

**Cape May Court House, NJ
TOWNSHIP OF MIDDLE
TOWNSHIP COMMITTEE
WORKSESSION AGENDA
January 23, 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:**

Requirements Towards Establishing Township QPA and Bid Threshold

Tracey Taverner, CFO - Major benefit is the ability to negotiate one-on-one with a higher threshold. The threshold can be up to \$36,000 but can be established by the Governing Body. It does not prevent from bidding out projects and will not change the requirement of Department Heads to provide quotes. It allows us to contact local vendors and get quotes on a shorter timeline and can utilize better prices. Larger projects can be bid by QPA rather than going out for bid, which will save money and time of bidding process, smaller projects can still have quotes received by Department Heads.

Committeemember DeLanzo - How is committee made aware as to what is going on, bid, and purchased? Tracey - Committee still has to sign off on any purchases over \$50. Purchases can still be required to be approved by Resolution, which is the decision of the Governing Body.

Committeemember DeLanzo - Do you suggest the \$36,000 threshold?

Tracey - I do. It would provide us with more options and flexibility with purchases.

Kimberly Krauss - I was speaking without State Auditor the other day when scheduling a time for her to come and meet with me to review our previous year contracts. She asked if we had a QPA and I said no. She spoke highly of municipalities which had a QPA, so I think it is an appointment that the State likes municipalities to have in place.

Public Works & Engineering:

Hazard Mitigation Grant Program /
Public Assistance Program

Marc DeBlasio - our office has forwarded correspondence to Governing Body regarding two FEMA programs. Public Assistance Program which asks for damage from Hurricane Sandy. Township was very proactive and was one of the first to submit the inventory. My office corresponded with Jill Becker and this was submitted very promptly after the storm.

Hazard Mitigation Grant Program - provides funding for various items to mitigate funding and damage to personal property, health, safety and welfare. We put together a list of desired projects, and we plan to move forward with four at this time: (1) three emergency generators (Public Works, School #2, MLK Center); (2) raising of various residential properties to meet flood elevation; (3) construction of a bulkhead throughout Reed's Beach area on the bay side; and (4) various drainage improvements in Marilyn Manor area.

Item (2): if you chose to move forward with raising of private property, which is the only way for private property owners to get this 75% grant is the township initiating the process, I suggest the following caveats through the appropriate offices: (1) township takes the step, cannot guarantee that every resident will get the 75% grant (2) if grant is secured in future, they are responsible for their 25%; (3) whatever conditions, requirements by FEMA would be borne by the property owner and they would have to adhere to those requirements.

Committeemember Donohue - as we seek and are approved for these grants, we are not under no obligation to these grants if it's too much of a financial burden for the township and residents.

Marc DeBlasio - you do not have to move forward with the grants once they are approved. First step must be completed by February 1 and is a Letter of Intent and goes to County OEM Director and State. County provides list to State to determine if the Township is able to be considered. Full application is then submitted and if they agree to fund it, then the Township has to decide whether to move forward or not.

Committeemember DeLanzo - How long is length of bulkhead for Reed's Beach and what is the cost?

Marc DeBlasio - Approximately 1 mile (entire length) and \$4million (preliminary estimate).

Committeemember DeLanzo - Why is this being recommended?

Marc DeBlasio - Private property owners with destroyed bulkheads and totally washed away which is causing flooding and sand into the roadway. Northern section of Beach Avenue where there are no homes is causing

beach erosion and PW is cleaning and clearing all of that sand. This will permanently fix the situation by preventing sand to go into the roadway and prevent beach erosion. Beach fill is also part of the Hazard Mitigation Program.

Committeemember DeLanzo – I think this is wonderful and a great way to preserve our bay communities, but why isn't Pierce's Point included? They have a breached bulkhead and road flooding. How do we address the differential?

Marc DeBlasio – Wasn't aware of this issue until late this afternoon. We can add it to the docket tonight if you would like, but I am unfamiliar with the situation and have not seen the site. S

Committeemember DeLanzo – We can add Pierce's Point to these Grant Applications?

Marc DeBlasio – Yes, it would be the fifth Grant Application and Letter of Intent.

Committeemember DeLanzo – Proposed to add Pierce's Point to the Grant Application as it is another bay community which has been damaged.

Committeemember Donohue – Agrees with Committeemember DeLanzo, add it into the Applications.

Mayor Lockwood – Will we be able to recoup some of these engineering costs since we are now adding residential engineering costs?

Marc DeBlasio – That is something that would have to be determined at a later point.

DEP Bulkhead Permits

Mayor Lockwood – Three applications which came in from DEP which were submitted and approved prior to new Bulkhead Ordinance. Recommends that we ask them to participate in new bulkhead process but to waive application fee since it was submitted and approved by DEP prior to our new Ordinance.

Committeemember DeLanzo – Where were the locations?

Mayor Lockwood – Unsure, but most likely residential and bay front. May not have been damaged by Hurricane Sandy. No paperwork has been filed with Township yet, DEP just sent us a copy of their applications.

Committeemember DeLanzo – Their process was in full swing before our Ordinance was adopted.

Committeemember Donohue – First step should be to talk to Zoning Official to make sure all is in compliance before moving forward.

Public Comment:

Kurt Kelly, Reed's Beach – If my neighbor's don't pay the 25% will it kill the project?

Marc DeBlasio – Not necessarily.

Kurt Kelly – Have lived at Reed's Beach for over 20 years, people do not want to upkeep their property. Does not see the residents there wanting to participate in their share of the project. There are a lot of issues other than the bulkhead.

Mayor Lockwood – What we do tonight should be a good first step towards fixing some of these issues and making sure everything is done correctly.

Committeemember DeLanzo – Became aware of this through Wetland's Institute which is a longstanding project well before her term. Spoke to representative of DEP who advised that the berm was not funded. It was for shorebirds and habitat. I met with these individuals two years ago, stretch was supposed to go from the south and from the north, but not the entire bay community in Middle Township. Lower Township opted out which allowed more of the project to go through Middle Township. Met at town hall with Bill Dixon from DEP and Dwight Hackin from Army Corp. Township was going to be required to obtain easements from residents to go on their property which was going to be a challenge. At that point there was no disaster so residents were not going to be readily available for agree to easements. In the end, the project was not funded but there is some money there to support this project. Senator Menendez came down and viewed Reed's Beach and we would like to get him down here again to revisit the site. It would be a one-time project and wouldn't be revisited any more once it is completed.

Suggested that we try to get an audience of our congressional people to review this project and get their support for the habitat of the birds and horseshoe crabs, which will also benefit the residents.

Mary Kelly, Pierce's Point – Why wasn't Pierce's Point initially considered?

Mayor Lockwood – When we originally reviewed the projects, Reed's Beach was much worse than Pierce's Point.

Mary Kelly, Pierce's Point - the bay rolls into the street and causes a lot of flood damage, just do not understand why it was not included.

Committeemember DeLanzo – We do care and we believe that the most important thing is that Pierce's Point is now included.

Legal:

Nature Conservancy Transfer – Dilapidated House

Marc Karavan – After agreement was signed, surveying discovered that not all properties were vacant. One property has a dilapidated house and would like to excise that property and have a pro-rated adjustment for that property and move forward with the sale.

Mayor Lockwood – Would this be considered a buildable lot? Is it grandfathered in?

Marc Karavan – Possibly... so you may want to remove it from the transfer and mark it another way.

Committeemember Donohue – Aerial pictures show now access or driveway to the property.

Committeemember DeLanzo – How do we assess that?

Marc Karavan – I will review their proposal and present to Committee at a later date.

Cape Express Lease Ordinance

Marc Karavan - Mike Granigan has not yet met to review and sign off, but is expected within next few days. Suggested that we hold off until they have signed off so that we avoid any issues.

Committeemember Donohue – Meeting last night had some good overview on developing other portion of property. Agreed that it was a good idea to table the Ordinance for this meeting.

Mayor Lockwood – Mapping of leased area still shows common access areas as leased property.

Committeemember Donohue – Language in contract allows access at all time to parking lot and one field at all times.

Marc Karavan – We could indicate that no areas should be blocked at any time, including during events.

Tax Collection/ Tax Assessment:**Construction/Planning/Zoning:****Recreation:****Amending Hours of Operation - Skateboard Park**

Kimberly Krauss: the Ordinance currently indicates Hours of Operation, that language is changing to read that “hours will be determined by Governing Body”. This will provide flexibility with hours of operation.

Hours will be posted for public.

Tammy Devitt: The hours would change so that when the Recreation Building is open, the Skate Park will be open. It will be locked every night when the staff leaves, usually 8:30 at night when the staff leaves.

Committeemember DeLanzo: What are the current hours of the Skate Park?

Tammy Devitt: 9am-9pm. Concerned about children using the skate park while no one is there to supervise. If someone gets hurt, no one is there to help.

Committeemember DeLanzo: There was a liability with the insurance company where if they are supervised, we are accepting that liability, rather than if they are there at their own risk.

Police:**Buildings and Grounds:****Sewer:****Grants:****Personnel:****Zoning:****Proposed Zoning Change Ordinance – Amending Chapter**

David May: Grading and Drainage Ordinance – inspections will now be the responsibility of Municipal Engineer; driveway aprons: there was a discrepancy which was changed to lip of 2” to 1½” to match Chapter 218. Major change was that prior to final inspection, an “as built” survey must be presented with final grading before the Certificate of Occupancy is issued. Construction Official will still be responsible for within 5 feet.

Public Comment:

Kurt Kelly, Reed’s Beach – mentioned grading and driveway issues in Reed’s Beach, some properties have no driveways and elevation issues.

Mayor Lockwood – some Reed’s Beach issues will be discussed later this evening. These zoning changes pertain to new construction.

SPECIAL PRESENTATIONS OR DISCUSSIONS: NONE

Motion to Adjourn:

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 5:33pm.

Kimberly D. Krauss, Township Clerk