

WHEREAS, the Township of Middle is a duly organized municipality existing under the laws of the State of New Jersey and among its other powers, maintains, operates and improves infrastructure at the Ockie Whisting Recreational Complex in Middle township New Jersey; and
WHEREAS, the sport of soccer is growing in popularity each year; and
WHEREAS, soccer has a long tradition in the Township as a high school sport and as a youth recreation program sport run through our recreation program; and
WHEREAS, the Township finds that recreational activities such as soccer promote the health, safety, morals and general welfare of the community; and
WHEREAS, the Township provides soccer facilities at The Clarence Davies Recreation Complex located in the Goshen section of the Township; and
WHEREAS, Cape Express is a privately operated soccer club that provides leagues and training for local athletes, many of whom are Township residents; and
WHEREAS, Cape Express has used the Township soccer facilities over the years, and between the Township recreation program and the Cape Express program, there are not enough facilities; and
WHEREAS, the Township has land at The Ockie Whisting Recreation Complex for which it does not have any immediate plans for development though it desires that it be used for recreational purposes; and
WHEREAS, Cape Express desires to use a portion of that complex to construct soccer fields; and
WHEREAS, during these times of strained municipal budgets due to decreasing aid from the State of New Jersey and the increased costs of insurance, pensions, and salaries, wages, and benefits, it is preferable that private funding be used to pay for certain recreational facilities; and
WHEREAS, Cape Express has offered to lease certain grounds from the Township, and to pay for the construction of the fields, and once constructed to offer soccer skills training to Township residents, it being the intent that the Township not incur any undue expense in either the construction or operation of the fields; and

NOW, THEREFORE, BE IT ORDAINED BY THE MIDDLE TOWNSHIP COMMITTEE THE GOVERNING BODY OF THE TOWNSHIP OF MIDDLE AS FOLLOWS:

a. The Mayor and Municipal Clerk are hereby authorized to execute a lease agreement and related documents with the Cape Express Soccer Club Inc , a copy of which is annexed hereto as Exhibit "A" and incorporated herein to effectuate the purpose outline above.

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

8. 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 – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, Ordinance No. 1436-13 passed first reading. Second reading, public hearing and consideration for adoption will be held on 02/20/2013 at 6:00 p.m.

BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey as follows:

SECTION 1

Local Ordinance Section 211 shall be amended as follows:

211-2 Hours of operation.

The hours of operation for the Middle Township Skate Park shall be set by the governing body of the Township of Middle as deemed necessary. Said hours shall be posted for public inspection accordingly.

SECTION 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 4. 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 5. This Ordinance shall become effective immediately upon final passage and publication, according to law.

9. ORDINANCE 1437-13 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 112, ARTICLE II, ENTITLED DRIVEWAY APRONS AND LOT GRADING – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, Ordinance No 1437-13 passed first reading. Second reading, public hearing and consideration for adoption will be held on 2/20/2013 at 6:00 p.m.

BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey as follows:

SECTION 1

Chapter 112, Article II of the Township Code shall be amended as follows:

§ 112-4. Prohibition against drainage changes impacting neighborhood properties.

A. It shall be a violation of this article for any landowner or any person to change the natural flow of drainage, or to change an existing drainage system approved and constructed in accordance with subdivision approvals, such that water will be caused to accumulate on or otherwise negatively impact any other property.

B. Any violation of this section shall result in the following penalties:

(1) The landowner or offending person shall be financially responsible to pay for the cost of any and all remedial action necessary to correct the drainage problem created by his or her conduct, including but not limited to engineering, expert or consultant fees and any and all approvals or permits; and

(2) Said landowner or offending person shall be subject to fines no less than \$500 and no more than \$2,000 for each and every violation of this section.

§ 112-5. Driveway aprons and lot grading requirements.

A. Each and every developed property, whether commercial or residential, including but not limited to single-family homes, located on a Township right-of-way, shall have a driveway apron constructed in accordance with the following specifications:

(1) A standard driveway apron shall be constructed in accordance with Figures 112(a) and 112(b).

(2) Driveway aprons shall be constructed of concrete, asphalt or other hard durable surface acceptable to the Township Engineer so as to keep driveway material from encroaching on to the roadway.

(3) A one and one half-inch reveal shall be required at the intersection of the driveway apron with the roadway. The driveway apron shall be constructed to ensure that runoff from the roadway does not flow on to the driveway. Additionally, the driveway apron shall be constructed in such a manner that the natural flow of storm water shall not be impeded.

(4) Driveway aprons constructed across shallow roadside swales must be constructed at a slope, which will allow storm water to flow unimpeded across the driveway at the existing rate of flow. [See Figure 112(c)]. The Municipal Engineer, or other Township official designated by the Township Committee, shall review the proposed driveway apron plans to ensure that the storm water management system for the roadway will continue to function adequately.

(5) Driveway aprons constructed across existing roadside swales with a significant slope may require the construction of a storm water drainage pipe under the driveway apron in order to ensure that storm water flow through the swale will not be impeded. [See Figure 112(d)]. The Municipal Engineer, or other Township official designated by the Township Committee, shall make a determination as to whether a pipe crossing is required based on the existing drainage swale characteristics. The minimum size of the drainage pipe shall be 12 inches in diameter, and all piping shall be reinforced concrete pipe (RCP), Class V.

(6) Before the issuance of a building permit, a driveway apron plan must be submitted to the Zoning Official, or other Township official designated by the Township Committee, for review and approval by the Municipal Engineer. Before a certificate of occupancy can be granted, the driveway apron shall be inspected and approved by the Construction Official, Zoning Official, or other Township official designated by the Township Committee.

B. The requirements set forth in this section shall apply to the development of all single-family and two-family dwellings within the Township of Middle, it being the intention that other development will be reviewed by one of the Township's development review boards.

(1) A zoning permit or building permit shall not be issued until a grading plan has been reviewed and approved by the Municipal Engineer, or other Township official designated by the Township Committee, which grading plan shall be in accordance with the provisions of this section.

(2) Prior to applying for final inspections in reference to obtaining a certificate of occupancy, an asbuilt survey showing final grades and matching the approved plan must be submitted to the Zoning Office for approval by the Zoning Official, Construction Official, or Municipal Engineer. NOTE: A fee may be billed to the owner/applicant should the Municipal Engineer have to visit the site.

(3) All lots, open spaces and planting areas shall be graded to secure proper drainage and to prevent the collection of storm water. The grading shall be performed in a manner which will minimize the damage to or destruction of trees growing on the land. Topsoil shall be provided and/or redistributed on the surface as cover and shall be stabilized by seeding or planting.

(4) Unless drainage design for an approved subdivision or site plan requires otherwise, wherever possible, the land shall be graded so that the storm water from each lot shall drain directly to the street. If impossible to drain directly to the street, it shall be directed to a system of interior yard drainage approved by the Municipal Engineer, or other Township official designated by the Township Committee.

(5) Unless otherwise required by this chapter, all tree stumps, masonry and other obstructions shall be removed to a depth of two feet below existing or finished grade, whichever is lower.

(6) The minimum slope for lawns and disturbed areas shall be 1 1/2% and, for smooth, hard-finished surfaces other than roadways and parking lots, 0.04%.

(7) The maximum grade for lawns and disturbed areas within five feet of a building shall be 10% and, for lawns more than five feet from a building, 25%; except that, for the driveway, the maximum grade shall be 15%.

(8) Retaining walls installed in slope-control areas shall be constructed of timber or logs, reinforced concrete, other reinforced masonry or of other construction acceptable to the Municipal Engineer, or other Township official designated by the Township Committee, and shall be adequately designed and detailed on the final plat to carry all earth pressures, including any surcharges. The heights of retaining walls shall not exceed 1/3 of the horizontal distance from the foundation wall of any building to the face of the retaining wall.

(9) The lot owner shall take all necessary precautions to prevent any siltation of wetland areas. The lot owner shall provide adequate provisions to prevent all deposition of silt or other eroded material in any stream or watercourse. Such provisions may include, but are not limited to, construction and maintenance of siltation basins or holding ponds and diversion berms throughout the course of construction and planting areas.

(10) All lots, open space and planting areas shall be seeded with a suitable stabilizing ground cover approved by the Municipal Engineer, or other Township official designated by the Township Committee. On any waterfront lots or open spaces, suitable stabilizing ground cover other than seeding may be allowed if approved by the reviewing Board, the Township Construction Official, or other Township official designated by the Township Committee.

(11) No topsoil shall be removed from the site or used as soil. Topsoil moved during the course of construction shall be redistributed so as to provide at least four inches of spread cover to all seeding and planting areas of any lot and shall be stabilized by seeding or planting. In the event that the

quantity of topsoil at the site is insufficient to provide four inches of cover for all seeding and planting areas, the owner shall provide and distribute a sufficient quantity of topsoil to provide such a cover, as determined by the Township Construction Official, or other Township official designated by the Township Committee.

(12) In order to conserve the Township's limited natural resources, no soil, sand, gravel or other natural resources shall be stripped, excavated or otherwise removed for sale or for use other than on the premises from which the soil, sand, gravel or other natural resources shall be taken except for excavating or grading incidental to the construction or alteration of a building on such premises or an approved site plan or subdivision.

(13) The excavation and grading for completion of a development subject to Soil Conservation District approvals shall be done in accordance with the Soil Conservation District approved plan which contains soil erosion and sediment control provisions in conjunction with all applicable Township ordinances and permits. Excavation of soil, other than that required for the construction of approved structures and supporting facilities, such as but not limited to streets, driveways and parking areas, except when resource extraction is authorized by the Township Committee, shall be prohibited. Regrading of property so as to redistribute topsoil throughout the site from areas excavated for such approved structures and supporting facilities shall be permitted, but shall be done to minimize or eliminate the erosion of soil. These areas shall be stabilized by seeding and planting in accordance with Subsection **B(11)** above.

C. Any violation of this section shall result in the following penalties:

(1) The landowner or offending person shall be financially responsible to pay for the cost of any and all remedial action necessary to correct the drainage problem created by his or her conduct, including but not limited to engineering, expert or consultant fees and any and all approvals or permits; and

(2) Said landowner or offending person shall be subject to fines no less than \$500 and no more than \$2,000 for each and every violation of this section.

SECTION 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 4. 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 5. This Ordinance shall become effective immediately upon final passage and publication, according to law.

10. RESOLUTION 47-13 – APPROVE CHANGE ORDER NO. 1 – VARIOUS ROAD RECONSTRUCTION – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, December 19, 2011, via Resolution No. 625-11, South State, Inc. was awarded the “Various Roads Reconstruction” project, within the confines of the Township of Middle in the amount of \$187,105.29.
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 South State, Inc., be and is hereby approved in a credit amount of \$16,472.01.

11. RESOLUTION 48-13 – TEMPORARY APPOINTMENT – NEW HIRES (PART-TIME) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, the following individuals shall be temporary appointed in the departments as designated below.
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 temporarily appointed to the following part-time positions at the salary opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFF. DATE
Rashaun Damon	Recreation	Food Service Worker	\$9.00 ph*	01/11/13
Thomas Jones	Recreation	Food Service Worker	\$9.00 ph*	01/11/13
Timothy Johnson	Recreation	Recreation Aide	\$9.00 ph*	01/16/13
Christopher Robinson	Recreation	Recreation Aide	\$9.00 ph*	01/16/13

*rate goes to \$10.00 after 6 months of employment

12. RESOLUTION 49-13 – AWARDED CONTRACT UNDER NON-FAIR AND OPEN PROCESS – RABIES CLINIC – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Township has determined that the value of the following contracts will not exceed \$17,500.00 and are renewal contracts from previous years, and
WHEREAS, the Local Public Contract Law (N.J.S.A. 40A: 11-1 et seq.) provides for the award of contracts for professional services without advertising for bids, and
WHEREAS, these contracts are not therefore subject to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and
WHEREAS, the Township of Middle requires said services, and funds are available for said purpose,
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 following persons are hereby appointed to the positions designated below for the calendar year 2013.
BE IT FURTHER RESOLVED, that a contract be executed by the Township of Middle with each of said persons to supply professional services for the calendar year 2013.

Baysea Veterinary Hospital ----- Rabies Clinic \$100.00 (\$65.00 per hour)
 FURTHER RESOLVED, that generally the rabies clinic only requires one hour, but said clinic will remain open, if animals are present, for an additional hour, with fee pro-rated.
 FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Herald Times for publication.
 FURTHER RESOLVED that these contracts are contingent upon the certification of availability of funds and submission of State Affirmative Action Certification.

13. RESOLUTION 50-13 – AUTHORIZING THE EXECUTION OF AGREEMENT - On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute the agreement with the New Jersey Turnpike Authority regarding the relocation, alteration or removal of public utility facilities under NJ 27:23-6, Utility Order No. 1430-P.

14. RESOLUTION 51-13 – ACKNOWLEDGEMENT OF RETIREMENT – CAROL FIORE – On motion by Mayor Lockwood 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 retirement listed below is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Carol Fiore	Municipal Court	Keyboarding Clerk 2	02/01/2013

15. RESOLUTION 52-13 THROUGH 55-13 – REFUND OF TAXES (ITEMS A THROUGH D) – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

A) Refund due to deductions granted.

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
18684	1432	6 C0124	Shearer, Robert M 201 Seacrest Lane Rio Grande, NJ 08242 Property location: 201 Seacrest Lane	Veteran \$250.00
18677	1432	6 C0117	Hager, Alexander 241 Amboy Ave Metuchen, NJ 08840 Property location: 307 Seacrest Lane	Veteran \$250.00
13863	1411	12	Smith, Lynwood C Jr 42 W Secluded Lane Rio Grande, NJ 08242 Property location: 42 W Secluded Lane	Veteran \$250.00
5464	329.03	2	Wendler, Donald 37 3rd Ave Cape May Court House, NJ 08210 Property location: 37 3rd Ave	Veteran \$250.00
2137 \$250.00	99.02	79	Daebler, James Jr 1323 Rte 9 N Cape May Court House, NJ 08210 Property location: 1323 Rte 9 N	Sr. Citizen

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.

B) Refund due to 100% Disabled American Veteran granted as of November 14, 2012

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
15504	438	7	Osborne, Joseph M 109 Eldredge Avenue Del Haven, NJ 08251 Property location: 109 Eldredge Avenue	\$401.71

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.

C) Refund due to 100% Disabled American Veteran granted as of November 2, 2012

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
16950	164.02	28	Romanino, Thomas 317 Stagecoach Road Cape May Court House, NJ 08210 Property location: 317 Stagecoach Road	\$804.11

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.

D) Refund to Mortgage Company as owner has been granted 100% Veteran Status

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
15504	438	7	Osborne, Joseph M Property location: 109 Eldredge Avenue	\$723.64

Refund Payable and sent to:

BAC Tax Services
1757 Tapo Canyon Road
MS: CA6-913-LB-01
Simi Valley, CA 93063

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 2013 taxes; and

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

16. RESOLUTION 56-13 – REFUND OF MAILING FEE – TAX COLLECTION – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.

REFUND DUE TO MAILING FEE ATTACHED TO TAX SALE CERTIFICATE WAS PAID PRIOR TO THE TAX SALE, THEREFORE \$50.00 FEE IS BEING REFUND TO THE FOLLOWING LIEN INVESTORS.

Certificate #	Block	Lot	Lien Investor and Mailing Address	Amount
2013-6956	43	13	Susan Copson 5 Kimbles Beach Road Cape May Court House, NJ 08210	\$50.00
2013-6979	96.01	15	U S Bank Cust/LLF-Fi-NJ 50 S 16th Street, Suite 1950 Philadelphia, PA 19102	\$50.00
2013-6981	99.01	1 C0030	U S Bank Cust for Pro Cap II LLC 50 S 16th Street, Suite 1950 Philadelphia, PA 19102	\$50.00
2013-7092	410	11	U S Bank Cust for Pro Cap II LLC 50 S 16th Street, Suite 1950 Philadelphia, PA 19102	\$50.00

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 MAILING FEE; and

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

17. RESOLUTION 57-13 THROUGH 58-13 – CANCELATION OF TAXES (ITEMS A THROUGH B) – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

A) Property is tax exempt due to 100% Disabled American Veteran

ACCT	BLOCK	LOT	OWNER/LOCATION	YEAR	AMOUNT
15504	438	7	Osborne, Joseph M Property location: 109 Eldredge Ave	2012	\$401.71
			Disabled as of 11/14/2012	2013	\$1,447.28

B) Property is tax exempt due to 100% Disabled American Veteran

ACCT	BLOCK	LOT	OWNER/LOCATION	YEAR	AMOUNT
16950	164.02	28	Romanino, Thomas Property location: 317 Stagecoach Rd	2012	\$804.11
				2013	\$2,370.78

18. RESOLUTION 59-13 – EMERGENCY TEMPORARY BUDGET AMENDMENT – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, an emergent condition has arisen and no adequate provision has been made in the 2013 temporary appropriations for the aforesaid purpose; and N.J.S.A. 40A:4-20 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted pursuant to the provisions of Chapter 96 PL 1951 (N.J.S.A. 40A:4-20) including this resolution total \$439,895.00

NOW THEREFORE BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made in the amount of \$439,895. That said emergency temporary appropriation shall be provided for in the 2013 budget under the title of:

See Attached List

2. That one certified copy of this resolution be filed with the Director of Local Government Services.

GENERAL GOV.					
Administrative & Executive	S&W		0.00	01-20-100-100-111	
	OE		0.00	01-20-100-100-299	
Public Affairs	OE		0.00	01-20-100-101-299	
Human Resources	S&W		0.00	01-20-105-105-111	
	OE		0.00	01-20-105-105-299	
Mayor & Committee	S&W		0.00	01-20-110-110-111	
	OE		0.00	01-20-110-110-299	
Municipal Clerk	S&W		0.00	01-20-120-120-111	
	OE		0.00	01-20-120-120-299	
Codification	OE		6,195.00	01-20-120-121-299	
Financial Administration	S&W		0.00	01-20-130-130-111	
	OE		25,000.00	01-20-130-130-299	
Grants Administration	S&W		0.00	01-20-130-131-111	
	OE		16,000.00	01-20-130-131-299	
Bond Registrar	OE		0.00	01-20-130-132-299	
Information Technology	OE		5,000.00	01-20-132-132-211	
Audit Services	OE		16,000.00	01-20-135-135-299	
Tax Collection	S&W		0.00	01-20-145-145-111	
	OE		0.00	01-20-145-145-299	
Tax Assessor	S&W		0.00	01-20-150-150-111	
	OE		0.00	01-20-150-150-299	
Liquidation of TTL's	OE		0.00	01-20-155-155-299	
Legal Services	S&W		0.00	01-20-155-156-111	
	OE		220,000.00	01-20-155-156-299	
Engineering Services	OE		20,000.00	01-20-165-165-299	
Smart Growth	OE		15,000.00	01-21-180-180-111	
Planning Board	OE		0.00	01-21-180-180-299	
Zoning	S&W		0.00	01-21-185-185-111	
	OE		0.00	01-21-185-185-299	

Code Enforcement	S&W	0.00	01-22-195-195-111		
	OE	-300.00	01-22-195-195-299		
Construction Code Official	S&W	0.00	01-22-195-196-111		
	OE	0.00	01-22-195-196-299		
Demolition of Buildings	OE	0.00	01-22-195-198-299		
Electrical Inspector	S&W	0.00	01-22-195-200-111		
General Liability Insurance	OE	0.00	01-23-210-211-499		
Worker's Comp Insurance	OE	0.00	01-23-215-215-499		
Group Insurance Plan	OE	147,000.00	01-23-220-220-499		
Dental Insurance	OE	-22,000.00	01-23-220-221-499		
Prescription	OE	-125,000.00	01-23-220-222-499		
Health Care Waiver	OE	3,000.00	01-23-221-221-411		
Unemployment Insurance	OE	0.00	01-23-225-225-411		
Public Buildings & Grounds	S&W	0.00	01-23-310-310-111		
	OE	0.00	01-23-310-310-299		
Police	S&W	0.00	01-25-240-240-111		
	OE	0.00	01-25-240-240-299		
Communications	S&W	0.00	01-25-250-250-111		
	OE	0.00	01-25-250-250-299		
Emergency Management	S&W	0.00	01-25-252-252-299		
	OE	0.00	01-25-252-252-299		
Rescue Squad	S&W	0.00	01-25-262-262-111		
	OE	0.00	01-25-262-262-299		
Contr to First Aid Squads	OE	0.00	01-25-262-263-299		
V.I.M. Donation	OE	0.00	01-25-264-264-201		
Fire Protection	S&W	0.00	01-25-265-265-111		
Prosecutor	OE	18,500.00	01-25-275-275-111		
Gypsy Moth Control	OE	0.00	01-26-290-290-299		
Public Works	S&W	0.00	01-26-290-291-111		
	OE	0.00	01-26-290-291-299		
Shade Tree	OE	0.00	01-26-300-301-299		
Garbage & Trash Removal	OE	0.00	01-26-305-306-373		
Recycling - Contractual	OE	0.00	01-26-305-308-373		
Motor Pool	OE	0.00	01-26-315-315-699		
Board of Health	S&W	0.00	01-27-330-330-111		
	OE	0.00	01-27-330-330-299		
Animal Control	S&W	0.00	01-27-340-340-111		
	OE	0.00	01-27-340-340-299		
Animal Shelter - Contract	OE	0.00	01-27-340-340-399		
PATF 1 Appropriation	OE	0.00	01-27-360-360-299		
Recreation	S&W	0.00	01-28-370-370-111		
	OE	0.00	01-28-370-370-399		
Senior Center	S&W	0.00	01-28-370-370-111		
	OE	0.00	01-28-370-370-399		
Beach Restoration	OE	0.00	01-28-380-380-299		
Terminal Leave	OE	0.00	01-30-415-415-111		
Electricity	OE	0.00	01-31-430-430-475		
Street Lighting	OE	0.00	01-31-435-435-475		
Postage	OE	0.00	01-31-436-436-299		
Telephone	OE	0.00	01-31-440-440-475		
Natural Gas	OE	0.00	01-31-446-446-475		
Fuel Oil	OE	0.00	01-31-447-447-475		
Gasoline Costs	OE	0.00	01-31-460-460-475		
Maint & Serv Policies	OE	80,000.00	01-31-462-462-475		
Sanitation - Landfill Contract	OE	0.00	01-32-465-465-373		
Contingent	OE	0.00	01-35-470-470-299		
Pers	OE	0.00	01-36-471-471-451		
Social Security	OE	0.00	01-36-471-471-453		
Police & Firemen's Ret System	OE	0.00	01-36-471-471-455		
DCRP	OE	4,000.00	01-36-471-471-457		
PFRS Employer Liability	OE	0.00	01-36-475-475-411		
PERS Employer Liability	OE	0.00	01-36-475-475-412		
Safe & Secure Grant	OE	0.00	01-41-704-704-111		
Interlocal - CMC Tech School	OE	0.00	01-42-101-101-111		
Interlocal - JIF Fire District #2	OE	0.00	01-42-101-100-411		
Municipal Court	S&W	0.00	01-43-490-490-111		
	OE	0.00	01-43-490-490-299		
Public Defender	OE	11,500.00	01-43-495-495-111		
Capital Improvement Fund	OE	0.00	01-44-901-901-611	Total Approp	20053530.2
				PATF Cont	-500
				Debt Serv	-1555340
				Cap Imp	0
				Balance	18497690.2
Total		439,895.00		26.25%	4,855,643.68

22. RESOLUTION 63-13 – APPROVE EXTENSION OF LEAVE OF ABSENCE – JILL DEROBERTIS – On motion by Mayor Lockwood seconded by Committeemember DeLanzo. **Resolution was denied on roll call.**
 WHEREAS, the Township Committee of the Township of Middle has previously approved an unpaid leave of absence for Jill DeRobertis, via Resolution 607-12, from November 19, 2012 through January 14, 2013, and
 WHEREAS, Mrs. DeRobertis has requested an extension on said unpaid leave of absence from January 14, 2013 through March 31, 2013.
 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 extended Leave of Absence without pay for Jill DeRobertis, from January 14, 2013 through March 31, 2013 is hereby approved.
23. RESOLUTION 64-13 – AUTHORIZING THE EXECUTION OF PERMIT AGREEMENT – LEONARDS LANE – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
 NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute the any and all documents in connection with the US Army Corps of Engineers Permit Application, for the Leonard’s Lane project in Middle Township, including but not limited to:
 1. USACE Application for Department of Army Permit
 2. Public Notice for Consistency Certification.
24. RESOLUTION 65-13 – AUTHORIZING APPLICATION - NJ DEP LAND USE REGULATION APPLICATION FORM (LURP 2) – On motion by Committeemember Donohue seconded by Mayor Lockwood 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 granted to Remington Vernick and Walberg Engineers to apply for the NJDEP Lurp-2 Permit, on behalf of the Township, for the Ockie Whisting Recreation Complex.
 FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents.
25. RESOLUTION 66-13 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – VAN NOTE HARVEY – TAX MAP ANNUAL MAINTENANCE – On motion by Committeemember Donohue 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 Agreement between Van Note Harvey and the Township of Middle for Tax Map Annual Maintenance, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.
 FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
 Van Note Harvey – Tax Map Annual Maintenance – 1 year contract – Not to exceed \$15,000.00
26. RESOLUTION 67-13 – APPROVE CHANGE ORDER NO. 1 – BIKE PATH PROJECT PHASE III – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, the Bike Path Project Phase III was awarded May 21, 2012 via Resolution No. 236-12 to Asphalt Paving Corporation, and
 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 Asphalt Paving Corporation, be and is hereby approved in the amount of \$4,446.87.
27. RESOLUTION 68-13 – AMENDING RESOLUTION – APPOINTMENT – TAMMY DEVITT – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, Resolution No.’s 01-13 and 15-13 outline the appointment of Tammy Devitt as Acting Recreational Director, and
 WHEREAS, these resolutions shall be amended to accurately reflect Ms. Devitt’s appointment effective 12/14/2012.
 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 stipend opposite their name:
- | NAME | DEPARTMENT | TITLE | SALARY | EFFECTIVE |
|--------------|------------|------------------------------|------------|------------|
| Tammy Devitt | Recreation | Acting Recreational Director | \$3,000.00 | 12/14/2012 |
28. RESOLUTION 69-13 – RENEWAL OF GRAVEL PIT PERMITS – 2013 – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, the several gravel pit permit renewal applications listed below have been found to be in proper form, and the fee paid in each case, and
 WHEREAS, the Township Committee finds and concludes that the excavation and soil removal work originally authorized has been in continuous operation during the period of the permit and has been performed in accordance with the conditions under which the original permit was granted, and

WHEREAS, the Township Engineer undertook an inspection of the subject premises and has stated in his letter, "recertification is currently recommended" for the following licensees, and NOW THEREFORE BE IT RESOLVED, that each of the following permits be and are hereby renewed for the calendar year 2013 and this permit is subject to the rules and regulations as set forth in the code of the Township of Middle known as Chapter 132:

NO.	NAME OF LICENSE	BLOCK/LOT	ACREAGE	FEE
8	Court House Sand & Gravel, LLC	472/93	79.94	\$600.00
9	Indian Trail Sand & Gravel, LLC	472/32	7.54	\$400.00

FURTHER RESOLVED, that the above licenses be issued upon any and all conditions set forth by the Township Engineer in the letters attached to each license and as outlined in the code of the Township of Middle.

29. RESOLUTION 70-13 – ACKNOWLEDGEMENT OF RESIGNATION – 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, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following resignation listed below, is acknowledged.
- | EMPLOYEE | DEPARTMENT | POSITION | EFFECTIVE |
|----------------|---------------|---------------------------------|------------|
| Luis Cartagena | Public Safety | Special Class II Police Officer | 01/21/2013 |
30. RESOLUTION 71-13 – APPROVAL TO SUBMIT A GRANT APPLICATIONS AND EXECUTE A GRANT CONTRACTS – HAZARD MITIGATION GRANT PROGRAM (LETTER OF INTENT) – On motion by Committeemember Donohue 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, County of Cape May and State of New Jersey, that the Governing Body 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 sign the grant application 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.
31. RESOLUTION 72-13 – AMENDING FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK & WALBERG ENGINEERS – GRANT APPLICATIONS – HAZARD MITIGATION GRANT PROGRAM – On motion by Committeemember Donohue seconded by Mayor Lockwood 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
WHEREAS, Remington, Vernick & Walberg Engineers will be providing additional engineering services towards the submission of various grant applications in connection with the Hazard Mitigation Grant Program through the County of Cape May and State of New Jersey
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 the additional engineering services mentioned above and said contract shall be amended as follows:
Remington, Vernick & Walberg Engineers –Grant Applications – Not to exceed \$7,000.00
32. RESOLUTION 73-13 – SOUTHERN NEW JERSEY HEALTH INSURANCE FUND – FUND COMMISSIONER / ALTERNATE FUND COMMISSIONER APPOINTMENT – 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, of the Township of Middle that Tracey Taverner be and is hereby appointed as Fund Commissioner to the Southern New Jersey HIF, effective January 1, 2013, to represent Middle Township, and
BE IT FURTHER RESOLVED that Vera Kalish be and is appointed as Alternate Fund Commissioner to the Southern New Jersey HIF, to represent Middle Township, effective January 1, 2013.
33. RESOLUTION 74-13 – AMENDING RESOLUTION – CORRECTING TITLE – SEWER DEPARTMENT – GEORGE SEABROOK – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, Resolution No. 15-13 inadvertently listed the incorrect title for Mr. Seabrook, and
WHEREAS, Resolution 15-13 shall be amended to accurately reflect Mr. Seabrook's part-time title, as approved November 19, 2012 via Resolution 538-12.
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 |
|-----------------|------------|------------------------|------------|
| George Seabrook | Sewer | PT Sewer Administrator | 11/07/2012 |
34. RESOLUTION 75-13 – AWARD OF BID – DISPOSAL OF RECYCLE MATERIALS TAKEN TO A CLASS B RECYCLING FACILITY AND MATERIALS PICKED UP OR DELIVERED FROM A CLASS B RECYCLING FACILITY – 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 to request bids for the cost associated with delivering recyclable materials to a Class B recycling facility and also for cost associated upon picking of materials or delivery from a Class B recycling facility

WHEREAS, bids were received on December 19, 2012, and

WHEREAS, exhibit A attached hereto this resolution shows the results of said request for proposal, outlining the following award.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that following contract for services shall be awarded as follows:

Disposal of recycle material to be taken to a Class B facility – A & H Mining & Recycling and Future Mining and Recycling

Materials to be picked up or delivered from a Class B facility – A & H Mining and Recycling

BE IT FURTHER RESOLVED, that this award is conditioned upon certification of funds and also submission of appropriate affirmative action forms.

FURTHER RESOLVED, that the amount to be certified shall not exceed the amount as set aside in the municipal budget for said services.

35. RESOLUTION 76-13 – AWARD OF BID – SNOW AND DEBRIS REMOVAL – 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 Snow and Debris Removal for upcoming potential snow storms that might occur within the Township of Middle, and

WHEREAS, sealed bids were received on December 19, 2012 at 1:00pm, and

WHEREAS, it appears that the following bids submitted represents a figure equal to the lowest RESPONSIBLE bids received, which complies with specifications and requirements as set forth by the State of New Jersey.

WHEREAS, exhibit A attached hereto this resolution shows the results of said request for bid, outlining the following award.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that in the event that private snow removal services are necessary, the Administrative Director of Public Works is hereby authorized to utilize the following companies as shown on the attached exhibit, who were the lowest responsible bidders.

BE IT FURTHER RESOLVED, that if the low bid contractor's equipment is unavailable, authorization is hereby granted to contact the next lowest bidder.

BE IT FURTHER RESOLVED, that this award is conditioned upon certification of funds and also submission of appropriate affirmative action forms.

FURTHER RESOLVED, that the amount to be certified shall not exceed the amount as set aside in the municipal budget for said services.

Snow & Debris Removal - 2013					
December 19, 2012			H4 Enterprises	Garden State	Neri's Construction
			CMCH, NJ	Rio Grande, NJ	Williamstown, NJ
Loader, Wheel	Bucket Capacity	0.5 cy	\$117.50	\$100.00	n/a
Loader, Wheel	Bucket Capacity	1 cy	\$117.50	\$175.00	n/a
Loader, Wheel	Bucket Capacity	1.5 cy	\$117.50	\$175.00	n/a
Loader, Wheel	Bucket Capacity	2 cy	\$144.50	\$195.00	\$150.00
Loader, Wheel	Bucket Capacity	3 cy	\$174.50	\$195.00	\$165.00
Loader, Wheel	Bucket Capacity	4 cy	\$235.00	n/a	n/a
Loader, Wheel	Bucket Capacity	5 cy	\$245.00	n/a	n/a
Loader, Wheel	Bucket Capacity	6 cy	\$245.00	n/a	n/a
Loader, Wheel	Bucket Capacity	7 cy	n/a	n/a	n/a
Loader, Wheel	Bucket Capacity	8 cy	n/a	n/a	n/a
Plow, Snow, Grader, Mounted	Width	to 10 ft	\$250.00	n/a	n/a
Plow, Snow, Grader, Mounted	Width	to 14 ft	\$250.00	n/a	n/a
Plow, Snow, Truck, Mounted	Width	to 15 ft	n/a	n/a	n/a
Plow, Snow, Truck, Mounted	Width	to 15 ft	n/a	n/a	n/a
Trailer, Dump	Capacity	20 cy	\$125.00	\$105.00	\$150.00
Trailer, Dump	Capacity	30 cy	\$125.00	\$105.00	\$150.00
Truck, Dump	Capacity	12 cy	n/a	\$100.00	n/a
Truck, Dump	Capacity	18 cy	\$90.00	\$105.00	\$150.00
Truck, Dump, Off	Capacity	28 cy	\$175.00	n/a	\$150.00

36. RESOLUTION 77-13 – AUTHORIZING TOWNSHIP TO EXCEED 60-DAY BID LIMITATION – ANIMAL CONTROL SERVICES – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, it was deemed necessary and desirable to solicit for bids for Animal Control Services, and

WHEREAS, the Township received bids on December 12, 2012 at 1:00 PM for said project, and

WHEREAS, NJSA 40A:11-24 delegates the time table for making awards and returning deposits, and

WHEREAS, statute states that the contracting unit shall award or reject the contract in no case more than 60 days after receipt, except that the bidders who consent thereto at the request of the contracting unit, be held for consideration for such longer period as agreed, and

WHEREAS, all bid security, except the security of the three apparent lowest responsible bidders, shall be returned, unless otherwise requested by the bidder, and

WHEREAS, the Township of Middle does hereby wish to exceed said time frame for an addition sixty (60) days, and

WHEREAS, the Township will request written consent from the three lowest bidders, if applicable, to retain all bid documents for an additional 60 days or until an award is made.

NOW THEREFORE BE IT RESOLVED, by the Township of Middle, County of Cape May, State of New Jersey, that the Township of Middle is hereby authorize to extend the award time for the above referenced project for sixty (60) additional days.

37. ****TABLED** RESOLUTION 78-13 – CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT** – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle desires to provide for the orderly development of wastewater facilities within the Township, and
WHEREAS the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan, and
WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan, and
WHEREAS, a proposed WQM plan amendment, noticed in the New Jersey Register on January 7, 2013 for Water Quality Management Program, has been prepared by the NJDEP.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey that:
1. The Township of Middle does hereby consent to the amendment entitled Water Quality Management Plan, which was publicly noticed on January 7, 2013, prepared by the NJDEP, for the purpose of its incorporation into the applicable WQM plan(s).
 2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.
38. **RESOLUTION 79-13 – AUTHORIZING EXECUTION OF FAIR AND OPEN CONTRACT – IT PROFESSIONAL – VIABLE NETWORKS LLC.** – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Township Committee has previously instituted a Fair and Open Process for the award of contract pursuant to N.J.S.A. 19:44A-20.4 et.seq., and
WHEREAS, the Township Committee has followed the procedures that it has previously set forth for the award of specific contracts; and
WHEREAS, the Township Committee has solicited proposals, and has publicly opened each proposal submitted, and has considered each proposal in light of criteria previously established by the Township, and has made a decision on each proposal submitted in light of those criteria;
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 submission shall be awarded as follows for a term effective January 23, 2013 for a period not to exceed 12 months.
Viable Networks, LLC. – IT Professional – Not to exceed \$32,000.00
BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts with each of the above-mentioned individuals as necessary, to be followed with a resolution of award and certification as attached hereto.
39. **RESOLUTION 80-13 – AWARDING CONTRACT UNDER NON-FAIR AND OPEN PROCESS – J. FRED COLDREN – HEARING OFFICER** – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Township has determined that the value of the following contract will not exceed \$17,500.00, and
WHEREAS, the Local Public Contract Law (N.J.S.A. 40A: 11-1 et seq.) provides for the award of contracts for professional services without advertising for bids, and
WHEREAS, these contracts are not therefore subject to the provisions of N.J.S.A. 19:44A-20.4 or 20.5, and
WHEREAS, the Township of Middle requires said services, and funds are available for said purpose,
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between J. Fred Coldren and the Township of Middle be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
J. Fred Coldren – Hearing Officer – Rate of \$100.00 per hour not to exceed \$2,500.00
FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Herald Times for publication.
FURTHER RESOLVED that these contracts are contingent upon the certification of availability of funds and submission of State Affirmative Action Certification.
40. **RESOLUTION 81-13 – AWARDING CONTRACT UNDER NON-FAIR AND OPEN PROCESS – WILLIAM KAUFMANN, CAFIERO AND BALLIETTE – ETHICS BOARD ATTORNEY** – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Township has determined that the value of the following contract will not exceed \$17,500.00, and
WHEREAS, the Local Public Contract Law (N.J.S.A. 40A: 11-1 et seq.) provides for the award of contracts for professional services without advertising for bids, and
WHEREAS, these contracts are not therefore subject to the provisions of N.J.S.A. 19:44A-20.4 or 20.5, and

WHEREAS, the Township of Middle requires said services, and funds are available for said purpose, BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between William Kaufmann of Cafiero and Balliette and the Township of Middle for the Ethics Board Attorney be and is hereby ratified and the contract is hereby awarded through the Non Fair and Open Process as described in Pay-To-Play Statutes in the amount not to exceed \$5,000.00.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

William Kaufmann – Ethics Board Attorney – Rate of \$125.00 per hour not to exceed \$5,000.00

FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Herald Times for publication.

FURTHER RESOLVED that these contracts are contingent upon the certification of availability of funds and submission of State Affirmative Action Certification.

41. RESOLUTION 82-13 – GENERAL APPOINTMENTS – 2013 – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, there are various terms of office that have expired as of 12/31/2012, and

WHEREAS, the governing body of the Township of Middle would like to reappoint said board positions, retroactive to January 1, 2013.

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 named persons be and hereby are appointed or reappointed to fill the following offices/terms:

OFFICE / POSITION	TERM	NAME	TERM EXPIRES
Cable TV Advisory Board	2 yrs	Scott Webster	12/31/2014
Cable TV Advisory Board	2yrs	Robert Bongiovanni, Chairman	12/31/2014
Cable TV Advisory Board	2yrs	Bill Riches	12/31/2014
Cable TV Advisory Board	2yrs	Paul Crowding, Alternate #2	12/31/2014
Cable TV Advisory Board	1yr	Barbara Montgomery, Secretary	12/31/2013
Traffic Committee	3 yr	Francis Angelone	12/31/2014
Traffic Committee	3yr	Liz Lannigan	12/31/2014
Traffic Committee	3yr	Catherine Cornell	12/31/2014
Traffic Committee	1yr	Committeemember, Advisor	12/31/2013
Traffic Committee	1yr	Representative, P.E. NJDOT	12/31/2013
Traffic Committee	1yr	Representative, County Engineer	12/31/2013
Traffic Committee	1yr	Representative, Police Dept.	12/31/2013
Traffic Committee	1yr	Representative, Police Dept.	12/31/2013
Traffic Committee	1yr	Township Engineer	12/31/2013
Traffic Committee	1yr	Representative, Fire & Rescue	12/31/2013
Traffic Committee	1yr	Kendra Karstens, Secretary	12/31/2013
Council on the Arts	3yr	Sandra Novick	12/31/2015
Council on the Arts	3yr	Lauri Fleming	12/31/2015
Council on the Arts	3yr	Dori Conlin	12/31/2015
Council on the Arts	1yr	Deborah Becker, Secretary	12/31/2014

42. RESOLUTION 83-13 – APPOINTMENT – BOARD SECRETARY – VARIOUS BOARDS – On motion by Mayor Lockwood 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 person be and are hereby appointed to the boards for the term of office opposite their name:

NAME	BOARD	TERM AFFECTIVE	TERM EXPIRES	SALARY
Barbara Montgomery	Cable TV Advisory Board	01/01/2013	12/31/2013	\$850.00
Kendra Karstens	Traffic Committee	01/01/2013	12/31/2013	\$850.00
Deborah Becker	Council on the Arts	01/01/2013	12/31/2013	\$850.00

43. RESOLUTION 84-13 – APPOINTMENT – ZONING BOARD OF 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 person is hereby appointed to the position opposite their name:

NAME	POSITION	BOARD	TERM EXP.
Suzanne R. Cafiero	Alternate Member #2	Zoning Board of Adjustment	12/31/2014*

*filling unexpired term

44. PUBLIC COMMENT:

Marc DeBlasio, Engineer Report: Grant Applications: NJDCA approved \$295,000 Grant for ADA at Davies and Municipal Complex. In 2012 Township received ADA Grant for playground at Davies. This grant will cover the required match and will be 100% funded in the end; Capital Improvements: Reconstruction of Second Avenue completed; Whitesboro Roadway Improvement Phase 3A completed except punch list and Edgewood Road; Avalon Manor and Leonard's Lane Roadway Improvement plans have been completed and will be reviewed and finalized, would like to authorize public bidding at February 4 meeting; NJDOT Bike Path Phase III, change order to finalize project on tonight's agenda.

General Engineering: Ockie Whisting, moved renewal of LOI for that site.

Committeemember DeLanzo: Would like the support of the Committee to send a letter to LoBiondo and Menendez to support Reeds Beach berm project which will support the shoreline. The berm goes through Reed's Beach into Pierce's Point through the bay communities. Army Core of Engineers will not move forward without funding.

Reminder of Rabies Clinic on Saturday, January 26 from 2-3pm at Public Works Building.

Would like the support of Committee for canvas.

Committeemember Donohue: Meeting last night at MLK Center regarding Open Space. Township received a grant to inventory open space and there are 21 areas in Middle Township. Elizabeth Terenick did presentation from survey responses. There will be another meeting held in March to work towards Master Plan of Open Space.

Sewer billing is now in Tax Collectors office, this will save money and streamline mailings. Next step is to offer online sewer payment. Plan on doing an inventory to make sure the residents that are hooked into the sewer lines are paying for same and that everything is compliant.

Congratulations to newly retired officers and their families.

Mayor Lockwood: Sewer billing being in new department will bring Township up to compliance.

Attended Goshen Fire Reorganization meeting, there was a group of Goshen Volunteer Fire Fighters who went to Ship Bottom a few days after Hurricane Sandy to offer help. They helped fight over 40 structure fires during their time there.

Open Space Meeting was successful, highlighted community with environmental features. Thanks to everyone who have donated their time to this.

Rehab Grant is one round of funding for homes to residents who do not have the income or financial needs. A great opportunity that the State provides us and has been a great program for our community.

Ken Kajowski, Sunset Bay Community, Del Haven: people of community are concerned with drainage system and the retention pond, which was built 6+ years ago. Builders have not maintained the retention pond which now has trees, brush and debris inside. Will the Township inspect this before the builder is done in this area?

Marc DeBlasio: There is a bond in place... when the final inspection is done, that will be inspected and will review before we release the bond. If there are issues, we will flag that and not release the bond.

Ralph Hill, 6 Colgate Street, Del Haven: Township owned lot next to his has a rotted tree, if another storm comes through it is going to fall onto his property and damage his house. Sent a letter to Public Works but never received a response.

Mayor Lockwood: Has not seen the letter but now has information and will look into it.

Tony Buero, Del Haven: Sent email to David May regarding drainage issue. Would like to thank Chief of Police for handling raccoon issue last week.

Marc DeBlasio: Who is supposed to maintain the retention pond once the community is complete?

Mr. Buero: Not established that, we do not have By Laws in place for the community yet.

Marc DeBlasio: We will make sure that it is fully functional once it is turned over to you.

Vilma Pombo: Asked why they are exceeding 60 day limitation for animal control services bid.

Mayor Lockwood: We did receive bids and there are no issues, Township wants to look at all options before making a decision.

Committeemember Donohue: Our plan is to extend the deadline so that we can have both bidders come before the Committee to make a presentation to see what they are offering and to make sure they will cover all of the services that our present Animal Control covers.

Bill Faunt, Del Haven: Supporting the request that they want to make sure that the drainage system is fully functional before the developer is done with the community.

Dr. Russell Downes: Read portion of letter which he previously sent to Mayor Lockwood regarding Garden State Parkway project. Concerned that Parkway Project has not followed appropriate policies and procedures and no government agency has looked out for due process not being followed.

Mayor Lockwood: Reviewed the letter and is planning on meeting with contractor in February to review some of the details.

Elaine Scaterton, Avalon: Stayed on New River Road in Middle Township during Hurricane Sandy and the day following the storm she was concerned about Reed's Beach. Agreed with Committeemember DeLanzo regarding the concern for horseshoe crabs and red knots.

Spoke about her concern with Garden State Parkway Project taking out 26 acres of trees for temporary road. Provided a copy of the map which she got from the Turnpike Authority showing the plan for this project. Supported Dr. Downes concern about Due Process not being followed. Middle Township will no longer have a Shade Tree Commission once they remove these trees. Ms. Scaterton attended a Turnpike Commission meeting where she was informed of this information. Concerned about merchants in Cape May Court House being affected by this project. Believes Middle Township is a beautiful Township and hopes it stays protected.

Rosie Jefferson, Indian Trail: The new sidewalk at 103. W. Main Street is damaged and has a gap. Spoke to Andrew who said it was being taken care of, but nothing has yet been done.

Regarding Item #8, where was notice regarding new policy at recreation departments for age of children without a parent/guardian.

Committeemember Donohue: The sign was posted to test policy for a month, would like to stop abuse for using the recreation centers as a babysitting facility. We hope to have uniform policies at all of our facilities, but the recreation director as that facility will have the discretion as to whether the policies are being abused and can act accordingly. We are trying it for 30 days to see how it goes; it doesn't mean that we cannot change it back if it doesn't work out.

Ms. Jefferson: following up from a year ago regarding property on Pennsylvania Avenue owned by Albrecht & Heun that has a pile of debris that may be damaging well water. Doesn't know if it is still there, but wanted to follow up.

Thank you to Committeemember DeLanzo for attending ACP MLK Prayer Breakfast. Disappointed that Mayor and Deputy Mayor did not attend.

Mayor Lockwood: I was there towards the end.

Committeemember Donohue: I could not attend due to a prior obligation, but I did call Robert and apologize for not being able to make it. Would have liked to have been there, but wasn't able.

Michaela Pierce, Whitesboro: Believes that recreation policy is unorganized, thinks that there needs to be a staff meeting to review the policies. As a volunteer and part-time recreation employee, has no clarification as to the policy. If it is uniform, then it should stay that way and not be discretionary depending on situation or child.

Committeemember Donohue: Apologizes that policy isn't going as planned, will speak to recreation staff to address concerns.

Constance Barry Corrado: implementing a policy and being a selective about who follows it will cause problems.

Mayor Lockwood: We are not being selective, we do not want a young child dropped off with no supervision, schedules activities with supervision are a different situation than this policy.

Constance Barry Corrado: Spoke of trees being cut down from Parkway, and will cause a concern from residents to maintain tourist community, as the Parkway is the gateway to the shore points. Concerned about traffic during summer season with construction going on.

Mayor Lockwood: Advised that he has met with several people regarding this and will continue addressing the concerns and issues as the project moves forward.

Dr. Downes: Is LoBiondo on the horseshoe crab issue?

Constance Barry Corrado: No, Van Drew

Dr. Downes: Spoke of debris from storm at Turtle Therofare

Elaine Scateron: Impressed with meeting and community involvement in Township meetings.

Motion to go into Closed Session – 7:55pm

1st: Committeemember Donohue 2nd: Committeemember DeLanzo

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

Motion to re-enter Open Meeting – 9:24pm

1st: Mayor Lockwood 2nd: Committeemember DeLanzo

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

Motion to Adjourn Meeting – 9:25pm

1st: Committeemember Donohue 2nd: Mayor Lockwood

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

Kimberly D. Krauss, Twp. Clerk

Minutes Prepared by Suzanne Stocker, Deputy Township Clerk