

Cape May Court House, NJ
December 2, 2013
REGULAR MEETING
FLAG SALUTE
THIS MEETING IS BEING RECORDED:

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

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

1. PRESENTATION BY MAYOR – *Annual Outstanding Service Recognition Awards presented at the 2013 Cape May County Disabilities Awareness Day in Avalon to Joe Giannattasio of the Middle Township Clean Communities Program.*
2. 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.)

*Stan Doniger – Questioned the \$165,000 Bond Ordinance for Sewer
Connie Mahon – This Ordinance covers the GIS mapping and Bennett’s Crossway. Parkway project found infrastructure over 50 years old that needed to be replaced. NJTA improved the infrastructure and these funds will pay back the NJTA for the improvements. GIS mapping is a form of protection used to assist in sewer infrastructure maintenance.*

*Mayor Lockwood – Most infrastructure has lifetime of 40 years, maintenance plan is in place with infrastructure improvement. This is borrowing the money for the improvements.
Committeemember Donohue – Money is recouped by debt service in sewer payments.*

Carl Karmelowicz – Asked about the cash out sick leave, temporary employees?

Mayor Lockwood – Annually the policy allows paying out to employees who have not used their time.

Connie Mahon – This is for non-contractual employees, contractual employees are paid out pursuant to their contract.

Mayor Lockwood – Governor Christie is pushing to reduce or minimize this, but when you reduce one thing, you’ll reduce another. People will start using their time which will reduce productivity. It is more of a rewards program for people who do not use their time.

Sam Kelly – Spoke of history in negotiations, if sick time is not able to be cashed out, it will be used and another person will still have to be paid, sometimes at a higher salary or time and a half, in order for work to be done.

Mayor Lockwood – Also covers employees disability if they are not entitled to same.

Stan Doniger – Questioned several items on the bill pay list.

Committee responded to Mr. Doniger’s questions accordingly.

Carl Karmelowicz – Asked about the public defender services, thought this was through the State or County, not Municipality. Also asked about the police labor counsel.

Mayor Lockwood – Public Defenders answer to the State.

Connie Mahon – Municipality is required to have a Public Defender.

Chief Leusner – Has several cases in the past that did not have a great outcome. Wanted to make sure best decision was made for department.

Carl Karmelowicz – Spoke about being a Realtor and being responsible for his own membership dues, classes, etc.

Mayor Lockwood – Township needs to be competitive to keep good employees, otherwise they will go elsewhere.

3. RESOLUTION 582-13 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved: Current Acct. \$3,087,593.48
4. RESOLUTION 583-13 - APPROVING PAYMENT FOR BILLS – BILL LIST B (Anzelone/LC) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted. ***Mayor Lockwood Abstain**
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. \$202.00
5. RESOLUTION 584-13 – APPROVING MINUTES FROM PREVIOUS MEETINGS – 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, the governing body thereof, that the following minutes are approved: Work Session Meeting 11/18/2013; Regular Meeting 11/18, 2013; Board of Health 11/18/2013.

6. REPORTS: The following departments have submitted their reports for the months indicated:

7. ORDINANCE NO. 1453-13 - BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE SEWER UTILITY OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$165,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$165,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF – Following second reading, hearing, and consideration for adoption, Ordinance 1453-13 was adopted on motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two thirds of all members thereof affirmatively concurring) AS FOLLOWS:
Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Middle, in the County of Cape May, New Jersey (the “Township”). For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$165,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond.
Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$165,000 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38, as amended. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.
Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to the sewer utility, consisting of the purchase of materials for the construction of two PVC sanitary sewer force mains, a sanitary sewer air release manhole, a sanitary sewer manhole, GIS mapping including all work, inspections and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.
(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.
(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.
Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond, and the chief financial officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.
Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.
Section 6. The following additional matters are hereby determined, declared, recited and stated:
(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 40 years.
(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$165,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
(d) An aggregate amount not exceeding \$35,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

8. RESOLUTION 585-13 – APPOINTMENTS – NEW HIRE – MUNICIPAL COURT – 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 employee is hereby appointed to the following position at the salary opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Brittany Linz	Municipal Court	Keyboarding Clerk 1	\$18,720.00	11/25/2013

9. RESOLUTION 586-13 – AMENDING FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK & WALBERG ENGINEERS – CONSTRUCTION INSPECTION SERVICES – WHITESBORO ROADWAY IMPROVEMENT PROJECT PHASE 3B – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, on January 4, 2012 Township Committee awarded Remington Vernick & Walberg Engineers a three year term as Township Engineer, and said contract was certified for 2013 as Resolution No. 42-13, and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Remington, Vernick & Walberg Engineers shall provide additional work as required to assist the Township of Middle with regards to construction inspection services towards the Whitesboro Roadway Improvement Project, Phase 3B:

Remington, Vernick & Walberg Engineers - Engineering Services
Whitesboro Roadway Improvement Project, Phase 3B
Not to Exceed \$7,000.00

Committeemember Donohue – Increase based on drainage issues?

Connie Mahon – Yes, supplemental work to what was already agreed to for certain streets/intersections. More work being done in these areas.

10. RESOLUTION 587-13 – ACKNOWLEDGEMENT OF DISCONTINUATION OF TEMPORARY APPOINTMENT – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted. BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following discontinuation of temporary appointment listed below, is acknowledged.

NAME	DEPARTMENT	POSITION	EFFECTIVE
Joseph Moore	Recreation	Recreation Aide	11/22/2013
Allison Miller	Recreation	Recreation Aide	11/22/2013

11. RESOLUTION 588-13 – AUTHORIZE CHANGE IN EMPLOYMENT STATUS – 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 that the following employee is hereby designated to the employment status listed below:

NAME	PREVIOUS STATUS	AMENDED STATUS	SALARY	EFFECTIVE DATE
Cheryl Grier	Recreation Aide P/T T/A	Recreation Aide P/T Permanent Appt.	\$10.00 ph	11/18/2013
Tara Johnson	Recreation Aide P/T T/A	Recreation Aide P/T Permanent Appt.	\$10.00 ph	11/18/2013
Charles Beaudion	Laborer 1 P/T T/A	Laborer 1 P/T Permanent Appt.	\$10.00 ph	11/18/2013
Leroy Gift	Laborer 1 P/T/ T/A	Laborer 1 P/T Permanent Appt.	\$10.00 ph	11/18/2013
Kimberly Anderson	Recreation Aide P/T T/A	Recreation Aide P/T Permanent Appt.	\$10.00 ph	11/18/2013
Krista Rickards	Recreation Aide P/T T/A	Recreation Aide P/T Permanent Appt.	\$10.00 ph	11/18/2013
Stephen Stagg	Recreation Aide P/T T/A	Recreation Aide P/T Permanent Appt.	\$9.00 ph*	11/18/2013

*\$10.00 p/h after 6 months of service.

12. RESOLUTION 589-13 – ACKNOWLEDGEMENT OF RETIREMENT – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

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

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
William Barger	Public Works	Supervising Mechanic	12/01/2013
Susan Copson	Construction Office	Technical Assistant to the Construction Official	12/01/2013

13. RESOLUTION 590-13 – AWARD OF BID – FY2013 NJDCA IMPROVEMENTS FOR PUBLIC FACILITIES PROJECT – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. WHEREAS, it has been deemed necessary and desirable to solicit bids for ADA Improvements for Public Facilities, and

WHEREAS, sealed bids were received on November 13, 2013, and

WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications.

R. MAXWELL CONSTRUCTION CO. - \$181,813.00

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for ADA Improvements for Public Facilities, by and hereby is awarded to R. Maxwell Construction Co., and

FURTHER RESOLVED, that this award is conditioned upon submission of Treasurer's Certification of availability of funds.

14. RESOLUTION 591-13 - REFUND 2013 TAXES – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. Refund due to overpayment:

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
282	8	2	Bass, Michael & Fierstein, Susan K 16095 Cameron Way Broomfield, CO 80023 Property Location: CH-So Dennis Road	\$485.13

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 check in the above noted amount payable to the above mentioned party, as a refund of 2013 property taxes.

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

15. RESOLUTION 592-13 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE CAPE MAY COUNTY OPEN SPACE PROGRAM – PARK RECREATION / DEVELOPMENT APPLICATION IN CONNECTION WITH THE MIDDLE TOWNSHIP / LOWER TOWNSHIP / CAPE MAY LEWES FERRY BIKE PATH PROJECT – 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, State of New Jersey that the Township Committee of the township of Middle formally approves the grant application for the above stated project. BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application to the Cape May County Open Space Program on behalf of the Township of Middle. BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Middle and that their signature constitutes

acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

16. RESOLUTION 593-13 - APPROVE DONATION OF TIME FOR FELLOW EMPLOYEE – 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, that the request from the following Middle Township employees, to relinquish the following amount of time to Paul Mahan, be and hereby is approved:

EMPLOYEE NAME	TYPE OF DAY	TIME DONATED
Captain John Edwards	Sick	16 hours
Officer Matthew Martino	Sick	40 hours
Officer James D'Alonzo	Sick	80 hours
Maria Mattera	Sick	32 hours
Sandy Beasley	Sick	7 hours
Steve Novsak	Sick	24 hours

NOW THEREFORE, BE IT FURTHER RESOLVED, that the total amount of contributed time be credited to Paul Mahan, as Sick Time.

17. RESOLUTION 594-13 – RATIFY AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY – 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 the agreement between the Township of Middle and the Cape May County Municipal Utilities Authority for economic benefit towards the solid waste transfer station located in Middle Township, as attached, for a term effective January 1, 2014 through December 31, 2018, is hereby ratified. BE IT FURTHER SOLVED, that the appropriate officials are hereby authorized to sign said agreement in connection therewith.

18. RESOLUTION 595-13 – EXPRESSING SUPPORT FOR NEW JERSEY STATE SENATE BILL No.2074 PROMOTING AGRI-TOURISM AND URGING ITS ADOPTION – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the New Jersey State Senate introduced Bill # 2074 on June 14, 2012 and is now contemplating adoption of same; and

WHEREAS, said Bill will permit special occasions that promote Agri-Tourism to be conducted on preserved farmland under certain circumstances; and

WHEREAS, the growth of Agri-Tourism will provide additional employment opportunities for Cape May County residents, create new sources of revenue and income and increase tourism within the County; and

WHEREAS, the Township Committee of the Township of Middle deems it to be in the best interest of the Township and the County of Cape May to encourage sustainable agriculture and to promote the growth Agri-Tourism within the County of Cape May and the State of New Jersey; NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Middle, County of Cape May, and State of New Jersey as follows:

1. The Committee hereby expresses its support for Senate Bill No.2074 and hereby recommends and respectfully requests its adoption at the December 2013 Senate session.
2. The Township Clerk is hereby authorized to promptly disseminate a copy of this Resolution to the appropriate legislators and officials within the State of New Jersey.

19. RESOLUTION 596-13 – ESTABLISHING: 1. FAIR AND OPEN PROCESS FOR CONTRACTS 2. CRITERIA TO BE CONSIDERED IN AWARDING CONTRACTS; AND 3. POSITIONS FOR WHICH PROPOSALS SHALL BE SOLICITED – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 19:44A-20.4 et. seq. requires that contracts with a value exceeding \$17,500 be awarded pursuant to a “fair and open” or “non-fair and open” process; and

WHEREAS, the Township Committee feel the best interests of the residents of Middle Township would be best served by the Township requesting proposals and qualifications, and considering and awarding contracts by use of a Fair and Open process; and

WHEREAS, the Township Committee desires to establish the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the criteria for the consideration of proposals and qualifications, and the award of contracts submitted in accordance with the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the positions which for the year 2014 shall be subject to the Fair and Open Process and also where stated below additional criteria for certain position; and

WHEREAS, the Township Committee has decided to go beyond what is required by the state statute and to submit all professional services contracts to the Fair and Open process, even those that are below the \$17,500.00 threshold;

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

1. THE FAIR AND OPEN PROCESS

A. The Township Committee of the Township of Middle has determined that the following procedure constitutes a fair and open process and shall be the manner in which requests for proposals and qualifications are sought, accepted, and awarded:

1. A request for proposals and qualifications shall be publicly advertised on the Township of Middle's internet website beginning on December 3, 2013 and continuing on the website through December 17, 2013.

2. The Township shall accept proposals until 1:00 o'clock on December 17, 2013.

3. Proposals shall be in a sealed envelope addressed to:

Kimberly D. Krauss

Township Clerk - Township of Middle

33 Mechanic Street

Cape May Court House, NJ 08210

The envelope shall also state the name of the person or entity submitting the proposal and the position for which the proposal is submitted.

4. The envelope shall contain one original and two copies of the proposal.

5. The proposal shall include (this is mandatory) at a minimum, a statement of the following:

A. Qualifications and Experience of person or entity specifically with regard to the position sought

B. Scope of Services proposed to be provided

C. Contact Information, including name, address, phone number, email address

D. Fee Proposal including a "Not To Exceed" Amount

E. Office Staffing Plan and Resources

F. Location of Office from which services shall be provided

G. References

H. Potential Conflicts

I. The Applicant should provide a proposal which includes a statement of licensing, others in his/her office who will provide services, a fee schedule which lists names, titles and fees for each person and for each of these services, and any other information deemed of importance by the Applicant.

6. On December 17, 2013 at 1:00pm, the Township Clerk or representative shall open each of the proposals and shall announce the proposals received by name, and a short summary of the proposal and qualifications.

7. The proposals shall be submitted to Township Committee for consideration at its reorganization meeting, at which time Township Committee may award a contract by approving a resolution, or, it may choose to award at the next regularly scheduled Township Committee meeting. If a majority votes to seek interviews, interviews may be held between Township Committee and the person or entity that submitted proposals. Township Committee may send proposals to Township Board's or Agency's for consideration and approval as is appropriate.

2. CRITERIA BY WHICH REQUESTS FOR PROPOSALS AND QUALIFICATIONS SHALL BE EVALUATED

A. The Township of Middle hereby discloses in writing that all of the submissions in response to the Request for Proposals and Qualifications submitted through the fair and open process described above, will be evaluated by the Township Committee of the Township of Middle and awarded or rejected on the basis of the following criteria. Proposals will be evaluated by the Township Committee of the Township of Middle on the basis of the most advantageous, price and other factors considered. The evaluation will consider:

1. Experience and reputation in the field

2. Knowledge of the Township of Middle and the subject matter to be addressed under the contact

3. Availability to accommodate any required meetings of the agency

4. Compensation proposal

5. Other factors if demonstrated to be in the best interest of the Township of Middle

B. The following criteria, found under the competitive contracting rules at N.J.A.C. 5:34-4.2, if determined to be of assistance, may also be considered by Township Committee. These criteria are not intended to be limiting or all-inclusive, and they may be adapted or supplemented in order to meet the Township Committee's needs. No criteria will unfairly or illegally discriminate or exclude otherwise capable vendors.

I. Technical criteria:

a. Proposed methodology:

i. Does the vendor's proposal demonstrate a clear understanding of the scope of work and related objectives?

ii. Is the vendor's proposal complete and responsive to the specific RFP requirements?

iii. Has the past performance of the vendor's proposed methodology been documented?

iv. Does the vendor's proposal use innovative technology and techniques?

v. Are sound environmental practices such as recycling, energy efficiency, and waste reduction used?

II. Management criteria:

a. Project management:

i. How well does the proposed scheduling timeline meet the agency's needs?

ii. Is there a project management plan?

b. History and experience in performing the work:

i. Does the vendor document a record of reliability of timely delivery and on-time and on-budget implementation?

ii. Does the vendor demonstrate a track record of service as evidenced by on-time, on-budget, and contract compliance performance?

iii. Does the vendor document industry or program experience?

iv. Does the vendor have a record of moral integrity?

c. Availability of personnel, facilities, equipment and other resources:

i. To what extent does the vendor rely on in-house resources vs. contracted resources?

ii. Are the availability of in-house and contract resources documented?

d. Qualification and experience of personnel:

- i. Documentation of experience in performing similar work by employees and when appropriate, sub-contractors?
- ii. Does the vendor make use of business capabilities or initiatives that involve women, the disadvantaged, small and/or minority owned business establishments?
- iii. Does the vendor demonstrate cultural sensitivity in hiring and training staff?
- III. Cost criteria:
 - a. Cost of goods to be provided or services to be performed:
 - i. Relative cost: How does the cost compare to other similar proposals?
 - ii. Full explanation: Is the price and its component charges, fees, etc., adequately explained or documented?
 - b. Assurances of performance:
 - i. If required, are suitable bonds, warranties, or guarantees provided?
 - ii. Does the proposal include quality control and assurance programs?
 - c. Vendor's financial stability and strength:
 - i. Does the vendor have sufficient financial resources to meet its obligations?

3. REQUEST FOR PROPOSALS AND QUALIFICATIONS ARE SOUGHT FOR THE FOLLOWING POSITIONS

- A. Planning Board Engineer – Engineer to the Planning Board. Required to have planner certification as well as P.E.. May be required to spend at least one day a week in Township Hall meeting with residents regarding planning issues. Planning Board meets twice a month, during the evening hours. The Engineer is expected to be immediately available to the Board Attorneys, Zoning Board Officer, Board Members and Zoning and Planning Office. Minimum qualifications are at least five years' experience in some governmental capacity. Required to have sufficient staff to meet Township's demands.
- B. Zoning Board Engineer - Engineer to the Zoning Board. Required to have planner certification as well as P.E.. May be required to spend at least one day a week in Township Hall meeting with residents regarding zoning issues. Zoning Board meets once a month, during the evening hours. The Engineer is expected to be immediately available to the Board Attorneys, Zoning Board Officer, Board Members and Zoning and Planning Office. Minimum qualifications are at least five years' experience in some governmental capacity. Required to have sufficient staff to meet Township's demands.
- C. Municipal Public Defender - Represents defendants who qualify for public defender in municipal court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.
- D. Rent Leveling Board Solicitor - Attorney represents the Rent Leveling Board. The Rent Leveling Board meets quarterly.
- E. Hearing Officer - Attorney sitting as a hearing officer on employee disciplinary matters.

20. RESOLUTION 597-13 – APPROVAL FOR PAYMENT CASH OUT SICK LEAVE – VARIOUS EMPLOYEES – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. WHEREAS, the Township allows the cash out of accumulated sick time by employees who meet the guidelines set forth in the personnel policy manual, and WHEREAS, final payment is requested to be made on December 6, 2013, 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 employees in the amount referenced below.

	Hours	Hourly Rate	Total Pay
Stimmell, Dawn	35	24.38	\$853.30
Becker, Deborah	35	19.97	\$698.95
Arndt, Don	35	35.67	\$1,248.45
Burke, Nancy	16	13.64	\$218.24
Camp, Ann Marie	40	16.85	\$674.00
Klecz, R. Scott	40	15.41	\$616.40
Linz, Mike	40	22.39	\$895.60
McDevitt, Sean	40	24.76	\$990.40
Russ, LeeAnn	35	37.49	\$1,312.15
Beasley, Sandra	28	36.00	\$1,008.00
May, David	35	25.45	\$890.75
Mills, Steve	40	20.19	\$807.60
Miller, Marilyn	40	16.54	\$661.60
Camp, Chris	40	27.25	\$1,090.00
Fowle, Merrill	40	15.64	\$625.60
Mattera, Maria	40	10.02	\$400.80
Spalding, George	40	19.20	\$768.00
Eagan, Robert	35	17.60	\$616.00
Loefflad, Jacob	24	14.26	\$342.24
Sweitzer, Virginia	15	14.06	\$210.90
TOTAL			\$14,928.98

I certify that the above figures are a true accounting of this time and that sufficient backup documentation is available for inspection.

Tracey Taverner, CFO

December 2, 2013

21. PUBLIC COMMENT:

Committeemember DeLanzo – Christmas in Court House in Friday, December 5th. Event is for people of all ages, not just for kids.

Committeemember Donohue – Spoke about Agri-Tourism Resolution which would provide better marketing and events for local wineries. Beneficial for local economy, and allowing to work with other municipalities in marketing and events.

Mayor Lockwood – Visited Trenton with Connie Mahon last week for a meeting regarding second release of funds for Sandy relief. Not much info was provided but Connie provided packages that highlighted the challenges in Middle Township.

Sam Kelly – Questioned sizes and number of units for affordable housing in Railroad Avenue, has heard rumors that the project will be 80 units in one location.

Mayor Lockwood – Funding for this project was broke into two projects of 80 units. Number of units have not changed in the Railroad Avenue project.

Committeemember Donohue - 48 units being built on Railroad Avenue

Sam Kelly – Asked about status of Patsy’s Way and asked Committee’s input on the request for the Resolution of Need.

Mayor Lockwood – Nothing being considered on tonight’s agenda.

Committeemember Donohue – Personally does not support the Resolution of Need. Mayor has met with some residents to discuss their needs and concerns. Does not support the behavior of the developer at the last meeting.

Sam Kelly – Expressed concerns about Committee not supporting the Resolution of Need or the project.

Vilma Pombo – Wanted to confirm that no money is needed from Middle Township to proceed with the Patsy’s Way project.

Mayor Lockwood – No money is needed from Township.

Vilma Pombo – State Certificate received for Master Plan, asked about Historic Commission.

Mayor Lockwood – Doesn’t recall a requirement for a Historic Commission.

Betty McGurk – Spoke of previous meetings on affordable housing and public being shut out of the process for the projects. Finds it interesting that Tim is not supporting the Resolution of Need. Resolution of Need for other affordable housing projects was passed with a room full of objectors. Same people who are saying no to the Patsy’s Way project, said yes to the other affordable housing projects.

Carl Karmelowicz – Attended end of Patsy’s Way meeting. Asked if the people who are objecting the project are residents adjacent to the property?

Mayor Lockwood – They live on the thru street to Patsy’s Way and others from adjacent communities.

Carl Karmelowicz – Are existing homes in the area of substantial value?

Mayor Lockwood – There is a range of home values in that area.

Carl Karmelowicz – Suspects that reason that people are against it is because there will be smaller houses built in the area which will depreciate home values.

Mayor Lockwood - Believes it is the stigma of affordable housing.

Vilma Pombo – Asked about the addition of the new store near Walmart.

Mayor Lockwood – Walmart is becoming a Super Walmart and extending their store to other unoccupied stores in that strip and an addition to the back of the store.

Sam Kelly – Believes that Super Walmart will increase need for affordable housing.

Stan Doniger – Asked for the status of the project on Old Rio Grande Boulevard in Rio Grande.

Connie Mahon – Currently installing sewer infrastructure which is being paid for by developer.

Stan Doniger – Asked about definition of special needs for Patsy’s Way project.

Mayor Lockwood – Received an explanation of the term at last meeting.

Connie Mahon – Spoke of rental process for the homes in the project.

Betty McGurk – Asked if anyone has seen the Conifer application with HMFA? Was told that the application was submitted it but did not have a copy of it. Concerned that application will not match approvals issued by Township. Legal notice in newspaper states 80 units on Railroad Avenue with 20 parking spaces, HMFA notice for funding. HMFA will not share the application unless an OPRA request is filed.

Connie Mahon - The Township does not have a copy of the application. They have no obligation to send the Township the application.

Mayor Lockwood – HMFA may be able to disqualify their funding if they are not applying with the correct application.

Sam Kelly – Knew that Patsy’s Way and HMFA Application was being heard many months ago. Township held a special meeting to amend the agreement with Conifer so that they would make their HMFA contract. Doesn’t understand why special attorneys, Surenian, for Township are not on top of these items.

Mayor Lockwood – Was honest in saying that he did not know about it. Agenda showed Patsy’s Way as Cape May Point. At that time, Patsy’s Way was an undeveloped parcel. Does not

understand why Mr. Kelly never mentioned this project at any other meetings about this issue. If he knew about it months ago. Nothing was ever presented to the Township Committee on this matter. Was not part of the affordable housing plan.

Carl Karmelowicz – Mentioned drainage curb at entry of Avalon Manor, concrete curb that could be hit by a car. Suggested that curb be painted yellow so it stands out and is not damaged or causes damage to a vehicle.

Committeemember Donohue – Saw that when he was in that area.

Carl Karmelowicz – Spoke of stop sign in awkward place in Avalon Manor area.

Mayor Lockwood – Believes an engineer decided that the stop sign should be placed there. Will look into the sign and painting the curb.

Stan Doniger – Asked if the Chief of Police had an input on future budget with affordable housing project.

Chief Leusner – Spoke with other municipal police departments who have Confier projects in their area, calls may increase by about 150 calls per year. This is not expected to have a big impact on our department based on the studies of similar municipalities.

Mayor Lockwood – Stated that department is still under staffed for officers based on the current amount of service calls.

Rocco D'Andre – Spoke of history with Planning and Zoning Board with getting approvals for subdivision. Thought Planning/Zoning meeting was this evening, but was mistaken.

Motion to adjourn meeting – 7:50pm

1st Committeemember DeLanzo 2nd Committeemember Donohue

Pass on Roll Call: Committeemember DeLanzo, Committeemember Donohue, Mayor Lockwood

Kimberly D. Krauss, Township Clerk