSHIP ANNUAL FREE YARD SALE – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle supports the Annual Wings and Water Festival held by the Wetlands Institute, and
WHEREAS, the residents of the Township of Middle are permitted to hold an annual yard sale with no charge to the residents on the following days only:
SEPTEMBER 20, 21 and 22, 2013
NOW, THEREFORE BE IT RESOLVED, that Township Committee in the Township of Middle, County of Cape May, does hereby authorize the annual free yard sale to be held September 20, 21 and 22, 2013 in the Township of Middle.

13. RESOLUTION 441-13 - TABULATION COMMITTEE – FY2013 NJDCA ADA PROJECT – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Chief Finance Officer Tracey Taverner, Township Clerk Kimberly Krauss, and a representative from Remington, Vernick & Walberg Engineers, be and hereby are appointed to tabulate the bids to be taken on Friday, September 20, 2013 at 1:00 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:
FY2013 NJDCA ADA PROJECT

14. RESOLUTION 442-13 – TABULATION COMMITTEE – CONTRACTS #2013-2 THROUGH #2013-8 (7 HOMES) – MIDDLE TOWNSHIP HOME REHABILITATION PROJECT – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Chief Finance Officer Tracey Taverner, Township Clerk Kimberly Krauss, Grants Coordinator Jill Becker, be and hereby are appointed to tabulate the bids to be taken on September 18, 2013 at 2:00 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:
CONTRACTS #2013-2 THROUGH #2013-8 (7 HOMES) - MIDDLE TOWNSHIP HOME REHABILITATION PROJECT

15. RESOLUTION 443-13 - ACKNOWLEDGEMENT OF TERMINATION – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following termination listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
James Pettit	Public Works	Equipment Operator	07/26/2013

16. RESOLUTION 444-13 - ESTABLISHING ECONOMIC DEVELOPMENT COUNCIL – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary to outline various positions in connection with a Municipal Economic Development Council, as outlined in Chapter 15 of the Township Code, and furthermore outline members of said committee; and

WHEREAS, the Economic Development Council shall consist of nine members to be appointed by the Township Committee; and

WHEREAS, the members of said board shall be appointed by the Township Committee of the Township of Middle; and

WHEREAS, the terms of said members shall be as follows:

- (1) Three initial appointees shall be appointed for three-year terms;
- (2) Three appointees shall be appointed for two-year terms; and
- (3) Three appointees shall be appointed for one-year terms.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey, that the following members are hereby appointed to serve on the Economic Development Council:

Carol Struett, Chair	Term expiration 12/31/2015
Lee Van Horn	Term expiration 12/31/2013
Dawn Stimmel	Term expiration 12/31/2014
Mark Saioni	Term expiration 12/31/2015
Brian Murphy	Term expiration 12/31/2015
Rick Rixey	Term expiration 12/31/2014
Cheryl Spaulding	Term expiration 12/31/2013
Jill Becker, Board Secretary	Term expiration 12/31/2013
Deputy Mayor Donohue, Advisor	Term expiration 12/31/2014
Lou Altobelli	Term expiration 12/31/2014*
Bill Saracco	Term expiration 12/31/2013*
Pat McCusker, Alternate Member	Term expiration 12/31/2013*

*Filling unexpired terms

17. RESOLUTION 445-13 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – JANITORIAL SERVICES – J&A CLEANING SERVICE – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between the Township of Middle and J&A Cleaning Service for Janitorial Services, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

J&A Cleaning Service – Janitorial Services – Not to Exceed \$16,900.00 (for a full calendar year)

18. RESOLUTION 446-13 – AMENDING ADOPTED PERSONNEL POLICY MANUAL AND PERSONNEL POLICY HANDBOOK - On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle has a policy regarding “working test periods” and employee evaluations during said test period, and

WHEREAS, the attached form shall be adopted and utilized by the Township of Middle in connection with said policy.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the attached form is hereby adopted as “EXHIBIT B” on page 24 , and

BE IT FURTHER RESOLVED, that a copy of said form shall be distributed to each Township Committee person, Township Administrator, Township Solicitor, and Head of each Department as an addition to said manual and further shall be utilized by the Director of Personnel accordingly.

FURTHER RESOLVED, that should any section, paragraph, sentence, clause or phrase of this manual be declared unconstitutional or invalid for any reason, the remaining portions of said manual shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of mentioned manual are hereby declared to be severable.

Kimberly Krauss – This amendment is changing the working test period form for new hires.

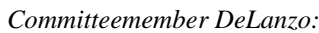
19. RESOLUTION 447-13 – ACKNOWLEDGING MUNICIPAL COURT ORDER BY HONORABLE GEORGE B. NEIDIG, JR. J.M.C. DESIGNATING AN ACTING COURT ADMINISTRATOR FOR MIDDLE TOWNSHIP AND WOODBINE MUNICIPAL COURT – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle has received two court orders dated August 16, 2013 which outlines an the designating of an Acting Court Administrator for the Middle Township and Woodbine Municipal Court pursuant to N.J.S.A. 2B:12-10.b, and

WHEREAS, Deborah Becker shall hereby be appointed Acting Court Administrator for Middle Township and Woodbine Municipal Court, from the date of this Order for a period not to exceed ninety (90) days or until further order of the Court.
NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the above referenced Orders are hereby acknowledged.

20. RESOLUTION 448-13 – AMENDING RESOLUTION 414-13 – APPOINTMENT – NEW HIRE – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, Resolution 414-13 established the hire of Brittney Adams effective August 5, 2013, and
WHEREAS, the Civil Service Title for Ms. Adams shall be amended to accurately reflect her current title during the working test period, effective the date of her hire.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employee is hereby appointed to the following civil service title at the salary opposite their name:
- | NAME | DEPARTMENT | CS TITLE | SALARY | EFFECTIVE |
|----------------|-----------------|---------------------|-------------|------------|
| Brittney Adams | Municipal Court | Keyboarding Clerk 1 | \$30,000.00 | 08/05/2013 |
- FURTHER BE IT RESOLVED, that Ms. Adam’s “in house” appointment as Deputy Municipal Court Administrator shall remain in effect as per the original resolution dated 8/5/2013.
FURTHER RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the following yearly stipend is hereby authorized in connection with the shared services agreement between the Township of Middle and the Borough of Woodbine for Municipal Court services:
- | EMPLOYEE | POSITION | STIPEND |
|----------------|---|------------|
| Brittney Adams | Shared Court – Deputy Municipal Court Administrator | \$2,000.00 |
- Kimberly Krauss – Changing the Civil Service title from Deputy Court Administrator to Keyboarding Clerk 1, which allows for promotion once working test period has been completed.*
21. RESOLUTION 449-13 – AMENDING FAIR AND OPEN CONTACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK AND WALBERG ENGINEERS – AVALON MANOR AND LEONARDS LANE ROADWAY IMPROVEMENTS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, on January 4, 2012 Township Committee awarded Remington Vernick & Walberg Engineers a three year term as Township Engineer, and said contract was certified for 2013 as Resolution No. 42-13, and
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Remington, Vernick & Walberg Engineers shall provide additional work as required towards the Avalon Manor and Leonards Lane Roadway Improvement Project, in connection with the revised USACOE permit plan and millings removal.
Remington, Vernick & Walberg Engineers - Engineering Services – Leonard’s Lane – Not to Exceed \$5,000.00
22. RESOLUTION 450-13 – RELEASE OF TRUST ACCOUNTS – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid, and
WHEREAS, the applicants are entitled to a refund of this money.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts, as listed on the attached sheets, shall be released.
23. RESOLUTION 451-13 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – AMAZING AMUSEMENTS & ENTERTAINMENT INC. – HARVEST FESTIVAL – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Amazing Amusements & Entertainment, Inc. and the Township of Middle for the amusement ride entertainment for the Middle Township Harvest Festival, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
FURTHER RESOLVED, that this contract is contingent upon obtaining any and all requirements and approvals as set forth by the Atlantic County Joint Insurance Fund.
Amazing Amusements & Entertainment, Inc. - Harvest Festival - \$9,125.00

Marc DeBlasio, Engineer Report:



Committeemember Donohue:

Mayor Lockwood:

***No Public Comment**

1st Committeemember Donohue 2nd Mayor Lockwood

Kimberly D. Krauss, Township Clerk

Minutes prepared by Suzanne M. Stocker, Deputy Township Clerk