

Cape May Court House, NJ
June 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, Deputy Township Clerk Dawn Stimmel, Municipal Solicitor Marcus Karavan, and Township Engineer Marc DeBlasio.

1. PRESENTATION – POLICE DEPARTMENT-PLAQUE

2. QUESTION/ANSWER PERIOD ON AGENDA (This question and answer session shall relate only to items as outlined and pending on current agenda. Issues and concerns not related to agenda item shall be withheld to public comment portion at the conclusion of meeting.

Betty McGurk questioned item 23.

Mark Mallett explained an increase in Contract for Liz Terenik appointing her as Land Use Consulting to serve as COAH Planning Consultant via Resolution No 2-12 For an amount not to exceed \$20,000.

Ed Taylor wanted to know how many liquor licenses we had and were there any available.

Mayor Lockwood said he would find out and let him know. If anyone wanted a liquor license, they could contact someone who has one and see if they would like to sell.

Rosie Jefferson questioned #22 for VOIP.

Mark Mallett advised it was renewal of contract.

3. REPORTS: The following departments have submitted their reports for the months indicated:
Municipal Court for the month of May

4. RESOLUTION NO. 267-12 - APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) - On motion by Mayor Lockwood seconded by Committeeman 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.

\$251,868.62

5. RESOLUTION NO. 268-12 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeeman Donohue seconded by Committeewoman DeLanzo and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: Regular Meeting, June 4, 2012.

6. RESOLUTION NO. 269-12 - RENEWAL OF 2012 LIQUOR LICENSES - On motion by Committeeman Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.

*****Committeewoman DeLanzo abstained*****

WHEREAS, certain licensees have filed for renewal of their Alcoholic Beverage License for one (1) year beginning July 1, 2012, and

WHEREAS, the said applications are in due and proper form with the fee of \$720.00 for each Plenary Retail Consumption License and Retail Distribution License; \$188.00 for each Club License and with no objection filed with all \$200.00 State Filing Fees received and forwarded,

THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Plenary Retail Consumption License to: Cape Hospitality Group LP T/A Bellevue Tavern 0506-33-002-006

THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Club License to:

Cape May County Chapter 44 Disabled American T/A Disable American Veterans

BE IT FURTHER RESOLVED, that these licenses be signed, sealed and delivered by the Clerk of the Township of Middle in accordance with the rules and regulations of the State Department of Alcoholic Beverage Control and appropriate Ordinances of the Township of Middle.

7. RESOLUTION NO. 270-12 - TABULATION COMMITTEE – CONTRACTS #2012-5, #2012-6, #2012-7, #2012-8 REHABILITATION OF 4 HOMES IN MIDDLE TOWNSHIP - On motion by Committeeman Donohue seconded by Committeewoman 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 Township Administrator Mark Mallett, Township Deputy Clerk Dawn Stimmel, Chief Finance Officer Tracey Taverner, and Grants Coordinator Jill Zarharchuck be and hereby are appointed to tabulate the bids to be taken on July 10, 2012 at 1:00 PM in the Middle Township Municipal Building, 2ND Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:*

CONTRACTS #2012-5, #2012-6, #2012-7, #2012-8 REHABILITATION OF 4 HOMES IN MIDDLE TOWNSHIP

8. RESOLUTION NO. 271-12 - SOCIAL AFFAIRS PERMIT – HABITAT FOR HUMANITY - On motion by Committeewoman DeLanzo seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, Habitat for Humanity has applied for approval to sell alcoholic beverages at an event to be held at the Stone Harbor Golf Club, 905 Rt 9 N, Cape May Court House, on June 25t from 1:00 pm to 8:30 pm., and

WHEREAS, they have provided proper documentation to the Township of Middle,

NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.

9. RESOLUTION NO. 272-12 - AUTHORIZE MAYOR TO EXECUTE CANCELLATION OF SUBORDINATE MORTGAGES - On motion by Mayor Lockwood seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Subordinate Mortgages for Housing Rehabilitations and Emergency Housing Rehabilitations and loans have been satisfied, and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, the governing body thereof, that the below listed Subordinate Mortgages and loans are hereby cancelled, and

<i>Name</i>	<i>Date of Expiration</i>
<i>John R. Barrick & Ann M. Barrick</i>	<i>August 9, 2010</i>
<i>Charles J Fassano & Marion Fassano</i>	<i>July 24, 2010</i>
<i>Mae Mitchell</i>	<i>April 13, 2003</i>
<i>Eunistine Robinson</i>	<i>December 15, 2002</i>
<i>Walter J. Olewnik & Gail Olewnik</i>	<i>July 24, 2010</i>
<i>Maureen Himebaugh</i>	<i>June 11, 2011</i>
<i>William Williams & Sherrina Boyd</i>	<i>April 17, 2005</i>
<i>Ellen Trout</i>	<i>July 8, 2008</i>
<i>Doreen E. Pelzer</i>	<i>June 11, 2011</i>
<i>George McCann & Kathleen McCann</i>	<i>October 6, 2008</i>
<i>Frederick M. Schlender</i>	<i>July 30, 2010</i>
<i>Rodella Carter</i>	<i>February 4, 2011</i>
<i>Eleanor DeFino</i>	<i>January 13, 2009</i>
<i>Dorothy Gallagher</i>	<i>January 11, 2009</i>
<i>Mattera's Liquor</i>	<i>Loan Paid Off</i>
<i>Shree Khodiar, LLC</i>	<i>Loan Paid Off</i>

10. RESOLUTION NO. 273-12 - DEPOSITORY CURRENT FUNDS – 2012 (Temp Amendment)- On motion by Mayor Lockwood seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

BE IT FURTHER RESOLVED, that the Sturdy Savings Bank shall be the depository for the following account of the Township of Middle for the year 2012, and that all disbursements shall be made by checks signed by the following:

<i>ACCOUNT</i>	<i>DISBURSEMENT OFFICER</i>
<i>Clerk</i>	<i>Township Clerk or Deputy Clerk</i>
<i>TTL Redemption</i>	<i>Tax Collector or Designated Tax Clerk</i>
<i>Construction Official</i>	<i>Construction Official, Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Municipal Court</i>	<i>Municipal Judge or Court Administrator or Deputy Court Administrator</i>
<i>Bond Account</i>	<i>Municipal Judge or Court Administrator, or Deputy Court Administrator</i>
<i>Current</i>	<i>Chief Financial Officer, Deputy Chief Financial</i>

<i>*General Checking Account</i>	<i>Officer Chief Financial Officer, Business Administrator, Mayor, Clerk or Deputy Clerk</i>
<i>Trust Account - Other Forfeited Monies)</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>General Capital Account</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Urban Development Action</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>EMS Billing</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Middle Township Municipal Alliance Committee</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Housing Rehabilitation Revolving Fund</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Utility Account</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Utility Escrow Account</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Utility Capital Account</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Green Acres</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>*Payroll (SS & Withholding)</i>	<i>Chief Financial Officer, Business Administrator</i>
<i>Unemployment Trust</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Recreation-Ded. Trust Fund</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Public Assistance Trust Fund</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Dog Tax</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Accumulated Absences Trust Fund</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>COAH Fees</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Alarm Billing Account</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>BE IT FURTHER RESOLVED, that TD Bank, of New Jersey shall be the depository for all of the following current funds, of the Township of Middle, for the year 2012, and that all disbursements shall be made by checks signed by the following:</i>	
<i>ACCOUNT</i>	<i>DISBURSEMENT OFFICER</i>
<i>Master Escrow Checking</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>Master Escrow Savings</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>BE IT FURTHER RESOLVED, that 1st Bank of Sea Isle, of New Jersey shall be the depository for all of the following current funds, of the Township of Middle, for the year 2012, and that all disbursements shall be made by checks signed by the following:</i>	
<i>ACCOUNT</i>	<i>DISBURSEMENT OFFICER</i>
<i>Middle Township Employee Medical/Child Care Plan</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>
<i>BE IT FURTHER RESOLVED, that MBIA Class, of New Jersey shall be the depository for all of the following current funds, of the Township of Middle, for the year 2012, and that all disbursements shall be made by checks signed by the following:</i>	
<i>ACCOUNT</i>	<i>DISBURSEMENT OFFICER</i>
<i>General Capital Account</i>	<i>Chief Financial Officer, Deputy Chief Financial Officer</i>

11. RESOLUTION NO. 274-12 - ACKNOWLEDGING RESIGNATIONS AND APPOINTMENTS OF VARIOUS VOLUNTEER BOARD MEMBERS - On motion by Committeeman Donohue seconded by Committeewoman DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, various volunteer board members have resigned and it is the intent of the governing body to fill said vacancies.

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 following board resignations are hereby acknowledged:

Member	Volunteer Board
Mary Rixey	Economic Development
Diane Fox	Economic Development
Bruce Menz	Economic Development
Janis Goetaski	Traffic Committee

BE IT FURTHER RESOLVED, that the following individuals shall be appointed and/or reappointed to the terms and boards as indicated:

Member	Volunteer Board	Term Expiration
Rick Rixey	Economic Development	12/31/2014
Brian Murphy	Economic Development	12/31/2012
Dennis Roberts	Economic Development	12/31/2014
Dawn Stimmel	Economic Development	12/31/2012
Sally Garrison	Traffic Committee-Moving from Alt. to Voting Member	12/31/2015*Filling unexpired term of Janis Goetaski
John Herr	Ethics Committee	12/31/12

12. RESOLUTION NO. 275-12 - AMENDING FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES - PRE- EXISTING ENGINEERING PROJECTS – REMINGTON VERNICK & WALBERG – PENNSYLVANIA AVENUE AND WEST EDGEWOOD AVENUE - On motion by Committeeman Donohue seconded by Committeewoman DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, on January 4, 2012 Township Committee passed a resolution under the Fair and Open process for various professionals, otherwise known as Resolution 2-12, and
WHEREAS, the Township of Middle appointed Remington, Vernick & Walberg to serve as Municipal Engineer at its January 2012 reorganization meeting, and
WHEREAS, Remington Vernick & Walberg are providing additional engineering services for Pennsylvania Avenue-not to exceed \$34,800; and West Edgewood Avenue – not to exceed \$5,500; reconstruction as part of the Whitesboro Roadway Improvements;

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 shall provide the additional engineering services mentioned above.

BE IT FURTHER RESOLVED, that the contract for FY 2012 for Remington Vernick & Walberg, as approved January 4, 2012 otherwise known as Resolution 2-12, shall be amended as referenced above.

13. ORDINANCE NO. 1409 -12 AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE SUM OF \$207,677 IN FUNDING FROM THE CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF POLICE RADAR SIGNS, MOBILE DATA TERMINALS, RADIO SYSTEM UPGRADES AND TASERS; IMPROVEMENTS TO PUBLIC BUILDINGS; RECREATION RIO GRANDE PLAYGROUND EQUIPMENT; PUBLIC WORKS BRUSH CUTTING EQUIPMENT; AND EMS HIGH VISIBILITY JACKETS - Following second reading, hearing, and consideration for adoption, Ordinance 1409-12 was adopted on motion by Committeeman Donohue seconded by Mayor Lockwood and passed on roll call. Complete Ordinance is on file in the Clerk's Office.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. There is hereby appropriated the sum of \$207,677 from the Capital Improvement Fund of the Township of Middle, County of Cape May, New Jersey ("Township") for the acquisition and installation of the following capital equipment to be utilized by various departments: (i) police radio upgrades and purchase of various equipment (\$108,500); (ii) improvements to public buildings (\$15,000); (iii) recreation Rio Grande playground (\$22,000); (iv) public works brush equipment (\$57,177); (v) EMS high visibility jackets (\$5,000).

Section 2. It is hereby determined and stated that the improvements set forth in Section 1 are each a general capital improvement and not a current expense.

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

14. ORDINANCE NO. 1411-12 - ORDINANCE AMENDING ORDINANCE NO. 797-91 TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 70-3 (C) TITLED TRAFFIC COMMITTEE MEMBERSHIP - On motion by Committeewoman DeLanzo seconded by Committeeman Donohue and passed on roll call, Ordinance No 1411-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 07/16/12 at 6:00 p.m. Complete Ordinance is on file in the Clerk's Office
BE IT ORDAINED by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey as follows:

SECTION 1. Chapter 70-3 (C) of the Code of the Township of Middle is hereby amended as follows:

Section 70-3 (C) - Membership

C. Two alternates having a term of two years' duration.

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.

15. ORDINANCE NO. 1412-12 – ORDINANCE AMENDING CHAPTER 46, ARTICLE III-SPECIAL LAW ENFORCEMENT OFFICERS – POLICE DEPARTMENT - On motion by Committeewoman DeLanzo seconded by Committeeman Donohue and passed on roll call, Ordinance No 1411-12 passed first reading. Second

reading, public hearing and consideration for adoption will be held on 07/16/12 at 6:00 p.m. Complete Ordinance is on file in the Clerk's Office

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

SECTION 1. Chapter 46-14 – Carrying of Firearms of the Code of the Township of Middle is hereby amended as follows:

The use of a firearm by a Class Once Special law enforcement officer shall be strictly prohibited and no Class One Special law enforcement officer shall be assigned to duties which may require the carrying or use of a firearm.

SECTION 2. Chapter 46-15 – Supervision of the Code of the Township of Middle is hereby amended as follows:

All Class Two and Class One special law enforcement officers shall function under the supervision and direction of the Chief of Police or, in the absence of the Chief, such other chief law enforcement officer as may function in his place instead.

SECTION 3. Chapter 46-16 - Employment restrictions of the Code of the Township of Middle is hereby amended as follows:

Class Two and Class One special law enforcement officers shall be employed only to assist the regularly employed police officers of the Township of Middle and may not be employed to replace full time, regular police officers or in any way diminish the number of full-time officers employed by the Township.

SECTION 4. Chapter 46-17 - Number of Officers of the Code of the Township of Middle is hereby amended as follows:

No more than five (5) Class Two or Class One special law enforcement officers may be employed at any given time.

SECTION 5. Chapter 46-18 – Residency requirement of the Code of the Township of Middle is hereby amended as follows:

Preference shall be given to residents of Middle Township for appointment to the special law enforcement officer.

SECTION 6. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 7. This Ordinance shall become effective immediately upon final passage and publication according to law.

16. *****TABLED*****RESOLUTION 276-12 – AUTHORIZING STREET OPENING PERMIT WAIVER- BERNARD DERA - On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, Local Ordinance Section 215-15D does not allow for any road opening permit for any road that has been constructed or reconstructed for a period of five years after the completion of said construction or reconstruction except in an emergency situation; and

WHEREAS, Bernard Dera, owner of 101 E Wiley Street, also known as Block 1042, Lot 1, in Whitesboro, is building a new home and have filed for a hardship exception since they need to hook into the sewer; and

WHEREAS, in order to occupy the home, Mr. Dera needs a road opening permit to connect the line from the road to the home;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, hereby finds:

- 1. That the unfortunate coincidence of Mr. Dera's building of the home creates a hardship on Mr. Dera;*
- 2. That at the time this Resolution was approved, nearly 12 months have elapsed since the reconstruction of Wiley Street; and*
- 3. That an exception to the 5 year moratorium is appropriate in this circumstance; and*
- 4. That the Public Works Director and/or the Municipal Clerk is hereby directed to issue a road opening permit for Block 1042, Lot 1 for the purpose of installing a sewer line, pending the submission of an application, correct fees and bonding associated therewith.*

17. *****TABLED*****RESOLUTION 277-12 - REQUESTING APPROVAL FOR MECHANISMS IN THE SPENDING PLAN NOT IN THE FAIR SHARE PLAN - On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, the governing body of the Township of Middle has endorsed the June 1, 2012 Revised Spending Plan and requested that COAH or DCA review and approve same;

WHEREAS, there are affordable housing developments in the June 1, 2012 Revised Spending Plan that are not in the 2008 Fair Share Plan;

WHEREAS, N.J.A.C. 5:97-8.11 Consideration for mechanisms not in the adopted Fair Share Plan states that:

(a) A municipality may request authorization for expenditure of affordable housing trust funds on emergent affordable housing mechanisms not included in the municipal Fair Share Plan, in the form of an amendment to the spending plan.

(b) In addition to the requirements for approval of a spending plan or amendment to an approved spending plan set forth at N.J.A.C. 5:96-5, the resolution submitted by the municipality shall include a certification that the affordable housing opportunity addresses the Council's criteria set forth in N.J.A.C. 5:97-6, and the municipality shall submit information regarding the proposed mechanism in a format to be provided by the Council.

(c) The municipality shall submit an amendment to its Fair Share Plan to include the mechanism at the earlier of two years after the Council's approval of the spending plan amendment or the next planned amendment to the Fair Share Plan resulting from plan evaluation review pursuant to N.J.A.C. 5:96-10.

(d) The municipality shall submit monitoring pursuant to N.J.A.C. 5:96-11 relating to the affordable units created using affordable housing trust funds.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Middle requests approval for mechanisms in the Township's Spending Plan that are not in the 2008 Fair Share Plan. The Township shall revise its Fair Share Plan within two years to be consistent with the June 1, 2012 Revised Spending Plan.

18. RESOLUTION 278-12 - AUTHORIZING CREATION OF LIEN ON PROPERTY – MAINTENANCE - On motion by Mayor Lockwood seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 40:48-2.13 authorizes the governing body of every municipality the power to make, enforce, amend and repeal ordinances requiring the owner or tenant of a dwelling or of lands lying within the municipality to provide for the removal or destruction of brush, weeds, debris, etc. constituting fire hazard or injurious to public health or safety and to provide for the imposition of penalties for the violation of any such ordinance, and

WHEREAS, N.J.S.A.40:48-2.14 authorizes the municipality the right to place a lien against such dwelling or lands to provide for the cost of removing brush, weeds debris, etc., and

WHEREAS, the Township of Middle has adopted Ordinance No. 316-76 known as Article I of Chapter 193 of the Code of the Township of Middle "Property Maintenance", and

WHEREAS, the Township of Middle has noticed the following property owners as indicated below and furthermore these violations had not been remedied.

WHEREAS, in absence of compliance by said owners, the Township of Middle commenced and completed abatement of these violations, and

WHEREAS, the Code Enforcement Officer of the Township of Middle has certified the following cost as listed.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that it hereby impose a lien on the properties listed below as indicated.

FURTHER RESOLVED, that a copy of this lien shall be filed in the Office of the Tax Collector of the Township of Middle.

OWNER	PROP. LOCATION	BLOCK / LOT	AMOUNT
Cynthia Snyder	306 N Wildwood Blvd	981/4	\$208.42
Jeffrey Evans	303 Goshen Rd. 60/11		\$104.27
Stephen Dadairo/Joan Sanford	136 Indian Trail	206/5	\$208.42
David Smith	18 Goshen Rd.	215/10	\$104.27
Paul Greenspan	39 Crest Rd.	226.04/7	\$208.42
Ellen Trout	215 S Railroad, Rio Grande	1432/15	\$208.42
David Farrow	5 Johnson Rd.	56.05/2	\$208.42
JRS Land Company, Inc.	111 Cochran St.	1059/6	\$208.42
Bonnie Kozak	201 Hand Ave.	240/14	\$104.27
Constance Dadura	13 Linden Lane	1469/2	\$104.27
Thomas Ivens, Jr.	4 Linden Circle	1472/13	\$104.27
Richard Sr. & Regina Anderson	17 Fishing Creek Rd.	166/52	\$312.81
Harbor Place Development, LLC	1116 Stone Harbor Blvd.	136/14	\$2026.43
Beverly Saylor/JL Goodway	1453 Burleigh Rd.	1410.01/52	\$841.26
Robert Clark, Jr.	7 English Way	163.01/83	\$173.80
Alice Giammusso	10 Woodcock	48/16	\$173.80
Cherie Daley	108 Bennett Rd.	270/7	\$173.80
Wendell Hannah	408 S Main St.	305/3	\$130.35
Robert Heath	505 Blackburn	994/2	\$130/35

19. RESOLUTION 279-12 - APPOINTMENTS – NEW HIRES - On motion by Committeeman 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, State of New Jersey, that the following employee is hereby appointed to the following position at the salary opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFF. DATE
Paul Fritsch, Jr.	Public Safety	PS Telecommunications Operator PT	\$13.46 PH	06/01/2012
Elvin DeJesus	Public Works	Labor-PT-Temp Appt	\$9.00 PH	
		\$10.00 PH after 6 months		06/12/2012
Stephen R. Delinski	Public Safety	Class I Special Law Enforcement Officer	\$8.50	06-19-2012

20. RESOLUTION 280-12 - AWARDING CONTRACTS UNDER NON-FAIR AND OPEN PROCESS – FRED COLDREN- MIDDLE TOWNSHIP HEARING OFFICER - On motion by Mayor Lockwood seconded by Committeeman 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,

WHEREAS, the Township's appointed Hearing Officer that was appointed in January 2012, Kay & Kay Attorney's, will no longer be able to continue as the Township's Hearing Officer with the passing of Mr. Kay; so

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 2012.

BE IT FURTHER RESOLVED, that a contract be executed by the Township of Middle for Mr. Coldren to supply professional services for the calendar year 2012.

Fred Coldren - Hearing Officer - \$100.00 per hour, not to exceed \$3,000.00

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.

21. RESOLUTION 281-12 - 2012-2013 HOTEL/MOTEL LICENSE APPROVAL - On motion by Mayor Lockwood seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle has established a Hotel / Motel License in connection with Ordinance NO. 1157-04, and

WHEREAS, a Hotel/Motel shall be defined for purposes in connection with this ordinance/license as a type of building or combination of buildings within the same complex having 4 or more rooms available for sleeping and lodging to the public for a fee, and

WHEREAS, prior to any person, operating a Hotel/Motel regulated by this ordinance, said person or entity must acquire an annual Hotel/Motel License from the Township Clerk by the 1st of July in each calendar year, and

WHEREAS, prior to the issuance or renewal of any annual Hotel/Motel License, the applicant for such license shall have made the payment of delinquent property taxes. The Township of Middle retains the right of revocation or suspension for non-payment of property taxes when three (3) or more consecutive quarters are delinquent.

WHEREAS, the annual license fee to operate a Hotel/Motel within the Township of Middle shall be \$1,000.00.

WHEREAS, said approval is contingent upon all applicable building, housing, health and safety codes and regulations as set forth by all appropriate local, county and state agencies, and as outlined in Chapter 222-22 of the Code of the Township of Middle, and

WHEREAS, The Township of Middle shall have the right to inspect the licensed premises and the owner/applicant shall provide for the inspection of licensed facilities.

NOW, THEREFORE BE IT RESOLVED, that each of the following licenses be and are hereby authorized for the license year of 2012-2013:

Lic. #	Applicant	Tradename	Location	Sites
1	Amandeep Hotel Inc.	Catalina Motel	1200 Georgia Avenue	9, Mngr. Apt.
3	Isha Hospitality	Country Motel	1604 Rte 47 S	28, Mngr. Apt.
4	Franco Berarducci	Court House Motel	419 Rt 9 N	17
5	Marion Monroe	Dutchman's Motel	1077 Rte 47 S	11
6	Anisha Hospitality LLC.	Economy Motel	3172 Rte 9 S	34, Mngr. Apt.
7	Privavdan Patel	Green Acres Motel	1031 Rte 47 S	16, house

8	Shree Khodiar LLC.	Simpson Motel	1507 Rte 47 S	19, house
11	Seven Oceans Hospitality	Hyland Motor Inn	38 E. Mechanic St.	34, Mngr. Apt.
14	Robert & Ruth Worth	Marlee Motel	1003 Rte 47 S	13, house
16	Nayadip LLC.	Offshore Motel	1801 Rte 47 S	48
17	Nelson Rossi & Jamie Cherego	Seagull Motel, LLC	905 Rt 47 S	11
19	John Lanzinger	Shelton Motel	1410 Rte 47 S	22, house
20	Jai Shree Jalar	Silver Birch Motel	1019 Rte 47 S	10
22	Whispering Woods Inc.	Whispering Woods	535 Rte 47 S	28
24	Lorraine Nichols	The Doctor's Inn	2 N Main St.	7

22. RESOLUTION 282-12 - AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS-VOIP NETWORKS-PHONE HARDWARE, SOFTWARE AND SERVER REPAIRS AND SUPPORT - On motion by Committeewoman DeLanzo seconded by Committeeman 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 Agreement between voIP Networks and the Township of Middle for phone hardware and software support and repairs; 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.

VOIP Networks- phone hardware and software support and repairs – not to exceed \$11,032.31

23. RESOLUTION 283-12 - AMENDING RESOLUTION #2-12 - FAIR AND OPEN CONTRACT FOR PLANNING CONSULTANT-AFFORDABLE HOUSING RESPONSIBILITIES - On motion by Committeewoman DeLanzo seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, on January 4, 2012, Township Committee passed a resolution under the Fair and Open process to appoint Terenik Land Use Consulting to serve COAH Planning Consultant via Resolution No 2-12 For an amount not to exceed \$20,000; and

WHEREAS, due to the increased scope of work associated with COAH/Affordable Housing responsibilities it is necessary to amend the original contract to include an additional 350 hours at an amount no to exceed \$13,250.00 as specified in the attached contract.

24. RESOLUTION 284-12 - AUTHORIZING EXECUTION OF FAIR AND OPEN CONTRACT – REMINGTON & VERNICK ENGINEERS-LEONARD'S LANE ENVIRONMENTAL PERMITTING, SURVEY AND ENGINEERING SERVICES - On motion by Committeeman Donohue seconded by Committeewoman DeLanzo 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 had solicited proposals and placed the position on the township website as outlined in Resolution 572-11 dated November 21, 2011, 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, 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 following submission shall be awarded as follows:

Remington & Vernick Engineers– LEONARD'S LANE ENVIRONMENTAL PERMITTING-Not to exceed \$33,500.00

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the attached contract with Remington & Vernick as necessary, to be followed with a resolution of award and certification as attached hereto.

25. AMENDING ORDINANCE 1408-12 ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE. On motion by Mayor Lockwood seconded by Committeewoman DeLanzo and passed on roll call, Ordinance No 1411-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 07/16/12 at 6:00 p.m. Complete Ordinance is on file in the Clerk's Office.

******Special Police Officer – Class I \$ 8.50 ph \$ 10.50 ph******

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

SECTION 1. The positions listed in the attached schedule are hereby created.

SECTION 2. The salary ranges specified in the attached schedule are hereby adopted for each and every position listed therein. In those cases where only one rate or figure appears in said schedule, said rate or

figure shall be the maximum rate of figure applicable to said position. In those cases where a maximum and minimum salary are hereby established for a position, the exact salary to be paid to the holder of said position shall be as determined from time to time by resolution of the Township Committee.

SECTION 3. The duties to be performed by each person holding any position listed in said schedule shall be those duties as outlined in Job Description of New Jersey Civil Service Department.

SECTION 4. In addition to the salaries set forth in said schedule, those employees who have held full time positions for a minimum of five years, as hereinafter defined, shall be entitled to additional compensation as set forth in this section, based upon current salary. The additional compensation to which the employee is entitled on January 1 of any year shall be the additional compensation for the entire year. In determining years of service on January 1 of any year, for the purpose of this Ordinance only, no credit shall be given for less than six full months of service in any year, and credit for a full year shall be given for any year in which the employee served for six full months or more.

Years of Service	Additional Compensation
(Percent of Annual Salary)	

5 years or more	2%
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10 years or more	4%
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15 years or more	6%
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20 years or more	8%
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25 years or more	10%
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Section 4 shall only apply to Township Employees hired before December 31, 1994.

SECTION 5. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 6. This Ordinance shall become effective, retroactive to January 1, 2012 immediately upon final passage and publication according to law.

26. ***TABLED***RESOLUTION 285-12 – APPROVING REVISED SEWER SERVICE AREA MAP AS PART OF THE WASTE WATER QUALITY MANAGEMENT PLAN – CAPE MAY COUNTY - On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, Cape May County is currently preparing a Waste Water Management plan in accordance with NJDEP rules; and

WHEREAS, the Township Committee and Vince Orlando of Engineering Design Associates have reviewed and approved of the attached revised sewer service area map; so

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee hereby approves the attached revised sewer service map as attached hereto.

Committeeman Donohue reminded all of the ceremony to be held on Friday, June 22 at 9:30 AM at Radzieta's for the cremated remains of 8 veterans. Thanked the Economic Development Council members who resigned for their services and welcomed new members. Advised the new footings for the Rio Grande playground will be done by the end of the week.

Mayor Lockwood said ceremony held on Saturday at the public works facility to honor 3 of our public works directors who have passed away said Bonnie Millard did a very nice job and it was a good ceremony. Congratulated the Middle Township High School Class of 2012. Spoke of the Resolution approving the Hotel/Motel licenses and advised they are working on improving them.

Chris of Remington & Vernick gave engineering report on different projects being worked on. Various road projects are almost complete in Whitesboro. Issue arose with New Jersey American Water, they are not going to start until September, so this project will be divided into different phases. Once documents are received, they will have a preconstruction meeting for the Bike Path, Phase III.

PUBLIC COMMENT

Carol Mattessich commented on Resolution 283-12 stating we have spent a lot of money on professionals-thought we were going to be aggressive in getting the number down on the affordable housing and why are the people in the MHP not considered towards the 454 number. Could we ask Judge to escrow our funds until we are sure of the number needed for Middle. Also questioned what happened to the tract of land that was sold by the Township in 2006 for over 6 million dollars. Said the developer could not get it off the ground.

Betty McGurk wanted to know if there was anything about a new regulation allowing trailer parks to be counted. Said she likes the non-profit but not the for profit for the affordable housing and that most of the residents feel that way.

Elijah Scull wanted to know if we have looked into a government sustained Housing Authority. Also wanted to know if there has ever been a Citizens Remedy lawsuit against a town?

Agnes Meehan stated that when this happened a few years ago Assisted Living could qualify towards affordable housing.

Mike Jedziniak said that a Dr. Burchell from Rutgers was the man who came up with our fair housing figure of 454 units. Said this is a tough path to go. He agrees the MHP are a common sense approach in reaching our goal. Mike said he has never heard of anyone filing a Citizens Remedy lawsuit against a town.

Committeeman Donohue said we are definitely talking about the MHP. Stated we only have one Assisted Living and that is the Loyaltown, it was not built in the proper time span. Also said they are looking at a list of foreclosures to see what might make good properties to use to donate to the non-profits. He had a report from Rutgers that he offered for the residents to take a look at.

Bob Noel also commented on Elijah Scull's comment about looking into a government sustained housing authority, stating that the Housing Board had looked into that, but they don't work and it would cost more money for the taxpayers.

Rosie Jefferson asked if it would be possible to put a bus shelter in the Edgewood section of Rio Grande on Rt 9. She also wanted to know if Cape May County was included in the Rutgers Survey.

Mayor Lockwood said he would look into a bus shelter.

Committeewoman DeLanzo stated she is very concerned about the Affordable Housing process for Middle Township.

ADJOURNED: 9:16 PM

1ST Committeeman Donohue

2nd Committeewoman DeLanzo

Aye: Committeewoman DeLanzo, Committeeman Donohue, Mayor Lockwood