

Cape May Court House, NJ
August 6, 2012
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 Business Administrator Mark Mallett, Township Clerk Kimberly Krauss, and Municipal Solicitor Marcus Karavan.

1. RESOLUTION 347-12– AMENDING RESOLUTION 212-12 – APPOINTMENT – ELIZABETH SIMPKINS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, Resolution No. 212-12 included various amendments to the salary resolution, and WHEREAS, the title and salary for Elizabeth Simpkins was included in these amendments. 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 appointment/ term for Elizabeth Simpkins as Deputy Tax Assessor shall be as follows, as outlined in N.J.S.A. 40A:9-148:

NAME	TITLE	TERM	
		EFF. DATE	TERM EXP. DATE
Elizabeth Simpkins	Deputy Tax Assessor	07/01/2012*	06/30/2016

BE IT FURTHER RESOLVED, that the title change and salary increase shall remain effective 01/01/2012.

*N.J.S.A. 40A:9-148 outlines the term of office shall be for 4 years from the first day of July next following his/her appointment.

2. SWEARING IN OF DEPUTY TAX ASSESSOR – ELIZABETH SIMPKINS
Mayor Lockwood swore in Mrs. Simpkins as Deputy Tax Assessor
3. SWEARING IN OF DEPUTY TAX COLLECTOR – JOYCE WEBER
Mayor Lockwood swore in Mrs. Weber as Deputy Tax Collector
4. PRESENTATION – MR. NORKIS AND MR. BARON, Cape May County MUA

Mr. Norkis and Mr. Baron presented committee with a print out of actual tonnage change from Dual Stream (2006) to Single Stream (2011).

Camden County, New Jersey IPF Tonnage Data - Received at FCR/Recommunity
 Actual Tonnage Change from Dual Stream (2006) to Single Stream (2011)

Camden IPF Customer	Dual Stream 2006 Tons Received	Single Stream 2011 Tons Received	% Change 2006 to 2011
Audobon	908.45	1,115.69	23%
Audobon Park	95.58	87.01	-9%
Barrington	757.41	722.59	-5%
Bellmawr	1,165.70	1,546.90	33%
Berlin Boro	817.49	912.11	12%
Berlin Township	517.37	574.05	11%
Brooklawn	154.01	217.76	41%
Camden County	168.05	276.27	64%
Cherry Hill*	7,441.34	10,413.51	40%
Cheshilhurst	49.71	67.37	36%
Clementon	238.04	278.06	17%
Collingswood	1,284.81	1,629.94	27%
Gloucester Township	4,352.76	5,772.00	33%
Haddon Heights	1,094.79	1,021.66	-7%
Haddon Township	1,702.40	1,913.35	12%
Haddonfield	1,794.14	2,092.35	17%
Hi-Nella	30.70	31.80	4%
Laurel Springs	199.50	259.95	30%
Lawnside	214.88	179.20	-17%
Magnolia	368.52	431.40	17%
Merchantville	382.74	422.89	10%
Mt. Ephraim	383.50	508.96	33%
Oaklyn	463.07	520.38	12%
Pine Hill	514.96	666.12	29%
Runnemede	526.49	787.65	50%
Somerdale	400.86	379.76	-5%
Stratford	621.28	670.66	8%
Waterford	570.26	1,068.24	87%
Winslow Township	2,059.24	2,910.64	41%
Woodlynne	140.99	179.44	27%
	<u>29,419.04</u>	<u>37,657.71</u>	28% Overall Increase with Single Stream.
Less Cherry Hill	<u>(7,441.34)</u>	<u>(10,413.51)</u>	
	<u>21,977.70</u>	<u>27,244.20</u>	24% Overall Increase with Single Stream - No Cart Systems

*Cherry Hill is only town with a cart system.

40% Overall Increase with Single Stream - Cart Systems

16% Difference

Camden County Data as supplied by Robert Anderson of ReCommunity

Mr. Norkis spoke of the need to maximize recycling and the idea of recycling increase via single stream recycling programs. He spoke of the State grant received for "tipping" fees based on tons recycled. He expressed one negative impact would be the cost to "revamp" the recycling center, which would be around 4 million dollars. Debt Service would last 9 years. He expressed that it is not true that communities would need to utilize the 96 gallon cans. He stated residents would use one can for trash and one can for recyclables. If the town goes to automated trucks (with single arms) you can utilize one operator in the vehicles, when switching to single stream.

Committeemember DeLanzo asked if the gentlemen were aware of any other communities that do not recycle.

Mr. Norkis informed the committeewoman that it is a state requirement to recycle.

Committeemember Donohue asked about problems with lower quality end product when utilizing the single stream method. Are there any concerns with items then having to go into landfills?

Mr. Norkis stated that you will get some "rejects", items that are not recyclable, with single stream, but, the county will be waiting a bit before instituting the system.

Mr. Baron stated there would be no difference in market pricing in dual and single stream.

Andrew Smith stated he was against single stream in 2009-2011 but now he is for the switch.

Committeemember DeLanzo asked about the blue and white cans currently utilized by residents.

Mr. Smith spoke of the Mobile Home Parks and the fact that they do not produce “a lot of product”.

Mayor Lockwood stated that per Blue Diamond, island communities have more opportunity to gain with single stream. What is our percent?

Mr. Smith – 18.9%

Committeemember Donohue asked the gentlemen when they anticipated going online.

Mr. Norkis stated it would take 7-8 months to purchase and install the equipment. He would like to authorize a contract within the next month but would institute the program in April.

Mr. Baron stated public outreach would be a big part of this switch. The residents would be informed as to what is recyclable and what is not. He stated that with single stream items such as cereal boxes, pizza boxes, etc. would now be recyclable.

Carl Carmelowitz asked the difference between the two systems.

Mr. Norkis explained again the differences.

5. 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.

E. Fausey asked if there were any additions to the agenda, not presented on the printed agenda.

Mayor Lockwood – No

Bill Sturm – Item # 15, capabilities of having cameras? Spoke of benefit when it came to having to hire outside company to camera scope pipes.

Mark Mallett / Andrew Smith – No

Mr. Sturm – asked who was working on specs and also was engineer at the “meeting”?

Mr. Smith stated the engineer was drafting specs and yes he was at meeting.

Mr. Sturm recommended that committee reach out to Joe Bond from Wildwood Crest. They have one of the nicer machines. One less emergency call to video pipe. Their machine has a laptop built in.

Barb Cresse asked about item #12, code of conduct ordinance. Does this apply to twp. employees? Who prepared? Stated she felt that it does not allow for due process or an open hearing. The ordinance looks like it could be used as revenge on volunteer coaches.

Mayor Lockwood expressed that the intent is to create review process of infractions

Barb Cresse - This ordinance provides for easy way to get rid of people. Arbitrarily set to be headed by an employee of the township, who has loyalty to the township, and by Mark Mallett who has expressed his loyalty to the township, and then to pick two parents arbitrarily and coaches... it appears this type of ordinance can be used against people like those coaches that came in last time. Not an open, fair or honest government. I do not think this would be a good idea.

Committeemember Donohue asked Mrs. Cresse how she drew that conclusion from what she read in the ordinance. I was here for that meeting; I thought the objection was that the power seemed to be concentrated in the hands of one person to arbitrarily make the decision with no right of appeal. Do I remember that correctly?

Cresse – The way I remember it was that Tom Coil brought up the fact that there was no real guidelines. I agree that guidelines do need to exist, but when you say that “he and he” (pointing to Mr. Mallett), “ya know the people that work for the township...”

Committeemember Donohue asked Mrs. Cresse who she would suggest be on the reveal committee...

Cresse stated she believes this could be used against those volunteer coaches who needed to be defended at that time.

Mayor Lockwood explained the purpose of ordinance.

Madelyn McCarroll asked why there is resolution on this agenda for single stream when the presentation took place tonight.

Committeemember Donohue explained that they could vote against the resolution if they did not like the presentation.

Mrs. McCarroll asked why this is not on the next agenda.

Mark Mallett explained that the MUA had distributed the info back in June and they were looking at getting a response by mid-August. This was supposed to be on last month but it was cancelled.

Mrs. McCarroll indicated that there is no chance to sit and think about this.

Mrs. McCarroll stated there were a lot of code amendments on the agenda. Asked who drafted them?

Mayor Lockwood expressed that there are various items that are being placed again on the agenda as "clean up" since Kim Krauss was absent. "Some I's need to be dotted and T's that needed to be crossed."

Kim Krauss informed Mrs. McCarroll that most were done in house.

6. RESOLUTION 348-12 – 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. \$3,613,280.51
7. RESOLUTION 349-12 – APPROVING PAYMENT FOR BILLS – BILL LIST B (ANZELONE) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted. Mayor Lockwood abstained.
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. \$ 2,232.00
8. RESOLUTION 350-12 – 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, July 16, 2012; Special Meeting July 16, 2012; Closed Session July 16, 2012.
9. REPORTS: The following departments have submitted their reports for the months indicated:
Municipal Clerk for the month of April through July; Construction Official for the month of July; Zoning Official for the month of July
10. ORDINANCE REINTRODUCED UNDER NEW NUMBER - ORDINANCE 1419-12 – ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, Ordinance No 1419-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 09/05/2012 at 6:00 p.m.
ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE
BE IT ORDAINED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey as follows:
SECTION 1. The positions listed in the attached schedule are hereby created.
SECTION 2. The salary ranges specified in the attached schedule are hereby adopted for each and every position listed therein. In those cases where only one rate or figure appears in said schedule, said rate or figure shall be the maximum rate of figure applicable to said position. In those cases where a maximum and minimum salary are hereby established for a position, the exact salary to be paid to the holder of said position shall be as determined from time to time by resolution of the Township Committee.
SECTION 3. The duties to be performed by each person holding any position listed in said schedule shall be those duties as outlined in Job Description of New Jersey Civil Service Department.
SECTION 4. In addition to the salaries set forth in said schedule, those employees who have held full time positions for a minimum of five years, as hereinafter defined, shall be entitled to additional compensation as set forth in this section, based upon current salary. The additional compensation to which the employee is entitled on January 1 of any year shall be the additional compensation for the entire year. In determining years of service on January 1 of any year, for the purpose of this Ordinance only, no credit shall be given for less than six full months of service in any year, and credit for a full year shall be given for any year in which the employee served for six full months or more.
Years of Service Additional Compensation
(Percent of Annual Salary)
5 years or more 2%
10 years or more 4%
15 years or more 6%
20 years or more 8%
25 years or more 10%

Section 4 shall only apply to Township Employees hired before December 31, 1994.

SECTION 5. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 6. This Ordinance shall become effective, retroactive to January 1, 2012 immediately upon final passage and publication according to law.

TITLE	MINIMUM	MAXIMUM
Accounting Assistant	\$ 18,720.00	\$ 45,000.00
Administrative Clerk	\$ 18,720.00	\$ 36,000.00
Administrative Director of Public Works	\$ 40,000.00	\$ 58,000.00
Alt. Deputy Registrar	\$ 9.00	to 15.00 p/h
Animal Control Officer	\$ 18,720.00	\$ 50,000.00
Animal Cruelty Investigator		\$ 1.00
Assessing Clerk	\$ 18,720.00	\$ 33,000.00
Asst. Animal Control Officer		\$ 1.00
Asst. Maintenance Supervisor	\$ 19,000.00	\$ 55,000.00
Asst. Recreation Supervisor	\$ 18,720.00	\$ 30,000.00
Asst. Supervising Labor	\$ 18,720.00	\$ 30,000.00
Asst. Supervising Mechanic	\$ 30,000.00	\$ 45,000.00
Asst. Supervisor Public Works	\$ 18,720.00	\$ 40,000.00
Asst.Zoning Officer	\$ 18,720.00	\$ 35,000.00
Attorney Planning Board	\$ 5,000.00	\$ 60,000.00
Attorney Zoning Board	\$ 5,000.00	\$ 25,000.00
Baseball Commissioner	\$ -	\$ 15,000.00
Building Director	\$ 5,000.00	\$ 30,000.00
Building Inspector F/T	\$ 20,000.00	\$ 40,000.00
Building Inspector P/T	\$ 3,000.00	\$ 10,000.00
Building Service Worker	\$ 18,720.00	\$ 30,000.00
Building Service Worker P/T	\$ 7.00	to 13.00 p/h
Building Sub-code Official	\$ 7.00	21.00 p/h
Business Administrator	\$ 90,000.00	\$ 100,000.00
Carpenter	\$ 18,720.00	\$ 35,000.00
Carpenter Helper	\$ 18,720.00	\$ 34,000.00
Carpenter Helper / Truck Driver- Laborer	\$ 18,720.00	\$ 30,000.00
Certified Public Works Manager	\$ 45,000.00	\$ 60,000.00
Chief Financial Officer	\$ 23,000.00	\$ 75,000.00
Clean Communities Supervisor	\$9.00	to \$12.00 p/h
Clerk P/T	\$ 7.00	to \$20.00 P/H
Clerk Typist	\$ 18,720.00	\$ 29,000.00
Clerk Typist P/T	\$ 7.00	to 12.00 p/h
Code Enforcement Officer	\$ 18,720.00	\$ 35,000.00
Code Enforcement Officer P/T	\$ 1.00	\$ 11,000.00
Code Enforcement Officer Trainee	\$ 18,720.00	\$ 30,000.00
Compliance Plan Stipend	\$ 10,000.00	\$ 15,000.00
Computer Service Technician	\$ -	\$ 50,000.00
Computer Service Technician P/T	\$ 15.00	to \$30.00 p/h
Conflict Attorney	\$ 1.00	\$ 2,500.00
Construction Official	\$ 22,000.00	\$ 70,000.00
Coordinator of Computer Services	\$ 1,000.00	\$ 6,000.00
Coordinator of Federal & State Aid	\$10,000	\$ 20,000.00
Crew Leader	\$ 20,000.00	\$ 35,000.00
Crossing Guard	\$ 1.00	\$ 20,000.00
Deputy Business Administrator	\$ 90,000.00	\$ 100,000.00
Deputy Chief Financial Officer	\$ 30,000.00	\$ 65,000.00
Deputy EMT Chief	\$ 18,720.00	\$ 50,000.00
Deputy Municipal Court Admin.	\$ 18,720.00	\$ 45,000.00
Deputy Municipal Emerg.Man.Coar.		\$ 1.00
Deputy Registrar of Vital Stats.	\$ 9.00	to 15.00 p/h
Deputy Tax Assessor	\$ 18,720.00	\$ 55,000.00
Deputy Tax Collector	\$ 25,000.00	\$ 38,000.00
Deputy Township Clerk	\$ 18,720.00	\$ 40,000.00
Director Community Dev.Program		\$ 1.00
Director of Grants & Economic Dev.Loans	\$ 4,000.00	\$ 6,000.00
Docket Clerk-Typing	\$ 18,720.00	\$ 37,000.00
Econ Devel/Paralegal/Rent Cont Off	\$ 35,000.00	\$ 50,000.00
Electrical Subcode Official	\$ 10,000.00	\$ 32,000.00
Electronic Repair Supervisor	\$ 20.00	to 22.00 p/h
Emergency Med. Tech. P/T	\$ 6.00	to 15.50 p/h
Emergency Medical Technician	\$ 18,720.00	\$ 50,000.00

EMS Billing Administrator	\$	1.00	\$	3,000.00
EMT Chief	\$	18,720.00	\$	60,000.00
Equipment Operator	\$	18,720.00	\$	44,000.00
Fire Inspector	\$	20,000.00	\$	35,000.00
Fire Inspector P/T	\$	10.00	to 20.00 p/h	
Fire Official	\$	38,000.00	\$	48,000.00
Fire Prevention Specialist P/T	\$	8.00	to \$20.00 p/h	
Fire Protection Inspector	\$	5.75	to 17.00 p/h	
Fire Subcode Inspector (Dennis Twp.)	\$		\$	5,500.00
Fire Subcode Official P/T	\$	5,000.00	\$	16,000.00
Fund Commissioner			\$	1.00
Hearing Officer	\$	1.00	\$	5,000.00
Judge Municipal Court	\$	24,000.00	\$	50,000.00
Judge Shared Municipal Court	\$	7,000.00	\$	15,000.00
Junior Counselors Summer Camp	\$	6.00	to 15.00 p/h	
Laborer	\$	18,720.00	\$	35,000.00
Laborer Clean Communities P/T	\$	6.00	to 12.50 p/h	
Laborer Grass Crew P/T	\$	7.00	to 12.50 p/h	
Laborer P/T	\$	7.00	to 12.50 p/h	
Land Use Administrator	\$	35,000.00	\$	52,000.00
Maintenance Supervisor & Project Manager	\$	25,000.00	\$	60,000.00
Manager of Parks and Grounds		\$19,000.00	\$	50,000.00
Mechanic	\$	18,720.00	\$	35,000.00
Mechanic Trainee		\$18,720.00	\$	34,000.00
Mechanics Helper		\$18,720.00	\$	25,000.00
Member Board of Health		\$0.00	\$	1,500.00
Memory Lane Coordinator			\$	1,500.00
Motor Broom Driver	\$	25,000.00	\$	32,000.00
Municipal Emergency Management Coordinator	\$	1.00	\$	10,000.00
Municipal Court Admin.	\$	23,000.00	\$	62,000.00
Municipal Court Admin. (Dennis Township)			\$	7,500.00
Municipal Engineer	\$	10,000.00	\$	85,000.00
Municipal Prosecutor	\$	10,000.00	\$	35,000.00
Municipal Recycling Coordinator			\$	1.00
Payroll Clerk		\$18,720.00	\$	40,000.00
Personnel Clerk	\$	18,720.00	\$	23,000.00
Personnel Officer / Benefits Administrator / Training Coord	\$	29,000.00	\$	60,000.00
Plumbing Subcode Official P/T	\$	4,000.00	\$	28,000.00
Police Captain	\$	60,000.00	\$	135,000.00
Police Chief	\$	65,000.00	\$	140,000.00
Police Lieutenant	\$	50,000.00	\$	120,000.00
Police Officer	\$	25,000.00	\$	110,000.00
Police Officer Detective Stipend			\$	750.00
Police Officer/Detective	\$	30,000.00	\$	59,000.00
Police Sergeant	\$	40,000.00	\$	115,000.00
Police Sergeant/Detective Stipend			\$	750.00
Principal Account Clerk-typing	\$	18,720.00	\$	22,000.00
Principal Assessing Clerk	\$	18,720.00	\$	40,000.00
Principal Clerk-Typist	\$	18,720.00	\$	40,000.00
Principal Personnel Clerk	\$	18,000.00	\$	40,000.00
Principal Technical Aide Public Works	\$	18,720.00	\$	35,000.00
Project Manager	\$	45,000.00	\$	60,000.00
PS Telecommunications Oper.Trainee P/T	\$	6.50	to 15.00 p/h	
PS Telecommunications Operator	\$	18,720.00	\$	53,000.00
PS Telecommunications Operator, P/T	\$	6.50	to 15.00 p/h	
PS Telecommunications Operator,Trainee	\$	18,720.00	\$	40,000.00
Public Defender	\$	7,500.00	\$	20,000.00
Public Works Superintendent	\$	28,000.00	\$	68,000.00
Pumping Station Operator/Sewer Repairer	\$	18,720.00	\$	45,000.00
Qualified Purchasing Agent			\$	1.00
Real Estate Officer			\$	1.00
Reassessment Stipend Tax Assessor			\$	27,500.00
Reassessment Stipend Deputy Tax Assessor			\$	12,500.00
Receptionist	\$	6.00	to 10.00 p/h	
Recreation Aide P/T	\$	6.00	to 15.00 p/h	
Recreation Attendant	\$	18,720.00	\$	33,000.00
Recreation Attendant p/t	\$	6.00	to 18.00 p/h	

Recreation Attendant/ Senior Center / PT	\$	7.00	to 18.00 p/h
Recreation Director		\$35,000.00	\$ 63,000.00
Recreation Leader	\$	18,720.00	\$ 32,000.00
Recreation Leader P/T	\$	7,000.00	\$ 10,000.00
Recreation Leader\Sports	\$	18,720.00	\$ 42,000.00
Recreation Program Administrator	\$	22,000.00	\$ 63,000.00
Recreation Program Coordinator	\$	18,720.00	\$ 20,000.00
Recreation Program Specialist	\$	18,720.00	\$ 38,000.00
Recreation Superintendent		\$35,000.00	\$ 50,000.00
Recreation Supervisor		\$18,720.00	\$ 33,000.00
Recycling Program Aide- P/T		\$9.00p/h	\$12.00 p/h
Registrar of Vital Statistics	\$	20,000.00	\$ 47,000.00
Rent Control Board Attorney			\$ 2,500.00
Seasonal Employee - Laborer (CDL Requir)	\$	-	\$ 14.00
Secretary Board of Health	\$	1.00	\$ 2,000.00
Secretary Cable TV Advisory Bd.	\$	1.00	\$ 2,000.00
Secretary Council on the Arts	\$	1.00	\$ 2,000.00
Secretary Economic Dev. Council	\$	1.00	\$ 2,000.00
Secretary Emergency Management	\$	1.00	\$ 2,000.00
Secretary Environmental Comm.	\$	1.00	\$ 2,000.00
Secretary Ethics Board	\$	1.00	\$ 2,000.00
Secretary Planning Board	\$	1.00	\$ 2,000.00
Secretary Recreation Council	\$	1.00	\$ 2,000.00
Secretary Rent Leveling Board	\$	1.00	\$ 2,000.00
Secretary Safety Committee	\$	1.00	\$ 2,000.00
Secretary Shade Tree Comm.	\$	1.00	\$ 2,000.00
Secretary Sr. Citizen Advisory Board	\$	1.00	\$ 2,000.00
Secretary Traffic Comm.	\$	1.00	\$ 2,000.00
Secretary Zoning Bd of Adj.	\$	1.00	\$ 2,000.00
Senior Assessing Clerk	\$	19,000.00	\$ 26,000.00
Senior Building Service Worker	\$	18,720.00	\$ 25,000.00
Senior Citizen Activities Coordinator	\$	8,000.00	\$ 35,000.00
Senior Citizen Life-Line Coordinator	\$	1,000.00	\$ 2,000.00
Senior Clerk	\$	18,720.00	\$ 21,000.00
Senior Clerk Typist	\$	18,720.00	\$ 45,000.00
Senior Computer Operator	\$	18,720.00	\$ 46,000.00
Senior Emergency Medical Technician	\$	18,720.00	\$ 50,000.00
Senior Mechanic	\$	18,720.00	\$ 40,000.00
Senior Payroll Clerk	\$	18,720.00	\$ 36,000.00
Senior Personnel Clerk	\$	18,720.00	\$ 38,000.00
Senior Tax Clerk	\$	18,720.00	\$ 35,000.00
Sewer Billing Administrator	\$	2,000.00	\$ 5,000.00
Sewer Equipment Operator P/T	\$15.00 p/h		to \$30.00 p/h
Sewer Equipment Operator	\$	18,720.00	\$ 63,000.00
Sewer License Operator Stipend	\$	6,000.00	\$ 12,000.00
Sewer Maintenance Superintendent	\$	30,000.00	\$ 70,000.00
Sewer Repairer	\$	18,720.00	\$ 32,000.00
Shared Court Clerk Typist	\$	2,000.00	\$ 5,000.00
Shared Court Deputy Municipal Court Admin.	\$	2,000.00	\$ 5,000.00
Shared Court Municipal Court Administrator	\$	5,000.00	\$ 10,000.00
Shared Court Municipal Prosecutor	\$	4,000.00	\$ 10,000.00
Shared Court Public Defender	\$	2,000.00	\$ 10,000.00
Shared Court Violations Clerk			\$ 3,000.00
Solid Waste & Recycling Advisor to Mayor	\$	5,000.00	\$ 12,000.00
Special Officer/Elections	\$	100.00	to 100.00 per day
Special Police Officer - Class II	\$	10.50 p/h	\$ 14.00 p/h
Substitute Animal Control Officer	\$	1,000.00	\$ 3,500.00
Summer Camp Coordinator Stipend	\$	1,000.00	\$ 5,000.00
Supervising Dispatcher Stipend			\$ 1,500.00
Supervising Emergency Medical Technician	\$	18,720.00	\$ 55,000.00
Supervising Equipment Operator	\$	28,000.00	\$ 50,000.00
Supervising Laborer	\$	20,000.00	\$ 38,000.00
Supervising Mechanic	\$	19,500.00	\$ 58,000.00
Supervisor / Heavy Equipment Operator		\$19,000.00	\$ 54,000.00
Supervisor Clean Communities	\$	7.00	to 12.00 p/h
Supervisor Water/Sewer B/C	\$	19,000.00	\$ 75,000.00
Tax Assessor	\$	23,000.00	\$ 75,000.00

Tax Clerk	\$	18,720.00	\$	28,000.00
Tax Collector	\$	23,000.00	\$	68,000.00
Temporary Acting Chief Financial Officer	\$	10.00	to 15.00 p/h	
Temporary Acting Deputy Chief Financial Officer	\$	10.00	to 15.00 p/h	
Temporary Acting Court Administrator	\$	10.00	to 30.00 p/h	
Technical Assistant Const. Off.	\$	19,500.00	\$	52,000.00
Township Attorney	\$	15,000.00	\$	200,000.00
Township Clerk	\$	53,000.00	\$	65,000.00
Township Clerk/Business Administrator	\$	23,000.00	\$	115,000.00
Township Committee	\$	17,000.00	\$	20,000.00
Violations Clerk			\$	1,000.00
Zoning Officer	\$	20,000.00	\$	65,000.00

11. ORDINANCE NO. 1420-12 – AMENDING THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 215, ARTICLE III ENTITLED STREET EXCAVATIONS – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, Ordinance No 1420-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 09/05/2012 at 6:00 p.m.

WHEREAS, the current Ordinance pertaining to street excavation permits references submission of said application to the Township Clerk.

WHEREAS, all references to Township Clerk throughout said ordinance shall be amended to read Department of Public Works.

BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey that the following Ordinance sections shall be amended as follows:

§ 215-14. Application procedure.

A. A written application for the issuance of an excavation permit shall be submitted to the Department of Public Works. The application shall state the name and address of the applicant, the location and dimensions of the excavation, the purpose of the excavation, the estimated dates of commencement, completion and restoration of the excavation and such other data as may reasonably be required by the Public Works Superintendent.

§ 215-15. Issuance of permit.

B. For any extensive opening (those longer than 100 linear feet or more than 50% of the pavement width), a resolution must be passed by the Township Committee before any permit can be granted and before any work is commenced. The Township Committee may, in its discretion, pass a blanket resolution good for one year giving utility authorities and municipalities or their contractors permission to make numerous unspecified extensive openings on Township roads throughout the year, provided that proper application forms are filed in with the Department of Public Works before commencing work.

C. Small openings (those less than 100 linear feet or less than 50% of the pavement) are approved by the Public Works Superintendent before the granting of a permit.

§ 215-17. Fees; bond requirements.

A. A permit fee shall be charged by the Department of Public Works for the issuance of a permit, which shall be in addition to all other fees for permits or charges relative to any proposed construction work. The permit fee shall be in an amount varying with the size of the road opening.

F. All checks and bonds under this article shall be submitted to the Department of Public Works and shall be made payable to the "Township of Middle." The Township of Middle will hold performance bonds until final inspection and maintenance bonds for two years after final acceptance.

G. Openings over 30 feet of continuous installation shall require an inspection fee to be paid by the permittee to the Township of Middle at a prorated fee of \$15 per hour.

§ 215-19. Insurance requirements.

A. Prior to performing any work under the permit, the permittee shall deliver to the Department of Public Works a certificate of insurance in the sum of not less than \$1,000,000 combined single limit (liability). Where applicable, the permittee shall demonstrate that the explosion, collapse and underground exclusion has been removed from its insurance policy. The insurance carrier will not cancel said insurance without giving the Township of Middle at least 10 days' notice thereof, in writing. The insurance policy must remain in effect until the Township inspector signs the certificate of satisfactory completion.

§ 215-22. Restoration; specifications.

K. Upon completion of work, the applicant will request a final inspection by the Public Works Superintendent. If work is completed in a satisfactory manner, a certificate of satisfactory completion will be signed and upon delivery of maintenance guarantee to the Department of Public Works, the performance guaranty will be returned.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.

12. ORDINANCE NO. 1421-12 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 188, ENTITLED PARKS AND RECREATION AREAS, TO INCLUDE SECTION PERTAINING TO MIDDLE TOWNSHIP RECREATION CODE OF CONDUCT REVIEW COMMITTEE – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, Ordinance No 1421-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 09/05/2012 at 6:00 p.m.

BE IT ORDAINED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following chapter of the local code is hereby revised as follows:

SECTION 1: Chapter 188 of the Code of the Township of Middle is hereby amended to include the following section:

Middle Twp. Recreation Code of Conduct Review Committee

Purpose:

The Code of Conduct Review Committee exists for the following purposes:

1. To determine whether a violation has occurred within the code of conduct.
2. If there is a violation, what disciplinary action should be taken.

Convening the Review Committee:

The Code of Conduct Review Committee may be convened when a case is brought to the Recreation Director and will meet on a case-by-case basis. When a case is brought forward, the members on the Code of Conduct Review Committee will consist of the Recreation Director, Township Business Administrator, two members from Recreation Advisory Board, two coaches from another sport, and two parents from the sport involved.

Appointment.

The members of the Code of Conduct Review Committee shall be appointed by the Township Committee of the Township of Middle.

Qualifications.

The members of the Code of Conduct Review Committee shall be chosen by virtue of their known and consistent reputation for integrity.

Term of office.

A. The initial members of the Code of Conduct Review Committee shall have terms as follows:

(1) Recreation Director and Township Business Administrator shall be appointed to serve for a term of three years

(1) Two members of the Recreation Advisory Board shall be appointed to serve for a term of three years.

(2) One coach from each sport (football, soccer, baseball/softball, hockey, basketball and wrestling) shall be appointed to serve for a term of two years.

(3) Two parents from each sport (football, soccer, baseball/softball, hockey, basketball and wrestling) shall serve for a term of two years.

B. Each member of the Code of Conduct Review Committee shall serve until his successor has been appointed and qualified.

Vacancy.

Any vacancy occurring in the membership of the Code of Conduct Review Committee shall be filled in the same manner as the original appointment for the unexpired term.

Compensation.

Members of the Code of Conduct Review Committee shall serve without compensation.

Facilities, equipment and supplies.

The Township Committee shall provide the Code of Conduct Review Committee with offices for the conduct of its business and the preservation of its records, and shall supply equipment and supplies as may be necessary.

Payment of expenses.

All necessary expenses incurred by the Code of Conduct Review Committee and its members shall be paid, upon certification of the Recreation Director, by the Chief Financial Officer within the limits of funds appropriated by the Township Committee by annual or emergency appropriations for those purposes.

Professional and clerical staff as needed.

The Code of Conduct Review Committee may appoint employees, including independent Counsel, and clerical staff as are necessary to carry out the provisions of this Act within the limits of funds appropriated by the municipal governing body for those purposes.

Orienting & Conducting the Review Committee:

The Recreation Director or other designee will act as the Review Committee Coordinator and

- Inform the Review Committee and those in question of the purposes of the Review Board
- Inform everyone participating in the process to treat the matter as confidential
- Advise the Review Committee of the violation (or suspected violation)
- Ensure that persons not essential to the proceedings are excluded
- Allow witnesses to be present only during their own testimony
- Appoint one of the committee members as a recorder to document the proceedings and the discussion of the committee following the proceedings
- Provide opportunity for each person to present his/her recollection of the events
- Permit the committee members to ask questions and call for additional information.

Reaching a Determination:

When all parties have had an opportunity to present and the Committee has no further questions, the proceedings shall be closed. The Review Committee Coordinator will instruct the individual that he or she will be notified of the findings of the Committee and of any disciplinary action.

The Committee will deliberate and determine by vote whether the coach(s) are in violation of the Middle Township Recreation Code of Conduct and what appropriate disciplinary action is warranted,

in keeping with the guidelines the Code of Conduct. The Review Committee Coordinator may participate in these deliberations but may not vote other than to break a tie. Once a determination is made, the Review Committee Coordinator will prepare a written summary of the findings and the disciplinary decision using the recorder's documentation of the proceedings and subsequent Committee discussion. This report, along with the written record, will be submitted to all committee members to review. After review by the committee members, the Review Committee Coordinator will notify the coach(s) in writing, of the findings, and, if necessary, what disciplinary action will be taken.

The action taken by the Code of Conduct Review Committee will be considered final.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.

Marc Karavan spoke of due process and the opportunity to be heard.

13. ORDINANCE NO. 1422-12 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 15, SECTION 2, ENTITLED ECONOMIC DEVELOPMENT COUNCIL – MEMBERSHIP – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, Ordinance No 1422-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 09/05/2012 at 6:00 p.m.

BE IT ORDAINED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following chapter of the local code is hereby revised as follows:

SECTION 1: Chapter 15 of the Code of the Township of Middle is hereby amended as follows:

§ 15-2. Membership.

A. The Economic Development Council shall consist of nine members to be appointed by the Township Committee. Among the initial appointees, three shall be appointed for three year terms, three shall be appointed for two year terms, and three shall be appointed for one year terms. Thereafter, all members shall be appointed for three year terms. The terms of office commence on January 1 and terminate on December 31, three years thereafter. The initial appointees shall take office immediately, but their appointments shall be deemed to have commenced January 1, 1998.

B. The Council shall also appoint one alternate member, having a term of two years' duration.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.

14. ORDINANCE NO. 1423-12 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, TO MAKE REVISIONS TO CHAPTER 218 OF THE TOWNSHIP CODE – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, Ordinance No 1423-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 09/05/2012 at 6:00 p.m.

WHEREAS, the sign ordinance references former zoning districts and is generally in need of updating; and

WHEREAS, the 2010 Master Plan lists as one of its goals and objectives to “Update sign standards that promote safety while discouraging sign proliferation”.

NOW, THEREFORE BE IT ORDAINED by the Township Committee of Middle in the County of Cape May, in the State of New Jersey, the following amendments shall be made in the code.

SECTION I

1. The following additions and changes shall be made to section 218-5 Definitions.

SIGN, BANNER- a sign made of fabric or other similar flexible material with no framework or electrical components. A pole banner sign generally is made of fabric, affixed to a lamppost, and celebrates an event, season, community, downtown district or organization.

SIGN, ELECTRONIC MESSAGE –

FIXED – sign with basic informational content that is preprogrammed to include only certain types of information, such as time and temperature.

VARIABLE – sign with a information that is changed a maximum of once per 24 hour period. Scrolling messages are prohibited.

SIGN, GROUND

A freestanding sign, other than a pole sign, placed upon or supported by the ground independent of any other structure. (Add) Includes monument signs.

SIGN, NON-CONFORMING

A sign lawfully erected and maintained prior to the adoption of the current ordinance that does not conform with the requirements of the current ordinance.

COMMERCIAL ZONES

B Business, HV Hildreth Village, TB Town Business, TC Town Center, TP Town Professional, VC Village Commercial

RESIDENTIAL ZONES

CD Coastal Development, R Residential, RB Residential Business, RC Rural Conservation, SR Suburban Residential, TR Town Residential, VR Village Residential

SECTION II

1. Delete § 218-83 Signs in its entirety and replace with the following:

A. Purpose: The regulation of signs under this article is intended to:

1. Ensure that the proposed signage is compatible with surrounding land uses.
2. Create a more attractive economic and business climate within the commercial areas of the Township
3. Protect and enhance the physical appearance of all areas
4. Reduce the distractions, obstructions and hazards to pedestrian and auto traffic caused by the indiscriminate placement and use of signs
5. To protect the historic character of the Cape May Court House Overlay District by ensuring that signage is aesthetically compatible.
6. Effectuate the master plan goal to “Update sign standards that promote safety while discouraging sign proliferation”.

B. General requirements.

(1) Any sign proposed to be placed in the Township of Middle is subject to review and approval by the Zoning Officer who will determine whether or not such sign is in compliance with this article. [Amended 9-16-2002 by Ord. No. 1113-2002]

(2) All regulations described in this article shall govern and control the installation, enlargement, expansion, alteration, operation, maintenance, relocation and removal of all signs within the Township that are visible from any street, sidewalk, walkway and public or private property. Any signs not permitted in this article are prohibited.

(a) All existing signs that are presently nonconforming which were legally erected prior to the enactment of this chapter may remain but shall not be replaced if removed or destroyed.

(3) The American Flag, defined as a piece of cloth, varying in size, usually attached at one edge to a staff or cord and used as the symbol of the United States of America, may be flown or displayed without limitation, as it is not considered a sign relative to this ordinance. Federal guidelines that govern the manner in which an American Flag shall be flown shall be followed at all times. Flags used for advertising purposes shall be regulated as set forth in Chapter 210 of the Code of Middle Township.

C. Design standards.

(1) All signs that are to be illuminated shall be lit by a shielded or indirect white light source. No illuminated sign is to be placed so as to permit the beams and/or illumination of such to be directed or beamed upon adjacent public and/or private property so as to create a nuisance or traffic hazard. In addition, any illuminated sign that is adjacent or across the street from any residential zoning district and is visible from such shall be illuminated between the hours of 11:00 a.m. to 7:00 p.m. only, unless the use to which the sign pertains is open for business past those hours.

To protect and enhance the historic character of the Cape May Court House Overlay District, no internally illuminated or electronic messaging signs (as defined herein) are permitted in the Cape May Court House Overlay District. Also see Section 250-640 Design Guidelines for Non-Residential Uses in the Cape May Court House Overlay Zone.

(2) No sign is to be located so as to, by reason of its position, size, shape, content or color, be confused for, obstruct, impair, obscure or interfere with any traffic control sign, signal or device.

(3) No signs, unless publicly owned, shall be placed within or extend into or over any public right-of-way or easement.

(4) No sign or any part thereof shall be located closer than 10 feet to any lot line and no greater in height than 20 feet (unless otherwise noted).

(5) To determine the square footage of any sign, the measurements shall include the entire display, together with all spaces between letters and/or symbols and any artwork, framing or other work clearly a part of the display area of the sign, but not including the supporting structure. No sign shall contain more than two sides visible from any street. Unless otherwise prohibited, all signs may be double-faced with the maximum area applying to each side individually. Signs that require posts or pylons whose surface is being used for advertising purposes shall include these surfaces in the total sign area.

(6) Wall or façade signs shall not extend above the height of the vertical wall or cornice to which they are attached, nor may they obstruct, project over or occupy any window surface required for light and/or ventilation. Wall or façade signs may not project more than 18 inches from the building facade to which it is attached or be closer than eight feet from the ground level under said sign.

(7) Whichever a proposed development is bordered by more than one street, additional signage may be permitted by the Planning/Zoning Board in accordance with the provisions of this article.

(8) All signs shall be located on the same property with the use, firm, facility, business, product, service or organization they advertise, unless otherwise provided by this chapter.

(9) All signs shall be of a character and composition harmonious with the area of the Township in which the sign is located, and shall have a professional appearance.

(10) Window signs are permitted in all commercial zones limited to 25% of the window area.

D. Construction standards.

(1) All signs are to conform to the structural requirements of the New Jersey Uniform Construction Code. Freestanding signs shall be supported by posts or pylons constructed of concrete, steel, treated wood or other suitable materials or a combination of the same. Posts or pylons are to be securely anchored into the ground so that the sign will withstand high winds. No guy wires or bracing is permitted. Signs attached to structures are to be securely anchored by means of nonrusting metal hardware.

(2) All signs shall be maintained in a safe, secure and proper painted condition. Any sign not maintained in such a manner will be removed at the expense of the permittee if no repairs are performed 10 days after a written notice is issued by the Construction Official.

E. Prohibited Signs

(1) Temporary signs, unless permitted under Code Section 210-1 et seq, and 218-83.

(2) Animated or moving signs or signs using blinking, flashing, vibrating, revolving, flickering, tracer and/or sequential lighting.

(3) Signs using red, yellow or green lights which would be mistaken for or interfere with the operation of any traffic control signals.

(4) Signs using neon lights or any other material which sparkles or glitters.

(5) Roof signs. No sign may be constructed which attaches to the roof or projects above the roof line.

(6) Portable signs that are used for advertising purposes, sidewalk and curb signs, unless permitted under Section 218-83E(6).

(7) Signs on a tree or utility pole or painted on or otherwise directly affixed to any rock, ledge or other natural feature, whether on public or private property.

(8) Signs which contain statements, words or pictures of any obscene character or nature.

(9) Signs which advertise, identify or pertain to any business no longer conducted or product no longer sold on the premises where the sign is located.

(10) Signs containing advertising which is untruthful.

(11) Banners, strings of banners, pinwheels, inflated signs, and other similar attention-getting devices.

(12) Billboards.

(13) Off-premises signs on stationary boats located within the Township's jurisdiction in any Township waterways or in any waterways adjacent to the Township.

(14) Signs on motor vehicles and trailers that are parked or stored in a lot in excess of 48 hours, shall be presumed to be used for advertising purposes and therefore prohibited under this section.

(15) Internally lit or electronic message signs in Residential zones or in the Cape May Court House overlay zone.

F. Signs permitted without a Permit

(1) Official traffic, parking and street signs.

(2) Signs authorized by the Chief of Police.

(3) Warning and no-trespassing signs indicating private ownership of roadways or other private property that do not exceed two (2) square feet in area, limited to one sign per 200' of lot frontage.

(4) Name and number plates identifying residents and affixed to a house, apartment or mailbox that do not exceed four square feet in area.

(5) Signs posted by governmental agencies that are pursuant to governmental statute, order or regulation.

(6) "A-frame" sandwich board signs are permitted in the TB and VC Zones only, provided that the following conditions are met:

[Amended 5-21-2001 by Ord. No. 1082-2001]

(a) No freestanding signs presently exist on the site.

(b) The sign must be displayed during business hours only; and must be removed after closing.

(c) The sign area may not exceed six (6) square feet per side.

(d) The style of the sign must be consistent with the architecture and character of the neighborhood in which it is located. The materials, design and lettering must exhibit a professional appearance.

(7) Real estate, housing development and community entrance signs.

[a] One sign not greater than six square feet, including any attachments, shall be permitted on any property, lot or building, advertising the property, lot or building for sale, rent or lease. Properties with frontage on two roadways shall be permitted two signs. In the event that more than one person with a real estate license is authorized to advertise the property, lot or building, each person with a real estate license may place one such sign on the property, lot or building, to a maximum of two total signs.

In the case of any parcel of land larger than one acre or any building containing covered floor space greater than 10,000 square feet, each sign advertising the property, lot or building for sale may be greater than six square feet but not greater than 12 square feet, and for each acre of land area or for each 10,000 square feet of covered floor space there shall be a maximum of four such signs.

[b] In addition, one additional off premises directional signs is permitted per property for sale, only if all of the following conditions are met:

(1) The maximum size of the signs shall be three (3) square feet in area, with nothing attached (including, but not limited to, balloons, pennants and riders)

(2) No more than one (1) sign per corner, with no part of the sign to block or protrude over any part of a sidewalk or driveway

(3) Signs are permitted only during the time of the open house (defined as period during which a sales agent is present on the property for sale)

(4) Signs are permitted only if anchored to the ground. No signs are permitted on vehicles, poles or structures.

(5) Signs shall be in compliance with sight triangle regulations.

Commercial properties for sale shall be permitted one sign not greater than sixteen (16) square feet in area.

[c] Signs advertising that a property, lot or building has been sold, rented or leased shall be permitted for a period not to exceed 30 days.

[d] One sign not greater than 32 square feet shall be permitted to advertise developments containing four or more lots for sale. Such signs shall be set back no less than ten (10) feet from the property line. All development signs shall be removed when 95% of the lots have been initially sold.

[e] Identification signs calling attention to the entrance to a community within the Township may be permitted, provided that such signs do not exceed 32 square feet, do not call attention to any particular businesses or organizations within the community and are necessary and desirable, in the opinion of the Planning Board, for the general welfare of the Township.

[f] One temporary construction sign not greater than 32 square feet shall be permitted to announce the erection of a building and call attention to the architect, contractors, sponsors and other individuals and firms participating in the construction. Such a sign may be erected for a period of 60 days plus the construction period, after which the sign shall be removed from the premises.

(8) Temporary political signs which promote the election of a particular candidate(s) with the following requirements:

- a. Installation no sooner than 45 days prior to an election
- b. Removed within five days following the date of the election
- c. Shall not be placed within any public right of way or public property
- d. Shall not be placed within a sight triangle
- e. Shall not exceed three (3) square feet in area if located in a residential zone, except on an approved commercial property
- f. Shall not exceed thirty two (32) square feet in area if located in a commercial zone

(9.) Yard sales and/or garage sale signs must be removed within twenty four (24) hours after the event.

G. Signs Permitted in Residential Zones [Amended 5-21-2001 by Ord. No. 1082-2001]

(1) All signs permitted in § 218-83 (E) of this chapter.

(2) Identification signs for residential developments, provided that they are associated with an approved use within a residential zone. Such signs are not to exceed 32 square feet in area and six feet in height. If there are two entrances to the development, a second sign of up to half the size of the first is permitted.

(3) Business signs that are accessory to a nonconforming commercial use or a commercial use approved by a variance granted by the Zoning Board of Adjustment.

[a] Freestanding signs shall not exceed sixteen (16) square feet in area, five feet in height.

[b] One facade sign is permitted to be placed or inscribed upon the facade of the building for each use or activity that takes place there. Such sign shall not exceed an area of 1/4 square foot for each one foot in width of the front of the building or portion thereof devoted to such use or activity, and in no case shall exceed 20 square feet in area.

(4) Any sign specifically permitted in Section 250-500 Conditional Uses, will take precedent over this section.

H. Signs Permitted in TP Town Professional

(1) All signs permitted in 218F Signs Permitted in Residential Zones.

(2) Non-illuminated direction signs.

(3) One facade sign is permitted to be placed or inscribed upon the facade of the building for each use or activity that takes place there. Such sign shall not exceed an area of 1/4 square foot for each one foot in width of the front of the building or portion thereof devoted to such use or activity and in no case shall exceed 20 square feet in area. Where a business faces two highways, as determined by the Board Engineer, utilizing appropriate highway designations, a second facade sign of up to 1/2 of the size of the first facade sign is permitted. Such sign shall meet the same requirement as all permitted building signs.

(4) One freestanding sign is permitted. Such sign is not to exceed an area of sixteen (16) square feet and five feet in height. Setback 10'.

(5) Temporary signs for the promotion of a public function or charitable fundraising event that meets all of the following conditions:

(a) Prior to the installation of any such sign, the applicant shall file an application for a zoning permit which shall include a sketch of the sign, dimensions of the sign, its location and the dates proposed for its exhibition.

(b) shall not be erected more than 21 days prior to the first day of the event and shall be removed not more than three days after the last day the event has taken place.

(c) Such signs shall not exceed six (6) feet in height and 32 square feet in area if on event property, and shall not exceed 16 square feet if off-site.

- (d) The event must be held in Middle Township and must benefit a public agency or legally established non-profit.
- (e) Sign must not be located in a public right of way.
- (f) Only one sign per property is permitted.
- (g) Shall not be located within a Residential Zone.
- (h) The sign shall not be illuminated, and the materials, design and lettering must exhibit a professional appearance.

I. Signs Permitted in the B Business, HV Hildrith Village, TB Town Business, and VC Village Commercial Zoning Districts

- (1) All signs permitted in § 218-83 E of this chapter.
- (2) Non-illuminated directional signs.
- (3) One sign attached to the main building. Such sign shall not exceed an area of one (1) square foot for each one foot in width of the front of the building or portion thereof devoted to such use or activity and in no case shall exceed fifty (50) square feet in area. Such sign shall have a vertical dimension no greater than five feet.
Where a business faces two major highways, as determined by the Board Engineer, utilizing appropriate highway designations, a second facade sign of up to 1/2 of the size of the first facade sign is permitted. Such sign shall meet the same requirement as all permitted building signs.
- (4) One freestanding sign which shall not exceed two square feet in area for each ten-foot interval of street frontage of the lot on which the sign is to be located. Such signs shall not exceed 20 feet in height and shall contain a maximum of forty (40) square feet of area with the exception of specific types of business as set forth in this section. The setback of sign edge from right of way/property line shall be a minimum of 10’.
- (5) Temporary signs for the promotion of a public function or charitable fundraising event that meets all of the following conditions:
 - (a) Prior to the installation of any such sign, the applicant shall file an application for a zoning permit which shall include a sketch of the sign, dimensions of the sign, its location and the dates proposed for its exhibition.
 - (b) shall not be erected more than 21 days prior to the first day of the event and shall be removed not more than three days after the last day the event has taken place.
 - (c) Such signs shall not exceed six (6) feet in height and 32 square feet in area if on event property, and shall not exceed 16 square feet if off-site.
 - (d) The event must be held in Middle Township and must benefit a public agency or legally established non-profit.
 - (e) Sign must not be located in a public right of way.
 - (f) Only one sign per property is permitted.
 - (g) Shall not be located within a Residential Zone.
 - (h) The sign shall not be illuminated, and the materials, design and lettering must exhibit a professional appearance.

J. Signs Permitted in the TC Town Center zone

(1) Wall Signs

Each business shall be permitted one wall sign of Two (2) square feet of sign area for each linear foot of building width, but shall not exceed 150 square feet.

Where a business faces two major highways, as determined by the Board Engineer, utilizing appropriate highway designations, a second facade sign of up to 1/2 of the size of the first facade sign is permitted. Such sign shall meet the same requirement as all permitted building signs.

(2) Freestanding Sign

Each property shall be permitted one freestanding sign calling attention to the shopping center and/or the business(es) located therein. The area of the freestanding sign shall be based on total square footage as stated below:

Minimum Retail Square Footage	Permitted Sign Area	Setback of sign edge from right of way/property line
0-5,000 sf	2 sf per 10 linear foot of width of building, not to exceed 40 sf	10’
5,001-10,000 sf	40 sf	10’
10,001-20,000 sf	60 sf	15’
20,001-50,000 sf	100 sf	20’
50,001-100,000 sf	250 sf	25’
100,001 sf and over	400 sf	30’

- (3) Temporary signs for the promotion of a public function or charitable fundraising event that meets all of the following conditions:
 - (a) Prior to the installation of any such sign, the applicant shall file an application for a zoning permit which shall include a sketch of the sign, dimensions of the sign, its location and the dates proposed for its exhibition.
 - (b) shall not be erected more than 21 days prior to the first day of the event and shall be removed not more than three days after the last day the event has taken place.
 - (c) Such signs shall not exceed six (6) feet in height and 32 square feet in area if on event property, and shall not exceed 16 square feet if off-site.
 - (d) The event must be held in Middle Township and must benefit a public agency or legally established non-profit.
 - (e) Sign must not be located in a public right of way.
 - (f) Only one sign per property is permitted.

(g) Shall not be located within a Residential Zone.

(h) The sign shall not be illuminated, and the materials, design and lettering must exhibit a professional appearance.

K. Farm Markets - Farm markets shall be permitted to have one temporary sign with interchangeable lettering. The square footage of the sign shall be limited to 32 square feet.

SUMMARY

Zones	Facade/wall sign area	Freestanding sign area	Setback
TP	¼ sf for each 1' building width 20 sf max	16 sf 5' high max	10'
B, HV, TB, VC	1 sf for each 1' building width 50 sf max	2 sf for each 10' street frontage 20' high max 40' max area	10'
TC	2 sf for each 1' of building width 150 sf max	See chart above	

Committeemember DeLanzo asked if this included "sandwich board signs". Allowed?

Mayor Lockwood – yes

Elizabeth Terenik stated only certain districts

Committeemember Donohue added "and only in front of own business".

Committeemember DeLanzo asked if flags were considered. What is considered a flag?

Mrs. Terenik spoke of cloth flags and the definition of "American Flag". Also spoke of temporary signage.

Mrs. Terenik gave a brief overview of the proposed ordinance.

Committeemember DeLanzo asked about "open signs". Expressed she believes this should be in ordinance.

Mayor Lockwood spoke of luminated signs and hours allowed for operation. Believes if the business wants to pay the electric bill they should be able to have it.

Committee members tossed up the possibility of tabling ordinance for clarity. Mayor Lockwood expressed that this ordinance needs to be moved so that we have a sign ordinance that matches our zoning ordinance.

Committeemember Donohue expressed the main concern of our Zoning Official is that we need to get something in place. Committeemember Donohue stated he has concern with flags as well. Asked particulars regarding making amendments after introduction.

Committeemember DeLanzo stated she believes it's just "tweaking" and certainly would like business owners in the town to review it.

Committee discussed violations and how these violations would be addressed.

Committeemember Donohue informed the committee members that he received an email from Bob Noel of the Chamber and they have reviewed it. They are fine with it.

After further consideration committee moved forward with ordinance.

15. RESOLUTION 351-12 – TABULATION COMMITTEE – FURNISHING OF A COMBINATION VACUUM / JETTER – 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 Business Administrator Mark Mallett be and hereby are appointed to tabulate the bids, to be taken on September 5, 2012 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

FURNISHING OF A COMBINATION VACUUM / JETTER

16. RESOLUTION 352-12 – TABULATION COMMITTEE – POLICE UNIFORMS – 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, 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 Business Administrator Mark Mallett be and hereby are appointed to tabulate the bids, to be taken on August 30, 2012 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:

POLICE UNIFORMS

17. RESOLUTION 353-12 – AUTHORIZING THE PAYMENT OF ADDITIONAL COMPENSATION TO THE TAX ASSESSOR AND STAFF FOR THE PERFORMANCE OF SERVICES IN CONNECTION WITH A TOWNSHIP-WIDE REASSESSMENT OF ALL REAL PROPERTY WITHIN THE TOWNSHIP OF MIDDLE AND ACKNOWLEDGING APPROVAL FROM THE CAPE MAY COUNTY BOARD OF TAXATION AND STATE OF NEW JERSEY, DIVISION OF TAXATION – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, the Cape May County Board of Taxation mandates that municipalities be revalued if assessments of all taxable real property in the Township fall below 85% of market value or above 115%; or if there are changes to the zoning ordinance which have the potential to affect market value; and
WHEREAS, multiple change have been made to the Middle Township Zoning Ordinance during the past three years; and
WHEREAS, the Cape May County Board of Taxation encourages reassessments by municipalities in order to equalize existing assessments in order to avoid the need for another revaluation; and
WHEREAS, the Cape May County Board of Taxation ordered the Township of Middle to implement a municipal wide reassessment to be effective for the 2013 tax year and in accordance with N.J.S.A. 54:1-35.36 the State of New Jersey, Division of Taxation approved such order for a Township-wide Reassessment of all real property within the Township of Middle; and
WHEREAS, the Middle Township Tax Assessor has submitted information to establish that her and the staff of the Tax Assessor’s Office have the requisite training, skills, resources, and experience to complete a Township-wide reassessment; and
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, Cape May County and State of New Jersey, as follows:
1. The allegations of the preamble are incorporated by this reference.
 2. Authorization from the Cape May County Board of Taxation and State of New Jersey, Division of Taxation for the Township Tax Assessor to complete a Township-wide reassessment of all real property within the Township of Middle be and hereby is acknowledged.
 3. The compensation to be paid to the Township Tax Assessor shall be \$27,500, paid over 15 pay periods, to complete a reassessment of all real property in the Township of Middle in consideration of the additional services to be provided by the Tax Assessor in the completion of the reassessment and the preparation for and defense of tax appeals arising as a result of such reassessment.
 4. The compensation to be paid to the Township Deputy Tax Assessor shall be \$12,500, paid over 15 pay periods, to complete a reassessment of all real property in Middle Township in consideration of the additional services to be provided by the Deputy Tax Assessor in the completion of the reassessment and the preparation for and defense of tax appeals arising as a result of such reassessment.
 5. The proper officials be and hereby are authorized to do all things necessary to carry out the intent of this Resolution.
18. RESOLUTION 354-12 – APPROVE CHANGE ORDER NO. 1 – 2010 CAPITAL IMPROVEMENT PHASE I – STONE HARBOR MANOR (M-2251) – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, September 7, 2011, via Resolution No. 426-11, Ricky Slade Construction, Inc. was awarded the “2010 Capital Improvement Phase I, Stone Harbor Manor” project, within the confines of the Township of Middle in the amount of \$381,167.00.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the attached Change Order #1 for the project awarded to Ricky Slade Construction, Inc., be and is hereby approved in a credit amount of \$1,750.00.
19. RESOLUTION 355-12 – ENDORSING THE CMCMUA PROPOSED SWITCH OF THE CAPE MAY COUNTY INTERMEDIATE PROCESSING FACILITY TO SINGLE STREAM RECYCLING – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, The New Jersey Mandatory Source Separation and Recycling Act requires that at least 50% of the municipal solid waste stream and at least 60% of the total solid waste stream be recycled, and
WHEREAS, the Cape May County Recycling Plan, as adopted by the County Board of Chosen Freeholders and approved by the New Jersey Department of Environmental Protection sets forth an aggressive source separation and recycling program designed to achieve this State mandate, and
WHEREAS, the Cape May County Municipal Utilities Authority (“CMCMUA”) and all sixteen Cape May County municipalities have joined together in a regional, cooperative, source separation program to increase the types and quantity of recyclable materials recovered, maximize market revenues and minimize costs, and
WHEREAS, the Cape May County Intermediate Processing Facility (“IPF”), which is the cornerstone of this regional program, facilitates the recycling of paper, bottles and cans (“IPF Recyclables”) by residents, visitors, businesses and institutions through the convenience of mixing twenty different items into two streams for municipal collection, and
WHEREAS, the CMCMUA currently operates the IPF to receive, sort, upgrade and market IPF Recyclables collected by all municipalities in Cape May County, and
WHEREAS, municipal collection of IPF Recyclables has used two separate containers (known as dual stream) to accommodate the operation of the IPF since 1990, and

WHEREAS, the CMCMUA has solicited the opinion and commitment of Cape May County's municipalities to change their municipal source separation and recycling program and County IPF to single stream, whereby all IPF Recyclables would be placed in a single container for municipal collections, and

WHEREAS, the switch from dual stream to single stream recycling in other municipalities in New Jersey has been shown to increase the quantity of materials recycled, and

WHEREAS, increased recycling conserves additional natural resources, conserves energy, reduces pollution and extends the life of Cape May County's one operating landfill, and

WHEREAS, implementation of single stream recycling will reduce municipal expenditures by collection of recyclables from a single recycling container instead of the current dual stream system, and

WHEREAS, the Shared Services Agreement for Solid Waste and Recycling executed between the Township of Middle and the CMCMUA requires that all net revenue from the operation of the IPF be rebated to the County's municipalities in proportion to the total tons recycled by each municipality, and

WHEREAS, single stream recycling presents the potential for each of the County's municipalities to receive additional revenue in rebates from the CMCMUA, and from the State of New Jersey under the Recycling Tonnage Grant Program, as a result of any increased recycling tonnage, and

WHEREAS, any increased recycling tonnage realized by the switch to single stream recycling will save the municipality landfill disposal costs through avoidance of the tipping for every additional ton, or portion thereof, recycled; and

WHEREAS, single stream collection and processing makes recycling easier for the residents, visitors and businesses of the Township of Middle, and

WHEREAS, the Township of Middle considers single stream recycling to be in the best interests of the municipality and its residents, visitors and businesses.

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

1. The Township of Middle hereby endorses the concept of switching from dual stream to single stream recycling, for both the municipal recycling program and the County-wide recycling program, including the IPF.
2. The CMCMUA is urged to expeditiously proceed with the renovation of the IPF to enable the facility to handle and process single stream recyclables.
3. A copy of this resolution shall be forwarded to the CMCMUA upon adoption.

20. RESOLUTION 356-12 – APPROVAL FOR PAYMENT TERMINAL LEAVE – SHARON PRICE – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, Sharon Price has retired with an effective date of August 1st, 2012, and

WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated vacation, compensation, sick, and personal time, and

WHEREAS, the personnel office has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time,

NOW THEREFORE BE IT RESOLVED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employee in the amount referenced below.

Sharon Price

Sick (capped)	381.50	44.63	12,500.00
comp	4.50	44.63	200.84
total			12,700.84

21. RESOLUTION 357-12 – RELEASE OF TRUST ACCOUNTS – On motion by Mayor Lockwood seconded by Committeemember Donohue 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.

22. RESOLUTION 358-12 – TABULATION COMMITTEE – EMERGENCY MEDICAL BILLING SERVICES – 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, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Chief Finance Officer Tracey Taverner, and Township Clerk Kimberly Krauss, and Business Administrator Mark Mallett, be and hereby are appointed to tabulate the bids to be taken on September 5, 2012 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:

EMERGENCY MEDICAL BILLING SERVICES

23. RESOLUTION 359-12– RENEWAL OF MEMBERSHIP IN THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. WHEREAS, the Township of Middle is a member of the Atlantic County Joint Insurance Fund (hereinafter the “FUND”), and WHEREAS, said membership terminates as of January 1, 2013 unless earlier renewed by agreement between the municipality and the FUND, and WHEREAS, the Township of Middle desires to renew said membership. 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 as follows:
1. The Township of Middle agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
 2. The Township of Middle duly appointed Fund Commissioner, shall be and hereby is authorized to execute the “Agreement to Renew Membership” annexed hereto and made part hereof and to deliver same to the FUND evidencing the Township of Middle’s intention to renew its membership.

24. RESOLUTION 360-12 – 361-12 – TITLE CHANGE (ITEMS A THROUGH B) – On motion by Committeemember DeLanzo seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted. 360-12 BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following employee is hereby approved to the title change opposite their name:

Name	Department	Title	Eff. Date
John Hotaling	Sewer	Sewer Repairer 1	04/25/2012

361-12 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 employees are hereby approved to the title changes opposite their name:

Name	Title	Eff. Date
Ann Marie Camp	Senior Emergency Medical Technician	07/01/2012
Nancy Burke	Senior Emergency Medical Technician	07/01/2012
Scott Klecz	Senior Emergency Medical Technician	07/01/2012

BE IT FURTHER RESOLVED, that the following employee civil service title amendments are hereby approved:

Name	Title	Eff. Date
Sean McDevitt	Supervising Emergency Medical Technician (internal title of EMT Chief)	01/01/2012
Mike Linz	Supervising Emergency Medical Technician (internal title of Deputy EMT Chief)	01/01/2012

25. RESOLUTION 362-12 – SALARY ADJUSTMENT – 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, County of Cape May, State of New Jersey, that the following employee salary be amended to the amount opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFF. DATE
Dorothy Mutter	Vital Statistic	Deputy Registrar of Vital Statistics P/T	\$14.00 p/h	07/01/2012

26. RESOLUTION 363-12 – AUTHORIZE MAYOR TO SIGN EXTENSION DEPOSIT AGREEMENT – NJ AMERICAN WATER PHASE III WATER EXTENSION PROJECT WHITESBORO – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Township is in receipt of a Deposit Agreement with NJ American Water covering the installation of various water mains and hydrants, in connection with the Phase III Water Extension Project in Whitesboro, and

WHEREAS, it is necessary to sign said license agreement in connection therewith.

WHEREAS, the proposed development is located within the following existing developed Middle Township street right-of-ways: Gibbs Street, Anna Street, Reeves Street, Sumner Street, Grant Street, Scott Street, Sulloway Street, Vick Street and Matthews Street.

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 Mayor, and/or any and all necessary parties, are hereby authorized to sign the Deposit Agreement with NJ American Water for the Phase III Water Extension Project in Whitesboro.

BE IT FURTHER RESOLVED, the deposit amount required is based on the total estimated cost of main installation. Said deposit for this agreement is in the amount of \$478,000.00, made payable to New Jersey American Water.

27. RESOLUTION 364-12 – AUTHORIZE A NEGOTIATED CONTRACT AFTER TWO BIDS – PROPOSAL AND INSTRUCTIONS FOR CREDIT CARD ACCEPTANCE FOR COLLECTION OF TAXES – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle solicited for bids on December 20, 2010, via Resolution No. 516-10, and later rejected via Resolution No. 88-11 based on the fact that proposals lacked required documentation, therefore disqualifying said bidders, and
 WHEREAS, the Township once again solicited for bids on February 9, 2011 via Resolution No. 88-11, and later rejected via Resolution No. 244-11 based on additional fees associated with instituting the online credit card payment system, and
 WHEREAS, Title 40A:11-5.3 permits the governing body of the Township of Middle to negotiate and award a contract based on the bid specifications being advertised, prior to, on two separate occasions receiving no bids or high bids.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May, State of New Jersey, the governing body thereof, that the Business Administrator Mark Mallett, be hereby authorized to negotiate on behalf of the Township with contractors to provide and install all services, materials, and labor specified for said project.
 FURTHER RESOLVED, that prior to the award of any contract, based on these negotiations, a contract shall be presented to Township Committee for final approval.
28. RESOLUTION 365-12 – AWARD OF BID – PROPOSAL AND INSTRUCTIONS FOR CREDIT CARD ACCEPTANCE FOR COLLECTION OF TAXES – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, it has been deemed necessary and desirable to solicit bids towards credit card acceptance for collection of taxes, and
 WHEREAS, the township solicited for bids twice, with no success, and
 WHEREAS, Resolution 364-12 authorized the Business Administrator to negotiate a contract, as outlined in 40A:11-5.3.
 NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for credit card acceptance for collection of taxes is hereby awarded to Point and Pay, LLC.
 BE IT FURTHER RESOLVED, that there would be no incremental costs to the Township. All cost associated with this service would be endured directly by users of said service.
 FURTHER RESOLVED, the term of this contract is one (1) year from date of implementation.
29. RESOLUTION 366-12 – CLOSED SESSION - CONTRACT NEGOTIATION – CAPE EXPRESS – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, the section of the Open Public Meetings Law, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and
 WHEREAS, the Township Committee of the Township of Middle, the governing body thereof, is of the opinion that such circumstances presently exist, and
 WHEREAS, said Closed Session shall be held directly after this open session.
 NOW THEREFORE BE IT RESOLVED, by the Township of Middle, County of Cape May, State of New Jersey:
 1.) The public shall be excluded from the discussion of an action upon the hereinafter specified matter: CONTRACT NEGOTIATION – CAPE EXPRESS
 2.) The general nature of the subject matter to be discussed is as follows: CONTRACT NEGOTIATION – CAPE EXPRESS
 3.) It is anticipated at this time the above subject matter will be made public as follows:
 WHEN THE MATTER IS RESOLVED
 4.) This Resolution shall take effect immediately.
***Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the following topic in closed session: Contract Negotiation – Cape Express. This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist. The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.**
30. RESOLUTION 367-12 – ACKNOWLEDGING RESIGNATION AND APPOINTMENT OF BOARD SECRETARY – 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, County of Cape May and State of New Jersey, that the following board resignation is hereby acknowledged:
- | | | | | |
|-----------------|---|------------|--|--|
| NAME | BOARD POSITION | EFFECTIVE | | |
| Kimberly Krauss | Economic Development
Council Secretary | 08/06/2012 | | |
- BE IT FURTHER RESOLVED, that the following individual shall be appointed to the board as follows:
- | | | | | |
|------------------|---|-------------------|--------------|----------|
| NAME | BOARD POSITION | TERM
AFFECTIVE | TERM EXPIRES | SALARY |
| Jill Zarharchuck | Economic Development
Council Secretary | 08/06/2012 | 12/31/2012 | \$850.00 |

31. RESOLUTION 368-12 – APPOINTMENT – NEW HIRE – SPECIAL CLASS II POLICE OFFICER – 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
Joseph Gamble	Public Safety	Special Class II Police Officer	\$12.50 p/h	08/03/2012

32. RESOLUTION 369-12 thr 371-12 – REFUND OF TAXES (ITEMS A THROUGH C) – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

369-12 Refund due to overbills in tax duplicate for 2012

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
187	5	21 Qfarm	Tomlin, K Mark Jr & Naomi A P O Box 345 Goshen, NJ 08218 Property location: 466 Rte 47 N	21.58
2116	99.02	18.01	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 5 Michaels Court	268.63
18897	99.02	18.02	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 7 Michaels Court	246.38
18898	99.02	18.03	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 9 Michaels Court	246.38
18899	99.02	18.04	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 11 Michaels Court	266.58
18900	99.02	18.05	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 10 Michaels Court	309.74
18901	99.02	18.06	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 6 Michaels Court	266.54
18902	99.02	18.07	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 4 Michaels Court	270.05
18903	99.02	18.08	CKJR LLC 23 Whiting Lane Cape May Court House, NJ 08210 Property location: 2 Michaels Court	246.34
2190	99.02	153	Cape May Grocery Owners LLC 1055 Parsippany Blvd #408 Parsippany, NJ 07054 Property location: 20 CH SO Dennis Rd	500.47
5393	326	16	Saddler, Blanchie, Clara & Thomas A 216 Schoolhouse Lane Cape May Court House, NJ 08210 Property location: Reading Ave	494.36
6720	437	9.01	Mastropieri, Robert W 7320 Yorktowne Drive	56.32

			Towson Md 21204 Property location: 203 Eldredge Ave	
12583	1055	14	Small, Cassandra A B 1714 N Aberdeen St Philadelphia, Pa 19131 Property location: 20 James St	346.01
13111	1129	2	Hudson, Elizabeth A 19 S 5 th Ave Rio Grande, NJ 08242 Property location: 20 S 4 th Ave	587.62
16722	466.01	8	Hanson, Steven C 2 S 15 th St Del Haven, NJ 08251 Property location: 2 S 15 th ST	412.40
5444	329.01	9	Dickinson, Kellyann 15 4 th Ave Cape May Court House, NJ 08210 Property location: 15 4 th Ave	175.02

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 2012 taxes.

BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

370-12 Refund due to 100% disabled American Veteran

ACCT ck#	BLOCK	LOT	OWNER/LOCATION	AMOUNT
6873	466.02	4	Shuhart, David W & Donna M 102 S 15 th ST Del Haven, NJ 08251 Property location: 102 S 15 th ST	\$1,854.60

371-12 Refund due to 2012 appeal

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
2322	117.01	11	Gillespie, Jerome F & Dolores 572 Beacon Ave Vineland, NJ 08360 Property Location: 19 Leonards Lane	304.22
17434	163.01	253	Fulford, Douglas P & Barbara C 708 Dias Creek RD Cape May Court House, NJ 08210 Property location: 710 Dias Creek RD	169.48
17882	313	62	S & W SH Boulevard LLC 15 N Boyd St Cape May Court House, NJ 08210 Property location: 727B Stone Harbor Blvd	594.90
5224	313	98	Willis, Gregory J 15 N Boyd St Cape May Court House, NJ 08210 Property location: 801A Stone Harbor Blvd	405.28
13115	1130	1	Hewett, John W & Sylvia H 20 S 5 th Ave Rio Grande, NJ 08242 Property location: 500 Edgewood Ave	75.67

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 2012 taxes.

BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

33. RESOLUTION 372-12 – CANCELLATION OF TAXES – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

Cancellation due to 100% disabled American Veteran

ACCT	BLOCK	LOT	OWNER/LOCATION	2012	2013
6873	466.02	4	Shuhart, David W & Donna M 102 S 15th ST Del Haven, NJ 08251		

Property location: 102 S 15th ST

3563.72 1955.69

34. RESOLUTION 373-12 – RELEASE OF MAINTENANCE BOND – LAWRENCE A. PRAY, INC. – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, \$56,439.57 is being held as a maintenance bond for Lawrence A. Pray, Inc. for Block 168, Lot 21-26, also known as Southern Shore Drive, and

WHEREAS, the Engineer for the Township of Middle has conducted his site observation of the referenced area, and

WHEREAS, the Engineer for the Township of Middle has recommended that the bond be released, and

WHEREAS, it should be noted that these improvements have already been accepted into the Township Road System via Resolution 63-10, and

WHEREAS, the Land Use Administrator has certified that the Bond in the amount of \$56,439.57 be released.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Maintenance Bond in the amount of \$56,439.57 be and is hereby released.

35. RESOLUTION 374-12 – SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2012 STATEWIDE CRACKDOWN – On motion by Mayor Lockwood 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, 25% of motor vehicle fatalities in New Jersey are 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 2012 Statewide Crackdown, and

WHEREAS, the project will involve increased driving enforcement from August 17 through September 3, 2012, 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 2012 Statewide Crackdown from August 17 through September 3, 2012 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.

36. RESOLUTION 375-12 – AMENDING RESOLUTION 328-12 – APPROVING CHANGE ORDER NO. 1 – CONTRACT NO. 24 – DAVIES COMPLEX WATER REUSE BOOSTER STATION – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, on July 16, 2012 Resolution 328-12 was approved authorizing a change order in the amount of \$26,317.00, and

WHEREAS, the language of said change order resolution needs to be amended to reference that Change Order No. 1 is a net zero change order, and that the Contract Change Order Form, that needs to be signed by the Mayor, merely outlines items that were already encumbered via Resolution 552-11 and furthermore authorizes payment from the original award amount.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey, that Change Order No. 1 is hereby approved with no increase in award amount and that the Mayor is hereby authorized to sign any and all documents in connection therewith.

37. RESOLUTION 376-12 – APPROVE TRANSIENT MERCHANT PERMIT – BRANCHWATER PRODUCTIONS DBA COLE BROS. CIRCUS INC. – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, Chapter 231-1 of the code of the Township of Middle authorizes the licensing of a traveling show or circus within the confines of the Township of Middle, and

WHEREAS, Branchwater Productions Inc. dba Cole Bros. Circus, has applied to the Township of Middle to hold a Tented Circus on August 22nd and 23rd, 2012, and
 WHEREAS, by way of application, Branchwater Productions Inc. dba Cole Bros. Circus has requested the use of the Robert “Ockie” Wisting Recreation Complex, and
 WHEREAS, they have met all of the application requirements by supplying the necessary fees and insurance certificate information, and
 WHEREAS, Rio Grande Volunteer Fire Company has been designated as the sponsor for said circus and described on the submitted “Hold Harmless Agreement” presented by Cole Bros. Circus along with the Township of Middle.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May, New Jersey, that authorization is hereby granted to Branchwater Productions Inc. dba Cole Bros. Circus to hold a circus at the location of the Robert “Ockie” Wisting Recreation Complex on August 22nd and 23rd, 2012 in compliance with the rules and regulations set forth by the Code of the Township of Middle.

38. RESOLUTION 377-12 – AUTHORIZATION TO CLOSE A PORTION OF SULLOWAY STREET FOR WEDDING – 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 authorization is hereby given to close the west side of Sulloway Street, in particular the area of 205 West Sulloway Street, on Saturday, September 22, 2012 from 4:00pm to 8:00pm for a wedding.

39. RESOLUTION 378-12 – AMENDING RESOLUTION 274-12 - ACKNOWLEDGING RESIGNATIONS AND APPOINTMENTS OF VARIOUS VOLUNTEER BOARD MEMBERS – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, Resolution 274-12 inadvertently listed incorrect term expirations for various board member reappointments and/or new board members.

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 individuals shall be appointed and/or reappointed to the terms and boards as indicated:

Member	Volunteer Board	Term Expiration
Rick Rixey	Economic Development Council	12/31/2014 (filling unexpired term of Tim Donohue)
Dawn Stimmel	Economic Development Council	12/31/2014 (filling unexpired term of Mary Rixey)
Brian Murphy	Economic Development Council	12/31/2012 (filling unexpired term of Elizabeth Terenik)
Dennis Roberts	Economic Development Council Alt Member #1	12/31/2013 * new term as outlined in Ordinance No. 1422-12
Sally Garrison	Traffic Committee Voting Member (Moving from Alt. to Voting Member)	12/31/2013 (filling unexpired term of Janis Goetaski)
John Herr	Ethics Committee	12/31/2016 (filling unexpired term of Dave Tomkinson)

40. PUBLIC COMMENT:

Committeemember DeLanzo expressed the shock felt by the entire community with the recent tragedy and loss of the two girls along Bayshore Road. Also please keep David Anthony in your prayers. She wanted to express her thoughts on moving the Registrar’s Office. She is concerned with doing this and giving up possible revenue. She believes this office should stay with the Clerk.

Committeemember Donohue echoed Committeemember DeLanzo’s sentiments regarding the tragic accidents. It really hits home as we watch our kids walk out the door every day. Keep them in our prayers. On other fronts, the Economic Development Committee will be starting a “buy local” campaign. Still in infancy.. Gazette will be putting out a “Buy Local Supplement” with list of 10 reasons to “buy local”. Spoke of Transportation Enhancement Grant, which the township applied for. Also, upcoming new program rural business enterprise grants. The ability to pay tax payments online will be up and running shortly. No fee to taxpayers, fee for users only. Sandcastle Estates development should be paved this fall. 9/17 meeting moved to Rio Grande Fire House. Promise made to people of Rio Grande. Regarding Cape Express, Committeemember Donohue wanted the public to know that an intensive forensic investigation is being performed on the monies being spent on the Fort Apache complex. Committee will have some type of report before, or if, moving forward with Cape Express. Met with CFO and Mr. Mallett to see where money has been spent. Welcomed Kim Krauss back. Thank you to everyone that helped.

Mayor Lockwood also reiterated the 9/17 meeting location change. Also the first meeting in September will be held 9/5 due to the holiday. Mayor Lockwood spoke of the accident in Del Haven. Stated this had taken place during the dedication of Robert Greene Way. Spoke of Sharon Price, retired police officer. She was 1st female officer in Middle Township. Informed public of Garden State Parkway meeting held. This project is moving steadily. Earliest award of contract would be late fall or sometime 2013, a lot of preliminary work to be completed prior. Should be a 2 year process. South bound lane worked on first. Residents increasingly ask about barriers. There will be fencing and trees for buffers. Parkway will be no closer to homes then currently is.

Mrs. Fausey, along with Vilma Pombo and Betty McGurk gave a presentation regarding proposed PILOT program with Conifer and "points for committee to consider". Letter read into record:

Good Evening: I am addressing the recent signing of an agreement to construct two affordable housing projects in Middle Township, and more specifically, the possible adoption of a PILOT program for a for profit corporation, Conifer, owner of the two projects, which may be done ~~tonight~~ on Aug. 20

It is important to make the point that the public, by and large, is not opposed to affordable housing. The fact is that many of us have needed it in the past, or need it now. Through meetings and visioning sessions in the past three plus years, residents have made it clear that they wish to participate in the creation of acceptable affordable housing in our township.

Through those meetings, the public made it clear that high density projects are not in keeping with the character of our historic township.

In recent months, the public has been denied the openness of an ongoing process to create affordable housing. Although promised a public hearing, none was scheduled by this committee. It should be noted that public comment is not the same as a public hearing.

At a proper public meeting, the public would be given a platform to prepare and present evidence it deemed necessary for the Committee to make such an important and informed decision.

Now, at this 11th hour, the best the public can do it make a "proffer". Had we been granted the opportunity to have a public hearing, we would have presented evidence which would have been subject to cross-examination and where

appropriate, rebuttal.

We could have presented issues of cost to community. Not just in its character, but monetary costs, such as:

Increase in enrollment in public schools. Pilot does not cover school taxes. There has been no real study by the township to determine exactly what the cost will be to taxpayers over the next 30 years. Figure that is reported for Middle is \$15,810 per student. At a rate of a low figure of \$12,000 per student, school taxes would be \$1,920,000 for one student per unit, or 3,840,000 for two students per units per year. This would not take into account the added expense for any at risk or special needs student.

Public Safety and welfare issues: For example, traffic study, parking on Mechanic Street, the possible affect on police and fire departments prepared not by Conifer or hearsay. Many who live in downtown Court House have reported that accidents and fender benders are not uncommon on Mechanic Street.

A proper assessment of what two buildings of this size would actually be worth if they were not tax restricted. It is important that the amount reflect what actual taxes would be brought in if they were not assessed in this manner. When the pilot is complete, the projects would be worth far more than the low figure represents, but in the meantime, the scant payments that would be made to the township for services to its non-tax paying owners would far exceed the amounts.

Environmental affects: The site in Cape May Court House borders a federal wildlife preserve and the property in question is a Federal acquisition site. Its inhabitants include endangered species which has prevented other development from taking place. For example, both the college location and the extension of

Shunpike was stopped because of endangered or protected species being affected.

The absence of a true and verified number that the township is obligated to provide for affordable housing. The public needs to see that the township has reviewed the affordable housing inventory from 1980 on. The townspeople have paid for professionals to work on affordable housing. Why hasn't this information been either collected by them, or if so, provided to the public. And if not, why are we using this number?

Had we been provided with a public hearing, impact studies from experts on traffic, public safety, school costs, environmental affects, availability of employment, public transportation, and other issues, you would have been able to make an informed decision on what is best for Middle Township. We are proferring that since the Committee hasn't provided this information in a concise and written format to the public, that now, we, the public, may be forced to do it ourselves.

Tonight, we are asking that:

The township conduct a full and fair public hearing before approving a PILOT allowing time for experts to testify and studies to be done and produced on the impact of these projects to Middle Township and its residents, including the real cost and that any ordinances that would provide relief for Development Fees, Affordable Housing and Zoning be tabled until such time as the public hearing.

The Township provide direct proof of the number of units needed within thirty days; and the review of the township hired professionals as to what the true number should be produced within three days.

The Township must justify giving Conifer a tax break when so many of our residents are having a hard time making their tax payments and are literally “living on the edge” and the approval of the PILOT will most likely drive the taxes of residents up and causing them to lose their homes.

Since COAH does not require that a PILOT be approved, since the residents have assured the Committee that “they will have their back”, that the PILOT not be given, which will allow Conifer to annul the Agreement.

Asked committee for experts and studies to help committee to make informed decision prior to approving PILOT. Township must justify tax break to Conifer. COAH does not require PILOT to be approved.

Mayor Lockwood stated that Conifer was included in Master Plan years ago. Sewer was made available so it was included in plans.

Frances Deerlove indicated he has been trying to get a hold of the Township Engineer. Where does Avalon Manor/ Leonard's Lane stand on repaving?

Mark Mallett indicated it is due to be paved in the fall. Design work to be drafted.

Liz Terenik stated the State would have to issue an environmental assessment report and Conifer would have to apply for CAFRA. Planning Board, if approves, will require showing of CAFRA Permit.

Betty McGurk – Agreement signed by township saddles town with undue burden. Taxpayers were led to believe it was the best deal then they read in the contract that “they” can pass this onto anyone.

Mayor Lockwood indicated he raised the same point.

B. McGurk expressed that the Mayor signed it. The whole contract is unacceptable to the residents “she” spoke to at last school board meeting. Members of the school board have come up to her and they are not ok with the PILOT. The public asked committee not to do anything behind closed doors. There was no public comment at the zoning meeting. Never had mediation on fair share plan. Volunteer board members have more input than the public could ever imagine. No studies have been performed.

Josie Quinn stated she was the secretary of the Housing Advisory Board and if anyone has questions as to what they have done she can provide them with information.

Madelyn McCarroll asked if a plan has been approved by Emergency Management. She requested that committee run this whole idea by Emergency Management. Do we negotiate all contracts in closed session? Asked that the cost of the PILOT be placed online on the website. “We are not a vocal minority. If committee believes the residents want this then please have “those” residents at the next meeting.”

Ed Deleo – item #14.. asked about section on Chief of Police & signs. The system that has determined the number of required affordable housing units is flawed. No other township in the county has to put in affordable housing.

Betty McGurk – “Do you tell people that the people that live in these affordable housing units make more than those that have to pay for the cost? Do you tell people there is legislation that can come down that allows to count Mobile Home Parks?”

Carl Carmelowitz believes courts will force upon Middle higher consequences and we will suffer if we don't do what we need to do.

E. Fausey expressed that a lot of COAH is not law, its policy. Requested committee discuss upcoming events at meetings. Taxpayers could help committee gather facts and evidence.

Motion to go into closed session:

1st Committeemember Donohue 2nd Committeemember DeLanzo

Roll Call Vote: Committeemember DeLanzo, Committeemember Donohue, Mayor Lockwood

Committee entered closed session at 8:45pm.

Committee exited closed session at 9:30pm.

Motion to adjourn meeting:

1st Committeemember Donohue 2nd Committeemember DeLanzo

Roll Call Vote: Committeemember DeLanzo, Committeemember Donohue, Mayor Lockwood

There being no further business the meeting was adjourned at 9:35pm

Kimberly D. Krauss, Twp. Clerk