

**Cape May Court House, NJ  
TOWNSHIP OF MIDDLE  
TOWNSHIP COMMITTEE  
WORKSESSION AGENDA  
February 20, 2013 4:00 P.M. (prevailing  
time)**

**CALL TO ORDER:**

Mayor's Announcement: 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).

Notice of this meeting was properly given in Resolution No. 18-13 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 3, 2013.

Members present are Mayor Lockwood, Committeemember Donohue, and Committeemember DeLanzo.

Township Clerk Kimberly Krauss, Municipal Solicitor Marcus Karavan & Municipal Engineer Marc DeBlasio.

**FLAG SALUTE:****DEPARTMENTAL REPORTS AND PROJECT UPDATES:****Administration/Finance:****Animal Ad Hoc Committee**

*Vilma Pombo and Madelyn McCarol present as members of Animal Ad Hoc Committee.*

*Mayor Lockwood – wanted input from Animal Ad Hoc as to their opinion for Animal Control Services.*

*Committeemember Donohue – received two bids for Animal Control Services as well as strongly worded responses from the community wanting more information and answers as to the services.*

*Madelyn – Proposed mission when joined committee was to look at the ordinance and make recommendations and update as needed. No recommendations have been made to date.*

*Committeemember Donohue – understands that Madelyn is strongly opposed to the idea as privatizing.*

*Madelyn – would like to know why the bid was put out if there was no input from the committee to do such.*

*Committeemember Donohue – approached by community with concerns about animal control stating that there was not adequate enforcement, Chief has been concerned and been burdened about the services when the administration as to give time to these needs.*

*Chief Leusner – believes that the Lieutenant who is handling the Animal Control should be able to spend more time with public safety and his patrol people, rather than animal control issues. If privatized, our command center would be less burdened by the strain of these issues.*

*Bill Candell – Animal Control became part of the Police Department in 2004 as part of the Joe Boxer case when Chief Evangelista was employed.*

*Madelyn – thinks that video of Joe Boxer case should be previewed to show what animal control goes through. At this time, there were so many emailed to the news media regarding these issues.*

*Mayor Lockwood – I have equally fielded calls with people who have been dissatisfied with our animal control services. Some people are against privatization because they are afraid of change. We are here today to discuss this debate. Believes that this should be handled by the County of Cape May and through the Sheriff's Department, rather than through each municipality, but the County has not been eager to take this on. Our Township provides animal control for about a half-dozen other towns through Shared Services so most of the time, our animal control officers are not even working in our municipality and are sometimes in other towns more than they are in Middle Township. Believes that if we step away from the Shared Services, the County may be more willing to take over the service if they see each town privatizing, they also already have the shelter and the zoo which would benefit them.*

*Committeemember DeLanzo – Believes Animal Control was originally placed under Police Department for supervising and reporting, not to become a burden. Believes we could have a better organizational structure if Animal Control was to report to the Business Administrator or Deputy Business Administrator. Spoke with one of the company owners and the need the numbers and volume to be able to make it work for them. The privatization numbers seem attractive, but wonders if it could be done effectively and the quality of service to be provided. Not in favor of privatization, and need to focus on reorganization of Animal Control and maintain the quality of service which residents will receive.*

*Madelyn – In a shared services setting, do not think we should be servicing towns not contiguous with our borders, such as West Wildwood and Sea Isle. Animal Control is important in our town, especially now that there has been a recent rabies case. Asked about plans for Animal Control officers who currently serve us, Bill Candell.*

*Mayor Lockwood – Civil Service provides for some avenues for him to stay in the Township if there is a position available. It has not been thought that far out and considered at this time. Wants to know why people think that privatization will not be as sufficient as what we currently offer.*

*Madelyn – Difficulties have previously been caused by private entities and they are not always there when need be.*

*Mayor Lockwood – Inquired as to how many hours a week Bill Candell works.*

*Bill Candell – 40 hours a week not including "on call" shifts. Believes that some calls after hours are not directed to him because the Township does not want to pay him over time. Believes this gives a negative opinion of residents on Animal Control.*

*Committeemember Donohue – Has anyone ever been told that we will not send out an Animal Control Officer due to overtime costs?*

*Chief Leusner – No. We ask if the situation can wait until the morning, and we send a message to Bill Candell to handle the situation first thing in the morning.*

*Madelyn – history in CMC is that there has been dissatisfaction with privatization. Upper Township is under privatization but is not comparable to Middle Township because they have a lower population. Asked about whether it is necessary to accept the lowest bid.*

*Mayor Lockwood – do not have to accept the lowest bid because it is a professional service.*

*Marc Karavan – Agreed with Mayor Lockwood, professional services are different than a road project that goes out to bid.*

*Madelyn – Thinks that campgrounds should have a policy about pets being permitted, be sure to provide records of current vaccinations and be sure that they are not left when the people are to leave.*

*Vilma Pombo – has not had a chance to look at the bid, so doesn't have many comments to make relative to this.*

*Has seen a recent change in her area as to the amount of cats and kittens dumped there.*

*Committeemember Donohue – Kim Krauss will have a copy of the bids for you tomorrow if you would like to stop by her office.*

*Madelyn – Would it be a conflict of interest for a local vet to perform animal control services?*

*Committeemember Donohue – No ... gave examples of local towing companies/auto body shops who pick up disabled vehicles on the parkway and in the township.*

*Committeemember DeLanzo – Thanked the Animal Ad Hoc Committee and Animal Control for their services and believes that the Township has provided a great service throughout the years.*

*Committeemember Donohue – Thinks this was a good discussion and was just the beginning of discussions. Would like to have a larger discussion and bring in the bidders to explain their bid and have Mr. Candell provide an analysis of his job. Concern is to get the best of animal control for the lowest price.*

*Madelyn – asked Committeemember Donohue if he has ever done a "ride along" with Mr. Candell.*

*Committeemember Donohue – Has not but would love to.*

#### Request for Campground Ordinance

#### Amendment – Hours of Departure

*Hideaway Beach Condo Assoc. sent letter requesting that off-season departure time on Mondays be changed from 8am to 12noon, as it is an inconvenience for residents to leave at 8am. Original request was sent to Mark Mallett in November 2012 and at that time, Committee was not interested in changing the departure time. This is the second request from the Association.*

*Committeemember Donohue – We are allowing them to stay the night, they should have to leave in the morning.*

*Asked who enforces the departure time?*

*Mayor Lockwood – The Association is responsible for enforcing the departure time. Most campgrounds shut down in the winter season, but this is a condo association so it is a bit different.*

*Kimberly Krauss – Wanted to bring this to Committee one final time, as it was requested again.*

*Mayor Lockwood – Asked if anyone would like to make a motion to change the ordinance.*

*\*No committee member moved for this motion. Ordinance will not be revised.*

*Kurt Kelly – Mentioned that he previously worked for Hideaway Beach and the residents are aware of the rules.*

#### **Public Works & Engineering:**

#### **Legal:**

#### **Tax Collection/Tax Assessment:**

#### **Construction/Planning/Zoning:**

Request for exemption / Fee Schedule Ordinance

Change – Construction Permits for Private Schools

*Cape Christian Academy has requested their construction fees to be waived, as they are permitted to be waived for public schools. Cape Christian is a non-profit school, 503C, and are looking to construct a new gym for their students. State guidelines offer public school fees to be waived.*

*Committeemember Donohue – They should be comparing their school to other 503C businesses, not public schools. If you make one exception, you will have a line of other people looking to waive fees and ask for exemptions.*

*Committeemember DeLanzo – How would you differentiate between home schools, K-8 schools, pre-schools...*

*If you exempt one, you will have to exempt all of them.*

*Committee decided against waiving fees.*

#### **Recreation:**

#### **Police:**

Presentation on DDACTS (Data Driven Approach to Crime Traffic and Safety)

*Chief Leusner presented PowerPoint presentation on DDACTS.*

#### **Buildings and Grounds:**

#### **Sewer:**

#### **Grants:**

#### **Personnel:**

#### **Zoning:**

**Township Clerk:**

***ORDINANCES PRESENTED FOR FIRST READING:***

REINTRODUCTION OF ORDINANCE NO. 1433-13 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE

ORDINANCE NO. 1439-13 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 5, ENTITLED ADMINISTRATOR

ORDINANCE NO. 1440-13 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AUTHORIZING ESTABLISHING AN ENERGY AGGREGATION PROGRAM PURSUANT TO THE GOVERNMENT ENERGY AGGREGATION ACT OF 2003, N.J.S.A 48:-93.1

ORDINANCE NO. 1441-13 - AN ORDINANCE ESTABLISHING PROCEDURES TO REQUIRE AN OWNER OF RENTAL PROPERTY WHICH HAS BECOME A SOURCE OF AT LEAST TWO (2) SUBSTANTIATED COMPLAINTS OF DISORDERLY, INDECENT, TUMULTUOUS OR RIOTOUS CONDUCT TO POST A BOND OR EQUIVALENT SECURITY TO COMPENSATE FOR ANY FUTURE DAMAGE OR EXPENSE SUFFERED FROM FUTURE REPETITION OF SUCH CONDUCT.

***ORDINANCES PRESENTED FOR ADOPTION***

ORDINANCE NO. 1434-13 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE VILLAGE OF GRASSY SOUNDS CIVIC ASSOCIATION, INC. TO DEVELOP, MAINTAIN AND OPERATE SEWAGE TREATMENT FACILITIES AND CONDUITS

ORDINANCE NO. 1436-13 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 211, SECTION 2 THEREOF, ENTITLED HOURS OF OPERATION, SKATEBOARD PARK

ORDINANCE NO. 1437-13 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 112, ARTICLE II, ENTITLED DRIVEWAY APRONS AND LOT GRADING

**SPECIAL PRESENTATIONS  
OR DISCUSSIONS:**

Motion to adjourn meeting – 5:45pm

1<sup>st</sup>: Committeemember DeLanzo 2<sup>nd</sup>: Committeemember Donohue

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

---

Kimberly Krauss, Township Clerk