

Cape May Court House, NJ
January 18, 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, Municipal Solicitor Marcus Karavan & Dorothy Incarvito-Garrabrant, and Township Engineer Marc DeBlasio.

1. QUESTION/ANSWER PERIOD ON AGENDA (This question and answer session shall relate only to items as outlined and pending on current agenda. Issues and concerns not related to agenda item shall be withheld to public comment portion at the conclusion of meeting.)
No Public Comment
2. RESOLUTION NO. 48-12 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – 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 payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$ 3,576,599.97
3. RESOLUTION NO. 49-12 – APPROVING PAYMENT FOR BILLS – BILL LIST B (ANZELONE) – 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 payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$ 165.00
4. RESOLUTION NO. 50-12 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the minutes from the Work Session 12/19/2011 and the Township Committee meeting 1/4/2012 are hereby approved.
5. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk year end; Tax Collector for the month of December; Treasurer for the month of December;
6. ACKNOWLEDGEMENT OF LETTER OF INTENT TO RETIRE: Lt. Christopher Murphy has submitted his letter of intent to retire effective May 1, 2012.
7. RESOLUTION No. 51-12 – TRANSFER OF FUNDS – RESERVES (AMENDING RESOLUTION NO. 42-12) – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, it is legal and lawful to make budget transfers on and after the first day of November in any budget year,
WHEREAS, a resolution to transfer funds was done on January 4, 2012, Resolution #42-12,
WHEREAS, the following transfer was included in error,
NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that the following amendment be made to Resolution 42-12:
REMOVE:

Police S&W	\$6,500	Sanitary Landfill
9-01-20-100-100-111		9-01-32-465-465-373
8. RESOLUTION NO. 52-12 – AMENDING DEPOSITORY CURRENT FUNDS – 2012 – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
Adding and removing various signors to current fund accounts, as well as adding a new account.
9. RESOLUTION NO. 53-12 – ESTABLISHING THRESHOLD FOR FIXED ASSET ACCOUNTING – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Township Committee of the Township of Middle, pursuant to N.J.A.C. 5:30-5.6 et seq., is required to maintain certain fixed asset accounting, and
WHEREAS, those regulations permit the township to set a capitalization level for the purposes of its Fixed Asset Accounting, and

WHEREAS, the committee desires to establish a capitalization level at three thousand dollars (\$3,000.00) (maximum allowed by OMB Circular A-87 is \$5,000.00) for the purposes of its Fixed Asset Accounting.

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. Pursuant to N.J.A.C. 5:30-5.6, the governing body hereby establishes three thousand dollars (\$3,000.00) as its capitalization level, for purposes of its Fixed Asset Accounting.
2. This resolution shall take effect immediately.

10. RESOLUTION No. 54-12 – CLOSED SESSION POTENTIAL LITIGATION (COAH TRUST ACCOUNT AND EXECUTIVE SESSION PROCEDURES) – On motion by _____ seconded by _____ 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: LITIGATION (COAH TRUST ACCOUNT)
- 2.) The general nature of the subject matter to be discussed is as follows: LITIGATION (COAH TRUST ACCOUNT)
- 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.

11. RESOLUTION NO. 55-12 through 61-12 – RATIFY LEASE AGREEMENTS (USAGE OF MLK CENTER AND SENIOR CENTER) (ITEMS A THROUGH G) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

(A) 55-12 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Middle Township Democratic Club and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2012 through December 31, 2012, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

(B) 56-12 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the War Gamers and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2012 through December 31, 2012, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

(C) 57-12 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement Burgess Hamer and the Township of Middle for usage of the Middle Township Martin Luther King Center from January 1, 2012 through December 31, 2012, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

(D) 58-12 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Civil War Roundtable and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2012 through December 31, 2012, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

(E) 59-12 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Concerned Citizens of Whitesboro and the Township of Middle for use of premises located at the Martin Luther King Center for office space from which to operate certain programs that benefit the community, January 1, 2012 until December 31, 2012, be and is hereby ratified.

BE IT FURTHER RESOLVED that the appropriate Township Officials are hereby authorized to execute any documents necessary to carry out the purpose and intent of this Resolution.

(F) 60-12 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Federation of Democratic Women and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2012 through December 31, 2012, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

(G) 61-12 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Marine Corps. League and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2012 through December 31, 2012, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

12. RESOLUTION NO. 62-12 – RENEWAL OF CAMPGROUND LICENSE 2012 – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, the several Campground license renewal applications listed below have been found to be in proper form, and the fee paid in each case.

NOW, THEREFORE BE IT RESOLVED, that each of the following licenses be and are hereby renewed for the calendar year of 2012:

License#	Tradename	Acreage	Sites	Fee
1	Ponderosa Campground	11	100	\$600.00

13. RESOLUTION NO. 63-12 – APPROVE CHANGE ORDER NO. 3 – VARIOUS DRAINAGE IMPROVEMENTS – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, Albrecht & Heun Inc. was awarded the “Various Drainage Improvements” project, within the confines of the Township of Middle.

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 #3 for the project awarded to Albrecht & Heun, be and is hereby approved in a credit amount of \$11,752.35.

14. RESOLUTION NO. 64-12 – AUTHORIZING PURCHASE UNDER STATE CONTRACT FOR COPY MACHINE – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, there is a need to lease various copy machines for the Township of Middle, in the County of Cape May, State of New Jersey; and

WHEREAS, machines will be leased for the following departments:

1. Construction Office
2. Treasurer Dept.
3. Municipal Clerk

WHEREAS, these can be purchased through State Contract T-2075 (A51464), and

WHEREAS, public bids are not required when the purchase is under State Contract in accordance with 40A:11-12 of the Local Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:

Keystone Digital Imaging
PO Box 1610
Media, PA 19063

For the lease/purchase of copier machines for 36 months at \$690.00 per month.

15. RESOLUTION NO. 65-12 – AWARD OF BID – CONTRACTS #2010-12 & 2010-13 – REHABILITATION OF 2 HOMES IN MIDDLE TOWNSHIP – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary and desirable to solicit bids for the Home Rehabilitation Program for Contract No. 2010-12 & 2010-13, and

WHEREAS, sealed bids were received on December 21, 2011, and

WHEREAS, it appears that the following bids submitted below represent a figure equal to the lowest bids received, which complies with specifications.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contracts for the following Home Rehabilitation Programs be and hereby is awarded as described:

Contract No.	Awarded to:	Total Bid Amount	PO #
2010-12	Gemini Builders	\$24,475.00	
2010-13	William Peter T/A The Cape Atlantic Group LLC	\$24,560.00	

FURTHER BE IT RESOLVED, that these awards are conditioned upon certification of availability of funds.

16. RESOLUTION NO. 66-12 – REAPPOINTMENT – TOWNSHIP CLERK – On motion by Mayor Lockwood 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 following employee is hereby reappointed to the following position:

NAME	TITLE	EFF. DATE
Kimberly Krauss	Township Clerk	2/1/2012

17. RESOLUTION NO. 67-12 – CONTRACT – BUSINESS ADMINISTRATOR – 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 in accordance with paragraph 15 of the Employment Agreement Between Mark Mallett and the Township of Middle dated December 6, 2010, as follows:

