

Cape May Court House, NJ
 May 6, 2013
 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 Clerk Kimberly Krauss, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon, Municipal Solicitor Marcus Karavan, and Township Engineer Marc DeBlasio.

1. QUESTION/ANSWER PERIOD ON AGENDA (This question and answer session shall relate only to items as outlined and pending on current agenda. Issues and concerns not related to agenda item shall be withheld to public comment portion at the conclusion of meeting.)
***No Public Comment**
2. RESOLUTION 219-13 – APPROVING PAYMENT FOR BILLS – BILL LIST B (Anzelone) – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. **Mayor Lockwood Abstain*
 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. \$320.00
3. RESOLUTION 220-13 – APPOINTMENTS – PART-TIME – NEW HIRE – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. **Mayor Lockwood Abstain*
 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 employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Chris Anderson	Recreation	Recreation Aide P/T T/A	\$9.00 ph*	04/22/2013
Joseph Moore	Recreation	Recreation Aide P/T T/A	\$9.00 ph*	04/22/2013
Edward Caparro	Recreation	Recreation Aide P/T T/A	\$9.00ph**	05/06/2013
Leroy Gift III	Public Works	Laborer 1 P/T T/A	\$9.00ph**	05/06/2013
Christina Oliver	Township Clerk / Registrar of Vital Statistics	Keyboarding Clerk 1 P/T T/A	\$9.00ph **	05/06/2013
Corrin Jurasik	Public Safety	PS Telecommunications Operator PT	\$10.46ph	05/07/2013

* \$10.00 after 6 months. T/A appointment (6 month appointment)
 **\$10.00 after 6 months. T/A appointment (12 month appointment)

4. RESOLUTION 221-13 – ENDORSING APPROVAL CERTIFICATE FOR DEALER OFF-SITE SALE PERMIT APPLICATION – DRIFTWOOD CAMPING RESORT – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. **Mayor Lockwood Abstain*
 WHEREAS, Driftwood Camping Resort, Inc. of Clermont, NJ has made application to the Township of Middle to hold an off-site show at Acorn Campground and King Nummy Campground in Middle Township, and
 WHEREAS, there will be no placement of units along the roadway for show or for sale to the public, and
 WHEREAS, the Zoning Official has no objection to said endorsement so long as the above condition is met and that no off premise advertising takes place.
 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 Municipal Clerk, and or her Deputy, is hereby authorized to sign the Approval Certificate.
5. RESOLUTION 222-13 – AMEND 2013 BUDGET – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, the local municipal budget for the year 2013 was approved on the 4th day of March, 2013, and
 WHEREAS, the public hearing on said budget has been held as advertised, and
 WHEREAS, it is desired to amend said approved budget.
 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 amendments to the approved budget of 2013 be made:

CURRENT FUND:		From	To
GENERAL REVENUES			
1.	Surplus Anticipated	\$ 1,140,000.00	\$ 1,255,000.00
	Total Surplus Anticipated	1,140,000.00	1,255,000.00
5.	Sub-Total General Revenues	8,075,848.72	8,190,848.72
6.	Amount to be Raised by Taxes for Support of Municipal Budget:		
a)	Local Tax for Municipal Purposes incl Reserve for Uncoll. Taxes	12,415,422.88	12,191,725.23
	Total Amount to be Raised by Taxes for Support of Municipal Budget	12,415,422.88	12,191,725.23
7.	Total General Revenues	20,491,271.60	20,382,573.95
ANTICIPATED APPROPRIATIONS:			
8.	General Appropriations:		
A)	Operations - Within "CAPS"		
GENERAL GOVERNMENT FUNCTIONS:			
	General Administration		
	Salaries and Wages	166,000.00	176,000.00
	Township Clerk		
	Other Expenses		
	Miscellaneous Other Expenses	35,500.00	34,500.00
	Information Technology		
	Other Expenses	32,000.00	31,000.00
	Legal Services and Costs		
	Other Expenses	387,000.00	367,000.00
	Engineering Services and Costs		
	Other Expenses	70,000.00	67,000.00
INSURANCE			
	Employee Group Health	3,053,620.00	3,033,620.00
PUBLIC SAFETY			
	Police		
	Salaries and Wages	4,500,000.00	4,470,000.00
PUBLIC WORKS FUNCTIONS:			
	Road Repairs and Maintenance		
	Motor Pool	190,000.00	181,000.00
	Total Operations within "CAPS"	15,524,171.00	15,450,171.00
	Total Operations including Contingent within "CAPS"	15,524,171.00	15,450,171.00
	Detail:		
	Salaries and Wages	8,055,100.00	8,035,100.00
	Other Expenses	7,469,071.00	7,415,071.00
(H-1)	Total General Appropriations for Municipal Purposes within CAPS	17,574,095.00	17,500,095.00
D)	Municipal Debt Service - Excluded from "CAPS"		
	Payment of Bond Anticipation Notes	330,000.00	300,000.00
	Total Municipal Debt Service - Excluded from "CAPS"	1,550,745.00	1,520,745.00
(H-2)	Total General Appropriations for Municipal Purposes Excluded from CAPS	1,951,062.72	1,921,062.72
(O)	Total General Appropriations Excluded from CAPS	1,951,062.72	1,921,062.72
(L)	Subtotal General Appropriations (Items H-1 and O)	19,525,157.72	19,421,157.72
(M)	Reserve for Uncollected Taxes	966,113.88	961,416.23
9.	Total General Appropriations	20,491,271.60	20,382,573.95
DEDICATED SEWER UTILITY BUDGET:			
10.	Dedicated Revenues from Sewer Utility		
	Rents - User Charges	3,673,171.00	3,682,624.24
	Total Sewer Utility Revenues	3,997,171.00	4,006,624.24
11.	Appropriations for Sewer Utility		
	Deferred Charges and Statutory Expenditures		
	Deferred Charges		
	Overexpenditure of Appropriation	-	9,453.24
	Total Sewer Utility Appropriations	3,997,171.00	4,006,624.24
BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the local municipal budget so amended.			
It is hereby certified that all additions and math in this amendment are correct.			
Glen J. Ortman, CPA, RMA			

6. RESOLUTION 223-13 – ADOPT 2013 MUNICIPAL BUDGET – 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, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that it is hereby declared that the Local Budget of the Township of Middle for the year 2013 was introduced and approved at a regular meeting of the Township Committee held on March 4, 2013 and was thereafter advertised in the Herald-Times in its issue on March 13, 2013, which advertisement contained a notice of the date, time and place of the public hearing, and that at least one week prior to public hearing a complete copy of the approved budget as advertised was posted in the Middle Township Hall and made available to each person requesting the same during said week, and that sufficient copies of same are available for each person requesting the same at the scheduled public hearing.

BE IT FURTHER RESOLVED, that the Local Budget of the Township for the year 2013 was hereby read by title only, and also had public hearing on April 1, 2013.

FURTHER RESOLVED, that the Summary of Appropriations be made part of this resolution for the adoption of the budget for the year 2013, and

FURTHER RESOLVED, that the Local Budget of the Township of Middle for the year 2013 is hereby adopted with amendment.

7. RESOLUTION 224-13 – APPOINTMENT / REAPPOINTMENT OF TERM – VARIOUS VOLUNTEER BOARDS – 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 person(s) be and is/are hereby appointed to the volunteer board as indicated below:

NAME	BOARD	TERM EXPIRES
Mark Saioni	Economic Development Council	12/31/2015*
Cheryl Spaulding	Economic Development Council	12/31/2013*

Carol Struett Economic Development Council 12/31/2015
Charles McNeal Recreation Advisory Council 12/31/2015
* filling unexpired term

8. SWEARING IN OF BOARD MEMBERS – *Cheryl Spaulding and Carol Struett*
9. PRESENTATION – WOMEN’S AUXILIARY – “PIN THE POPPY ON THE MAYOR”
10. RESOLUTION 225-13 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills)
– On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved: Current Acct. \$3,988,439.36
11. RESOLUTION 226-13 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: Work Session 4/15/2013; Regular Meeting 04/15/2013, Closed Session 04/15/2013.
12. REPORTS: The following departments have submitted their reports for the months indicated: Tax Collector for the month of April, Sewer Department for the month of April, Construction Official for the month of April, Zoning Official for the month of March, Clerk/Registrar for the month of April.
13. ACKNOWLEDGEMENT OF RETIREMENT: Police Sergeant Michael Elias has submitted his letter of intent to retire effective June 1, 2013.
14. NOTICE: The following ordinances will be rescheduled for 2nd reading and adoption as follows:

ORDINANCE NO. 1433-13 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – Second reading and consideration for adoption will be held on May 20, 2013

ORDINANCE NO. 1443-13 AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE SUM OF \$20,625.00 IN FUNDING FROM THE CAPITAL IMPROVEMENT FUND FOR THE REPAIR AND ACQUISITION OF HVAC UNITS MLK CENTER – Second reading and consideration for adoption will be held on May 20, 2013
15. ORDINANCE NO. 1444-13 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 112, ARTICLE 11, ENTITLED DRIVEWAY APRONS AND LOT GRADING – Following second reading, hearing, and consideration for adoption, Ordinance 1444-13 was adopted on motion by Mayor Lockwood seconded by Committeemember Donohue 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 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 as built 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 and shall comply with the standards for soil erosion and sediment control in New Jersey. All provisions shall be approved by the Cape Atlantic Conservation District.

(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. All provisions shall comply with the standards for soil erosion and sediment control in New Jersey.

(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. Any approved ground cover whether it be vegetation or not should comply with the "Standards for Soil Erosion and sediment Control in New Jersey" and be approved by the Cape Atlantic Conservation District.

(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 six inches of spread cover to all seeding and shall comply with the standards for soil erosion and sediment control in New Jersey. In the event that the quantity of topsoil at the site is insufficient to provide six 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 in accordance with the standards for soil erosion and sediment control in New Jersey. All provisions shall be approved by the Cape Atlantic Soil Conservation District.

(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 Cape Atlantic Soil Conservation District approvals shall be done in accordance with the standards for soil erosion and sediment control in New Jersey. 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. Projects that do not require a soil erosion and sediment control plan certification shall be approved by the Municipal Engineer or other township official designated by township Committee.

D. 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.

Committeemember Donohue – Purpose is to get our Ordinance in line with the Soil Conservation, which has been done by amending this Ordinance.

Carl Karmelowicz – Avalon Pointe Marina filled in their lot which is now higher than his lot. When it rains, the water runs into this yard, is this a violation?

Mayor Lockwood – Yes, it could be. If you talk to Zoning Office, they will have someone look at it for you.

16. ORDINANCE NO. 1445-13 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 250 THEREOF ENTITLED "ZONING" – Following second reading, hearing, and consideration for adoption, Ordinance 1445-13 was adopted on motion by Committeemember 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 in the County of Cape May and the State of New Jersey as follows:

Section 1. Chapter 250 of the Code of the Township of Middle is hereby amended and supplemented to add a new article to read as follows:

250-614 Height, area and yards

The maximum height within a flood hazard area is thirty five feet (35') above base flood elevation.

250-201 Terms defined

This chapter shall be amended by adding the following definitions

Advisory Base Flood Elevation (ABFE) —The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory stillwater elevation plus wave effect (ABFE = SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Advisory Flood Hazard Area (AFHA) —The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

Advisory Flood Hazard Map - The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

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. Should any section, paragraph, sentence, clause or phrase of the 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 4. This Ordinance shall become effective immediately upon filing with the Cape May County Planning Board and publication of notice of passage.

Connie Mahon – changes height requirements 35' feet above base flood elevation so people who are currently affected can rebuild or raise their home. This does not make any changes to the Model Flood Ordinance which is still being revised.

Carl Karmelowicz – 35' feet from the ground or the structure?

Elizabeth Terenick – This is changing the way we measure, by allowing 2 ½ stories to rebuild or raise their home. 35' feet from base flood elevation which is currently the advisory level. These levels are all still being reviewed.

Bernise Brunson – Who would be paying for them to go up that high?

Mayor Lockwood – This is new construction or remodeling, the homeowner is responsible for the costs.

17. ORDINANCE NO. 1447-13 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND BY A PRIVATE AUCTION TO BE HELD AMONG CONTIGUOUS OWNERS OF BLOCK 902, LOT 32 IN WHITESBORO – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, Ordinance No. 1447-13 passed first reading. Second reading, public hearing and consideration for adoption will be held on 06/03/2013 at 6:00 p.m. BE IT ORDAINED by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey that it is necessary that Township owned land be sold by a private auction among contiguous owners.

SECTION 1.

WHEREAS, New Jersey Statute 40A:12-13 provides the procedure for the sale of Township owned land, and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Township owned parcel, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and also provided that any such sale shall be for not less than the fair market value of the real property; and

WHEREAS, the Township owns a parcel of land identified as Block 936, Lot 32 in the Whitesboro Section of the Township; and

WHEREAS, the Township desires to sell the lot, which lot is less than the minimum size required for development under the zoning ordinance and which does not have any capital improvement upon it; and

WHEREAS, there are two (2) owners of lots which are contiguous to Block 936, Lot 32; and

WHEREAS, the two (2) owners shall be noticed and given an opportunity to participate in an open (public) auction limited to just the two (2) of them participating to purchase the parcel but at a price which is no less than the \$4,100 which has been offered by one of the contiguous owners, and which is the assessed value, and which Township Committee believes to be the fair market value of the lot; and

WHEREAS, the statute also requires that the municipality file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of advertisements for the ordinance;

NOW, THEREFORE, BE IT ORDAINED,

1. The Township Committee of the Township of Middle shall sell a portion of real property identified as Block 936, Lot 5 to the highest bidder at an open (public) auction to be held on June 18, 2013 at 1:00 p.m. in the meeting room of the Township Hall, 33 Mechanic Street, Cape May Court House, New Jersey, at which time only those two (2) owners of property contiguous to Block 902, Lot 32 which is offered for sale shall participate; and

2. The minimum bid shall be \$4,100.00; and

3. The auction shall be conducted by the Township Chief Financial Officer or her designee; and

4. The winning bidder shall sign a contract of sale which is attached hereto as Exhibit A and the terms of which are incorporated herein in full; and

5. The winning bidder shall be provided a deed in the form attached hereto as Exhibit B; and

6. That the Clerk or the Clerk's representative is to file the necessary affidavits with the Director of the Division of Local Government Services, and

7. The Mayor, Clerk, and any and all other Township Officials, are hereby authorized to sign those documents necessary to effectuate this transaction; and

8. Any and all costs associated with this transaction, including advertising and postage, are to be paid by the winning bidder.

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. Should any section, paragraph, sentence, clause or phrase 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 4. This ordinance shall become effective immediately upon final passage and publication, according to law.

Marc Karavan – Two owners but one is in process of selling the property which is under contract, so we are also notifying the contract purchaser.

18. ORDINANCE NO. 1448-13 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY ESTABLISHING A SOURCE SEPARATION AND RECYCLING POLICY – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, Ordinance No.1448-13 passed first reading. Second reading, public hearing and consideration for adoption will be held on 06/03/2013 at 6:00 p.m.

Whereas, the New Jersey Statewide Mandatory Source Separation and Recycling Act establishes a goal of 50% reduction of Municipal Solid Waste and a 60% reduction of all solid waste through source separation and recycling by residential, commercial and institutional establishments in all New Jersey municipalities; and

Whereas, the Cape May County Solid Waste Management Plan designates the lists of mandatory and recommended recyclables to be source separated for recycling in all sectors of the community; and

Whereas, recycling will reduce the municipality's expense of solid waste disposal, conserve energy and valuable resources, extend the life of Cape May County's only landfill and has the potential to produce revenues from the sale of such recyclable materials.

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

SECTION 1 – SHORT TITLE

This chapter shall be known and may be cited as the TOWNSHIP OF MIDDLE Recycling Program Ordinance."

SECTION 2 – DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Designated Recyclable Materials" - means those materials designated within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The recycling of these materials is mandatory; they cannot be disposed of as solid waste. The Source Separated Recyclable Materials

that are mandated for recycling are organized into the following two categories, which include but are not limited to:

Category 1: Designated Recyclable Materials To Be Set Out At Curbside:

(a) The following Source Separated Recyclable Materials shall be mixed together and set out at curbside for collection; this set out and collection system shall be known as "Single Stream Collection". The following items are included as "Single Stream Recyclable Materials":

Paper Products – Newspaper with inserts, magazines, office paper, junk mail including shredded paper, telephone and paperback books, corrugated cardboard, brown paper bags, non-foil wrapping paper, and chipboard packaging including but not limited to dry food boxes (cereal, rice, pasta, cookie and cracker), gift, shoe and tissue boxes, powdered detergent boxes, paper towel rolls, clean pizza boxes (no food debris) and cardboard beverage carriers. Remove and throw away all liner bags, food contaminated paper and waxed-coated cardboard boxes. Shredded paper may be placed in a clear plastic bag.

Glass, Food and Beverage Containers – Clear, green and brown food and beverage bottles and jars, excluding however, blue bottles, window glass and light bulbs. All food and liquid residue shall be removed from containers.

Metal Food and Beverage Containers – Aluminum and steel food and beverage containers 5 gallons or less in size, including empty aerosol cans. No paint cans. All food and liquid residue shall be removed from containers.

Plastic Containers – Plastic containers imprinted with a (PETE), (HDPE), (PVC), (LDPE), (PP), (PS) or (Other) on the bottom, 5 gallons or less in size, including bottles, jugs, jars and other rigid plastic containers. Plastic containers from food, beverage, health, beauty and cleaning products are included. Examples include, but are not limited to; margarine tubs, microwave trays, yogurt containers, plastic buckets and landscape pots. No Styrofoam packaging. No polystyrene egg cartons. No beverage cups. No PVC pipe. No plastic film. No plastics which contained chemicals or hazardous products, such as motor oil or pesticide containers. All food and liquid residue shall be removed from containers.

Category 2: Designated Materials To Be Recycled By The Individual Generator Or Municipality Via Drop-off At Cape May County Municipal Utilities Authority (CMCMUA) or Private NJDEP Approved Recycling Facilities, as applicable:

(a) Christmas Trees – Free of decorations, tree stands and plastic bags;

(b) Leaves – Comprised mainly of tree and plant leaves and not contaminated with brush or other material; and

(c) Grass - Lawn grass clippings.

(d) Brush, Tree Branches and Stumps – All parts of vegetative growth from trees, and vegetative materials generated during land clearing;

(e) Ferrous and Non-Ferrous Scrap – Metals, such as copper, iron, sheet metal, aluminum, radiators, structural steel, metal pipe and "white goods" including, but not limited to, appliances containing "CFC's" or Freon;

(f) Computers and Consumer Electronics – shall mean a computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines, cathode ray tubes, cathode ray tube devices, flat panel displays or similar video display devices with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards including, but not limited to, televisions and cell phones. Also includes VCR's, radios and landline telephones;

(g) Motor Oil / Kerosene / # 2 Heating Oil - Crank-case oil and similar oils, kerosene fuel and #2 home heating oil which are used to fuel heating equipment;

(h) Wood Pallets and Crates – Clean untreated, unpainted pallets and crates only;

(i) Batteries - Lead Acid Batteries – Used SLA (sealed lead acid) batteries generated from motor vehicles, aviation and marine equipment;

(j) Propane Tanks – Empty 20 to 30 lb. BBQ type tanks;

(k) Contaminated Soil – If classified as ID27, all fuel contaminated soil, dewatered soil, and stone from septic beds and similar materials which are allowed to be recycled in accordance with the regulations of the New Jersey Department of Environmental Protection;

(l) Commercial Cooking Grease – Grease and oil generated from food preparation by commercial sources only;

(m) Asphalt and Concrete – Asphalt and concrete materials from construction and demolition projects;

(n) Auto and Truck Bodies – All junk automobiles, trucks and parts;

(o) Tires – Worn truck and passenger car tires;

(p) Used Oil Filters – Used filters that are generated from changing crankcase oil in automobiles, trucks and other vehicles;

(q) Anti-freeze – Used antifreeze generated from automobiles, trucks and other vehicles/sources; and

(r) Consumer Rechargeable NiCad (Nickel-Cadmium) and Small Sealed Lead Acid Batteries – Small sealed batteries generated from use of electronic equipment.

"Municipal Recycling Coordinator" - means the person or persons appointed by the municipal governing body and who shall be authorized to enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder. This appointee shall also be responsible to assure that all materials recycled in the municipality are properly reported and recorded. The New Jersey Mandatory Source Separation and Recycling Act requires that each municipality appoint at least one individual as Municipal Recycling Coordinator who has successfully completed all requirements mandated by the State of New Jersey to be designated as a New Jersey Certified Recycling Professional;

"Municipal Solid Waste (MSW) Stream" - means all solid waste generated at residential, commercial and institutional establishments within the boundaries of the TOWNSHIP OF MIDDLE;

"NJDEP" - means the New Jersey Department of Environmental Protection;

“Recommended Recyclable Materials” – means those materials recommended within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The Source Separated Recyclable Materials that are recommended for recycling are:

“Recyclable” or “Recyclable Material” - means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

“Source Separation” - means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

“Source Separated Recyclable Materials” - means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

SECTION 3 - APPLICABILITY OF MANDATORY SOURCE SEPARATION AND RECYCLING REQUIREMENTS

A. Mandatory Source Separation: It shall be mandatory for all persons who are owners, lessees, tenants or occupants of residential and non-residential premises, including but not limited to retail and commercial locations, government, schools and other institutional locations within TOWNSHIP OF MIDDLE, to separate Designated Recyclable Materials from all solid waste.

1) Category 1 Designated Recyclable Materials shall be placed at the curb in a manner and on such days and times as may be hereinafter established by the TOWNSHIP OF MIDDLE.

2) When municipal curbside collection is not provided for Designated Recyclable Materials, as is the case for those recyclables included in Category 2, it shall be the obligation of the generator to deliver or arrange for the delivery of such materials to the Cape May County Municipal Utilities Authority (CMCMUA) recycling facilities located at the Sanitary Landfill and/or Transfer Station as applicable, or to a private sector market for recycling.

SECTION 4 - COLLECTION OF RECYCLABLE MATERIALS

The collection of Source Separated Recyclable Materials shall be in the manner prescribed as follows:

A. It is the responsibility of the property owner to provide adequate size and number of containers for the placement of recyclables for curbside collection as follows: Single Stream Recyclable Materials as defined in Category 1(a) shall be mixed together in one container. More than one container may be used for Single Stream Recyclable Materials; however, each container used should be marked or labeled to identify its contents as Single Stream Recyclable Materials. All set out containers which contain Single Stream Recyclable Materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be recycled shall be placed as noted above any time after 5:00 PM of the day immediately preceding the day of collection, but no later than 6:00 AM of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 PM of the day of collection.

B. All receptacles or dumpsters shall be maintained in a clean and safe manner.

C. The following materials must be Source Separated and recycled through the municipal recycling program in the following manner:

1) Leaves and Grass – Leaves shall be raked to the curbside for bulk pickup beginning on or about November 1 of each year and ending on or about January 15 of each year. All other times of the year leaves shall be in biodegradable paper leaf bags or in open containers and placed at curbside with the recyclables. Grass clippings shall be in a biodegradable leaf paper bag or open container and placed at curbside with the recyclables. The weight of the bag/container is not to exceed 50 pounds.

2) Christmas Trees – Natural Christmas trees shall be placed at curbside for collection free of all decorations, tree stands and plastic bags starting on or about December 26 of each year and ending on or about February 15 of each year.

3) Brush, Tree Branches and Small Trees- Brush, branches and small trees shall be placed at curbside for pickup by the Township of Middle. They must be freshly cut and are not to exceed three inches in diameter and no longer than eight feet. All brush and small trees must be free of roots, dirt and soil.

4) White Goods (appliances) – Ferrous and nonferrous scrap metal shall be placed at curbside on regularly scheduled trash day.

5) Ferrous and Non-Ferrous Scrap – Shall be placed at curbside on regularly scheduled trash day.

6) Computers and Consumer Electronics- Shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.

7) Tires- Shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.

8) Antifreeze- Shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.

9) Lead Acid Batteries- Shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.

10) Used Motor Oil- Shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.

D. The following materials must be Source Separated and recycled by the generator at authorized CMCMUA recycling facilities or any NJDEP approved recycling center:

1) Wood Pallets and Crates – by individual generator.

2) Propane Tanks – by individual generator.

3) Computers and Consumer Electronics – curbside by Township of Middle.

4) Tires – curbside by Township of Middle.

5) Antifreeze – curbside by Township of Middle.

6) Lead Acid Batteries – curbside by Township of Middle.

7) Used Motor Oil – curbside by Township of Middle.

- 8) Kerosene / #2 Heating Oil – by individual generator.
- 9) Used Oil Filters — by individual generator.
- 10) Asphalt and Concrete – by individual generator.
- 11) Auto and Truck Bodies – by individual generator.
- 12) Contaminated Soil – by individual generator.
- 13) Commercial Cooking Grease – by individual generator.
- 14) Consumer Rechargeable NiCad and Small Sealed Lead Acid Batteries – by individual generator.

Subsection 4.1 - Residential Dwelling Compliance Requirements

The owner of each property shall be responsible for compliance with this Ordinance. For multifamily units, including but not limited to condominium complexes and seasonal hotel/motels and guest houses, the management or owner is responsible for setting up and maintaining the recycling system, including collection of Designated Recyclable Materials, except for those Designated Recyclable Materials for which municipal collection service is provided to multifamily units. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The owner or management shall issue notification and collection rules regarding recycling requirements to all new tenants when they arrive and with a reminder a minimum of every 6 months during their occupancy.

Subsection 4.2 - Commercial Establishment Compliance Requirements

- A. All commercial, business or industrial facilities shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of all categories of Designated Recyclable Materials hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, except for those specific Designated Recyclable Materials that are collected by the municipality from that property. All commercial, institutional or industrial properties at which litter is generated by employees or the public shall provide litter and recycling receptacles. These properties shall provide for separate recycling collection services for the contents of the recycling receptacles.
- C. Every business, institution or industrial facility shall report on a quarterly basis to the Municipal Recycling Coordinator, on such forms as may be prescribed, regarding recycling activities at their premises, including the amount and type of recycled material not placed curbside for municipal collection. If material is removed from the premises by a hauler, recycler or paper shredder, the quantity and final disposition of the material is to be reported on the form.
- D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle Commercial Cooking Grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

Subsection 4.3 - New Developments of Multi-Family Residential Units or Commercial, Institutional or Industrial Properties

- A. Any application to the planning board of the Township of Middle, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of three or more units or any commercial, institutional or industrial development of 1,000 square feet or more, must include a recycling plan. This plan shall contain, at a minimum, the following:
 - 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and
 - 2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Township of Middle, the owner of any new multi-family housing or commercial, institutional or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of Source Separated Designated Recyclable Materials for those locations or properties where the municipality does not otherwise provide this service.

SECTION 5 - PROHIBITION OF THE COLLECTION OF WASTE MIXED WITH RECYCLABLE MATERIALS

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, Designated Recyclable Materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the container of solid waste contains Designated Recyclable Materials.
- B. It shall be the responsibility of the owner or occupant to properly segregate the uncollected waste for proper disposal and/or recycling. Allowing such unseparated solid waste and recyclables to accumulate at the curbside beyond 7:00 p.m. on the day of collection will be considered a violation of this ordinance and the local sanitary code.
- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than any personnel authorized by the municipality or the owner or occupant responsible for placement of the Designated Recyclable Materials for collection, shall tamper with, collect, remove, or otherwise handle Designated Recyclable Materials. Upon placement of such Designated Recyclable Material, it shall become property of the municipality. It shall be a violation of this ordinance for any person not duly authorized to collect or pick up or cause to be collected or picked up any Recyclable Materials that are the property of the municipality as provided for above.

SECTION 6 - CONSTRUCTION, RENOVATION AND DEMOLITION DEBRIS RECOVERY PLAN

For all activities that require municipal approval such as construction, demolition or public event permits, a Designated Recyclable Materials plan shall be filed along with all other required permit conditions. The plan shall include provisions for the recovery of all Designated Recyclable

Materials generated during construction, renovation and demolition activities, as well as, public events.

Subsection 6.1 - Compliance with Diversion Requirement

The Municipal Recycling Coordinator shall review the information submitted pursuant to this Section of the Ordinance and determine, prior to the issuance of the municipal approval or permit, whether the plan submitted by the owner of the entity carrying out the covered activity will comply or fail to comply with the recycling requirements set forth herein. The determination regarding compliance will be provided to the Municipal Public Works Director/Supervisor and the owner of the entity carrying out the covered project in writing. When such plan is deemed not compliant, the Municipal Recycling Coordinator shall include specific conditions to be implemented by the permit holder to achieve compliance. It shall be a violation of this Ordinance for any owner or permit holder to fail to comply with the recycling requirements set forth herein.

SECTION 7 – ENFORCEMENT

The Municipal Recycling Coordinator and/or his designee shall be specified via resolution by the governing body, as designated from time to time, if necessary. Said employee and/or employees are individually and severally empowered to enforce the provisions of this Ordinance. The enforcers of the ordinance may conduct inspections at the site of the generator, which consists of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any Designated Recyclable Material.

Additionally, the Cape May County Health Department (CMCHD) shall be empowered to enforce the provisions of this Ordinance. The municipality shall retain primary enforcement responsibility with the CMCHD serving in a secondary enforcement role which includes inspection of commercial establishments with proof of violations prior to law enforcement actions.

SECTION 8 – SEVERABILITY AND EFFECTIVE DATE

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

This Ordinance shall take effect immediately upon enactment by the governing body of the municipality.

SECTION 9 – RULES AND REGULATIONS

The governing body is hereby authorized to promulgate, from time to time, additional rules and regulations relating to the Source Separation, preparation, placement and collection of Recyclable Materials pursuant to the provisions of this program and subchapter; provided, however, that such rules and regulations shall not be inconsistent with terms and provisions of this subchapter and shall be approved by the governing body. Such rules and regulations shall be duly promulgated subsequent to publication so that the public has had notice thereof.

SECTION 10 – PENALTY

Any person or entity violating, or failing to comply with, any of the provisions provided in this Ordinance shall, upon conviction thereof, be punishable by a fine of not less than \$50 and not more than \$500 or by imprisonment for a term not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the municipal judge. The continuation of any violation for each successive day shall constitute a separate offense, and the person, persons, or entity allowing or permitting the continuation of the violation may be punished as provided above for each separate offense. Any violation may be afforded at least one warning at the discretion of the enforcement designees before the issuance of any fines.

SECTION 11. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 12. Should any section, paragraph, sentence, clause or phrase 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 13. This ordinance shall become effective immediately upon final passage and publication, according to law.

Committeemember Donohue – This Ordinance will put Middle Township in line with the County’s new single stream recycling program.

19. RESOLUTION 227-13 – AUTHORIZING EMERGENCY CONTRACT – MUFFIN MONSTER SEWAGE GRINDER – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle has declared an emergency in the township due to a failing sewage grinder, and

WHEREAS, the Township of Middle needs to purchase a new sewage grinder to dispose of said sewage, and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, Cape May County, State of New Jersey contracts are hereby authorized under NJSA 10A:11-6 to the Contractors listed below:

As the Chief Financial Officer of the Township of Middle, I acknowledge the sum of not to exceed \$39,888.00 has been authorized for the following service or items: Muffin Monster Sewage Grinder. It is further certified that sufficient funds are available from the following appropriation or ordinance to cover this contract: 3-07-55-512-512-012.

PO#: 21301145. Vendor: Deltronics

Mayor Lockwood – Significant pump failure at Holly Beach Station in Rio Grande. It was determined that it was an emergency situation but survived off of a generator for a significant amount of time. In order for it to work effectively, it needed to be fixed as quickly as possible.

20. RESOLUTION 228-13 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeemember Donohue 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 resignation listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Leroy Sneathen	Public Works	Laborer 1 P/T	05/02/2013
Lauren Long	Public Safety	PS Telecommunications Operator	05/09/2013
Chanel Matthews	Recreation	Recreation Aide P/T T/A	05/06/2013
Joseph Gamble	Public Safety	Special Class II Police Officer	05/06/2013

21. RESOLUTION 229-13 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS-SJTP (SOUTH JERSEY TECH PARTNER) - REMOTE SERVER MONITORING – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between SJTP (South Jersey Tech Partner) and the Township of Middle for Remote Server Network Monitoring and Administration Service 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.
SJTP (South Jersey Tech Partner) – Remote Server Network Monitoring and Administration Service – not to exceed \$9,000.00

22. RESOLUTION 230-13 – SOCIAL AFFAIRS PERMIT – WILDWOOD GOLF CLUB – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Wildwood Golf Club has applied for approval to sell alcoholic beverages at an event to be held at Wildwood Golf Club, 1170 Golf Club Rd, CMCH, NJ 08210, on June 5, 6, 7, 8,9, 2013 from 11:00am until 1:00 a.m., 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.

23. RESOLUTION 231-13 through 233-13 – RELEASE OF PERFORMANCE BOND – STREET OPENING (ITEMS A THROUGH C) – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

A) WHEREAS, \$5,000.00 is being held as a performance guarantee for Inframap Corp. for the street opening located at Bayberry Drive, and
WHEREAS, the Public Work Department has conducted his inspection and determined that all improvements have been completed, and
WHEREAS, it has been recommended that the performance guarantee for the above stated project be released.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the above reference opening has been inspected and approved and the performance bond shall be released.

B) WHEREAS, \$5,000.00 is being held as a performance guarantee for Jonathon Hand Excavating for the street opening located at 22 Laurel Avenue, and
WHEREAS, the Public Work Department has conducted his inspection and determined that all improvements have been completed, and
WHEREAS, it has been recommended that the performance guarantee for the above stated project be released.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the above reference opening has been inspected and approved and the performance bond shall be released.

C) WHEREAS, \$5,000.00 is being held as a performance guarantee for Mitchell Nichols Enterprises, Inc. for the street opening located at the following locations:

701 Old Avalon Blvd
Channel Road

WHEREAS, the Public Work Department has conducted his inspection and determined that all improvements have been completed, and
WHEREAS, it has been recommended that the performance guarantee for the above stated project be released.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the above reference opening has been inspected and approved and the performance bond shall be released.

24. RESOLUTION 234-13 – SALARY 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 employee salary be amended to the amount opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFF. DATE
Janet Williams	Recreation	Recreation Aide P/T	\$12.00 p/h	05/06/2013

25. RESOLUTION 235-13 through 236-13 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – LOMAX CONSULTING GROUP (ITEMS A

THROUGH B) – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

- A) NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between The Lomax Consulting Group and the Township of Middle for Sewer Service Area Analysis, 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.

The Lomax Consulting Group – Sewer Service Area Analysis – Not to exceed \$1,250.00

- B) NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between The Lomax Consulting Group and the Township of Middle for Wetland Delineation / NJ DEP Letter of Interpretation Application Support for the Ockie Wisting Recreational Complex, 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.

The Lomax Consulting Group – Wetland Delineation / NJ DEP Letter of Interpretation Application Support for the Ockie Wisting Recreational Complex – Not to exceed \$5,950.00

26. RESOLUTION 237-13 – DEPARTMENT CHANGE – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following department changes listed below are hereby acknowledged:

NAME	PREV. DEPT.	NEW DEPT.	TITLE	EFFECTIVE
John Hearon	Public Works	Sewer	Laborer 1	05/06/2013
Beth Mutter	Township Clerk /		Tax Collection	Keyboarding
	05/06/2013	Registrar of Vital Statistics	Clerk 1 P/T	

27. RESOLUTION 238-13 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – SCOTT J. WAHL – PUBLIC INFORMATION OFFICER – 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 Scott J. Wahl and the Township of Middle for a Public Information Officer, 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.

Scott J. Wahl – Public Information Officer – Not to exceed \$6,667.00

28. RESOLUTION 239-13 – RESCINDING RELEASE OF TRUST ACCOUNT – AMENDING RESOLUTION 177-13 – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, on April 1, 2013 via Resolution 177-13 the trust account belonging to Triad III LLC was released in the amount of \$1,006.76, and

WHEREAS, the applicants have decided to move forward with their project, therefore the trust account has been re-established and the funds have been re-deposited in connection therewith.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that per the Zoning Officer and Land Use Administrator the request to release the trust account for Triad III LLC is hereby rescinded and the trust account is hereby re-established.

29. RESOLUTION 240-13 – ACKNOWLEDGEMENT OF TERMINATION – 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 termination listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Tyree Greer	Public Works	Laborer 1 P/T	04/17/2013

30. RESOLUTION 241-13 – RELEASE OF TRUST ACCOUNTS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid, and

WHEREAS, the applicants are entitled to a refund of this money.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts, as listed on the attached sheets, shall be released.

31. RESOLUTION 242-13 – DECLARING THAT THE 80-UNIT AFFORDABLE RENTAL HOUSING DEVELOPMENT FOR FAMILIES PROPOSED ON 8 RAILROAD AVENUE AND ON 4006 ROUTE 9 SOUTH RIO GRANDE MEETS OR WILL MEET AN EXISTING

HOUSING NEED PURSUANT TO THE RULES AND POLICIES OF THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, Middle Township Housing Associates, LLC and Rio Grande Housing Partners, LLC, as, successors in interest to Conifer Realty, LLC, (hereinafter referred to as the “Sponsor”) propose to construct a housing development (hereinafter referred to as the “Project”) consisting of 80 affordable rental units for families pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Middle (hereinafter referred to as the “Municipality”) on sites described as Block 56.01, Lot 46 as shown on the Official Assessment Map of the Township of Middle, Cape May County and commonly known as 8 Railroad Avenue, Cape May Court House, New Jersey (48 units) and Block 1523, Lots 3 & 4 as shown on the Official Assessment Map of the Township of Middle, Cape May County and commonly known as 4006 Route 9 South, Rio Grande, New Jersey (32 units); and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Project will be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the “Department of Community Affairs”), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing development in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Middle (the “Committee”) that:

- (1) The Committee finds and determines that the 80-unit affordable rental housing development for families proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

32. RESOLUTION 243-13 – DECLARING THAT THE 80-UNIT AFFORDABLE RENTAL HOUSING DEVELOPMENT FOR FAMILIES PROPOSED ON 4006 ROUTE 9 IN RIO GRANDE MEETS OR WILL MEET AN EXISTING HOUSING NEED PURSUANT TO THE RULES AND POLICIES OF THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, Rio Grande Housing Partners, LLC, as, successor in interest to Conifer Realty, LLC, (hereinafter referred to as the “Sponsor”) proposes to construct a housing development (hereinafter referred to as the “Project”) consisting of 80 affordable rental units for families pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Middle (hereinafter referred to as the “Municipality”) on a site described as Block 1523, Lots 3 & 4 as shown on the Official Assessment Map of the Township of Middle, Cape May County and commonly known as 4006 Route 9 South, Rio Grande, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Project will be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the “Department of Community Affairs”), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing development in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Middle (the “Committee”) that:

- (1) The Committee finds and determines that the 80-unit affordable rental housing development for families proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

33. RESOLUTION 244-13 – ENDORSING THE FINDINGS OF THE TOWNSHIP PLANNER WITH REGARD TO THE LACK OF A DENSITY BONUS FOR MIDDLE TOWNSHIP ASSOCIATES, LLC. AND RIO GRANDE HOUSING PARTNERS, LLC. – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, Middle Township Associates, LLC and Rio Grande Housing Partners, LLC, (hereinafter referred to as the “Sponsor”) proposes to construct a multi-family housing development (hereinafter referred to as the “Project”) within the Township of Middle (hereinafter referred to as the “Municipality”) on sites described as Block 56.01, Lot 46 and Block 1523, Lots 3 & 4 as shown on the Official Tax Assessment Map of the Municipality located in Cape May County, New Jersey and commonly known as the Railroad Avenue-Rio Grande project; and WHEREAS, all of the units in the Project will qualify as low or moderate income units under the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the regulations of the Council on Affordable Housing (“COAH”), N.J.A.C. 5:96 et seq. and N.J.A.C. 5:97 et seq. and the Uniform Housing Affordability Controls, N.J.A.C 5:80-26 et seq.; and WHEREAS, the Sponsor will be filing an application for low income housing tax credits (the “Tax Credits”) with the New Jersey Housing and Mortgage Finance Agency (“NJHMFA”) to fund the development of the Project; and WHEREAS, a project is not eligible for Tax Credits if it has received a density bonus; and WHEREAS, NJHMFA requires the Sponsor to obtain a letter from a professional with knowledge concerning the approval process and density bonuses stating that the Project has not received a density bonus as outlined in N.J.A.C. 5:80-33.12(a), which letter must be endorsed by the Township Committee; and WHEREAS, the Township Planner has issued a letter (the “Confirmation of No Density Bonus Letter”), a copy of which is attached, stating that the Project has not received a density bonus; and WHEREAS, the Township Committee wishes to endorse the Confirmation of No Density Bonus Letter.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby endorses the Confirmation of No Density Bonus Letter.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign this endorsement on behalf of the entire Township Committee.

Elizabeth Terenik – Conifer is applying to fund for this project and the company is requiring these documents relative to a density bonus.

***Committeemember DeLanzo left meeting. 6:33pm**

34. RESOLUTION 245-13 – ENDORSING THE FINDINGS OF THE TOWNSHIP PLANNER WITH REGARD TO THE LACK OF A DENSITY BONUS FOR RIO GRANDE HOUSING PARTNERS, LLC. – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.
- WHEREAS, Rio Grande Housing Partners, LLC, (hereinafter referred to as the “Sponsor”) proposes to construct a multi-family housing development (hereinafter referred to as the “Project”) within the Township of Middle (hereinafter referred to as the “Municipality”) on a site described as Block 1523, Lots 3 & 4 as shown on the Official Tax Assessment Map of the Municipality located in Cape May County, New Jersey and commonly known as the Rio Grande site; and WHEREAS, all of the units in the Project will qualify as low or moderate income units (excepting the manager’s apartment) under the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the regulations of the Council on Affordable Housing (“COAH”), N.J.A.C. 5:96 et seq. and N.J.A.C. 5:97 et seq. and the Uniform Housing Affordability Controls, N.J.A.C 5:80-26 et seq.; and WHEREAS, the Sponsor shall be filing an application for low income housing tax credits (the “Tax Credits”) with the New Jersey Housing and Mortgage Finance Agency (“NJHMFA”) to fund the development of the Project; and WHEREAS, a project is not eligible for Tax Credits if it has received a density bonus; and WHEREAS, NJHMFA requires the Sponsor to obtain a letter from a professional with knowledge concerning the approval process and density bonuses stating that the Project has not received a density bonus as outlined in N.J.A.C. 5:80-33.12(a), which letter must be endorsed by the Township Committee; and WHEREAS, the Township Planner has issued a letter (the “Confirmation of No Density Bonus Letter”), a copy of which is attached, stating that the Project has not received a density bonus; and WHEREAS, the Township Committee wishes to endorse the Confirmation of No Density Bonus Letter.
- NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby endorses the Confirmation of No Density Bonus Letter.
- BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign this endorsement on behalf of the entire Township Committee.
35. RESOLUTION 246-13 – AUTHORIZING MAYOR TO ISSUE LETTER OF MUNICIPAL SUPPORT – MIDDLE TOWNSHIP HOUSING ASSOCIATES, LLC. – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
- NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Mayor is hereby authorized to sign a Municipal Letter of Support on behalf of the entire governing body, for Middle Township Housing Associates, LLC. in connection with Railroad Avenue Housing Development.
36. RESOLUTION 247-13 – AUTHORIZING MAYOR TO ISSUE LETTER OF MUNICIPAL SUPPORT – RIO GRANDE HOUSING PARTNERS, LLC. – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
- NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Mayor is hereby authorized to sign a Municipal Letter of Support on behalf of the entire governing body, for Rio Grande Housing Partners, LLC. in connection with Rio Grande Housing Development.

37. RESOLUTION 248-13 – AUTHORIZING PARTICIPATION IN THE CAPE MAY COUNTY LITTER ABATEMENT PARTNERSHIP PROGRAM FOR 2013 – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, the Cape May County Municipal Utilities Authority has adopted a Litter Abatement Partnership Program for 2013, and
 WHEREAS, the Township of Middle desires to participate in said program.
 NOW THEREFORE BE IT RESOLVED, by the governing body of the Township of Middle, in the County of Cape May, and State of New Jersey that the Township of Middle is hereby authorized to participate in the Cape May County Litter Abatement Partnership Program for 2013 as established by the Cape May County Municipal Utilities Authority.
 BE IT FURTHER RESOLVED that the Township of Middle will initiate the following steps:
 I. Providing a minimum of four (4) days of residential bulky waste collection services at no cost to individual customers.
 II. The schedule for these collection services must be established and provided to the Authority prior to being eligible for any benefits under this program. The dates for 2013 have been set for June 20, 2013, August 23, 2013, October 24, 2013 and December 19, 2013.
 II. Enforcement of an anti-littering and anti-dumping ordinance which establishes penalties for littering and illegal dumping at a minimum \$500.00 fine plus the cost of clean-up, and provides financial rewards for reporting such activities. The Township of Middle has adopted such an ordinance.
 III. As a supplement to these basic litter abatement services, the following measures have been approved:
 A. Provide satellite container and/or drop-off areas for household bulky wastes.
 B. Conduct special community-wide clean-up projects and/or special clean-up projects of selected local areas where illegal refuse dumping has occurred. (The CCMUA must be advised, in advance, of the dates and locations of any special clean-up projects in order for any refuse collected from these special clean-up projects to be eligible as one of the municipality’s four (4) no-cost disposal days at the Authority’s solid waste disposal facilities.)
 C. Develop and carry out, within six (6) months of program adoption, a community-wide litter abatement education and information program. Such a program should disseminate anti-littering information to the entire community at least once every six (6) months. Assistance in preparing such programs will be provided by the Authority upon request.
 BE IT FURTHER RESOLVED that the Township of Middle, by the adoption of this Resolution, becomes eligible to participate in the Litter Abatement Partnership for 2013 during the period of January 1, 2013 to December 31, 2013.
Connie Mahon – CMC MUA offers the opportunity for all municipalities to participate in the program to offer four (4) free days of litter abatement within the municipality. Four of our free bulkhead days we will not be charged tonnage now, so residents should take advantage of these days. The Township will benefit from savings of this program.
38. RESOLUTION 249-13 – ACKNOWLEDGING FIREWORKS DISPLAY AT STONE HARBOR GOLF CLUB – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, Stone Harbor Golf Club, through Pyrotecnico, has requested permission to conduct an outdoor fireworks display as part of a wedding ceremony on May 18, 2013, and
 WHEREAS, as part of the approval Stone Harbor Golf Club must comply with all conditions as set forth in Chapter 142-8 Subsections C, D, and E of the code of the Township of Middle as well as apply for and receive the appropriate permits in connections with the regulations of the Bureau of Fire Prevention, Fire District No 1, and
 WHEREAS, Pyrotecnico has provided the Township of Middle with the following, which have been reviewed and approved by the ACJIF, as required:
 - COI with NJ workman’s insurance certificate
 - NJ Hold Harmless Agreement
 - NJ Surety Bond
 - First Light Inspection Letter
 NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey does hereby acknowledge a fireworks display at Stone Harbor Golf Club on May 18, 2013.
 BE IT FURTHER RESOLVED, that the request for an extension on the Middle Township Noise Ordinance is hereby granted until 9:30pm.
39. RESOLUTION 250-13 – AMENDING FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK & WALBERG ENGINEERS – LEONARD’S LANE – EMERGENCY CAFRA PERMIT – 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, New Jersey Department of Environmental Protection, Division of Land Use Regulation has issued a Federal Consistency Determination for the construction activities proposed along Leonard’s Lane, and
 WHEREAS, in reversal of their previous determination, the NJDEP now requires that the Township of Middle obtain a CAFRA Individual Permit, prior to paving the southerly section of this roadway, and
 WHEREAS, this emergency authorization will allow the work to proceed, while the formal permit application is being prepared for State review, and
 WHEREAS, Remington, Vernick & Walberg Engineers will be providing Emergency CAFRA Permit Scope work in connection with this permit.

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 Emergency CAFRA Permit Scope work mentioned above and said contract shall be amended as follows:
 Remington, Vernick & Walberg Engineers – Emergency CAFRA Permit Scope Work – Leonard’s Lane – Not to exceed \$7,800.00
Committeemember Donohue – We were originally told that we did not need a CAFRA permit but now according to the State DEP they are requiring a CAFRA Permit.

40. RESOLUTION 251-13 – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION – SAND DOLLAR SUBDIVISION – SEWER EXTENSION – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Mayor is hereby authorized to sign the Treatment Works Approval Permit Application, Statement of Consent, and any and all permit applications in connection therewith for the sewer extension for Sand Dollar Estates Subdivision.
Kimberly Krauss – Township Engineer has reviewed the application and has advised that it is acceptable.

41. RESOLUTION 252-13 – AMENDING RATIFIED SHARED SERVICE AGREEMENT WITH THE BOROUGH OF AVALON FOR ANIMAL CONTROL SERVICES – 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, State of New Jersey that the shared services agreement between the Borough of Avalon and the Township of Middle for Animal Control Services shall read as follows:

COST OF SERVICE

In consideration for the afore described Animal Control Services, Avalon shall pay to Middle Township from January 1, 2013 through June 29, 2013 an hourly rate of Seventy Seven (\$77.60) Dollars and Sixty Cents (not to exceed \$7,203.00). Payments for services provided under this Agreement shall be made to the Township of Middle within 30 days of being billed for said services.

42. RESOLUTION 253-13 – APPOINTMENT– DEPUTY REGISTRAR OF VITAL STATISTICS – 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 employee is hereby appointed to the following position opposite their name:

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 opposite their name:

NAME	DEPARTMENT	TITLE	STIPEND	EFF. DATE	EXP. DATE
Suzanne Stocker	Township Clerk / Registrar of Vital Statistics	Deputy Registrar of Vital Statistics	\$1,500.00	05/06/2013	05/06/2016

Committeemember Donohue – Suzanne Stocker has done an outstanding job and is more than worthy of this appointment. We have big plans for her for the future.

43. RESOLUTION 254-13 – APPOINTMENT – ALTERNATE DEPUTY REGISTRAR OF VITAL STATISTICS – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary to fill the term of office for the position of Alternate Deputy Registrar of Vital Statistics via N.J.S.A. 26:8-17, and

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 be and are hereby appointed to the position for the term of office opposite their name:

NAME	OFFICE	POSITION	TERM EFFECTIVE	TERM EXPIRES
Christina Oliver	Township Clerk / Registrar of Vital Statistics	Alternate Deputy Registrar of Vital Statistics	05/06/2013	05/06/2016

44. RESOLUTION 255-13 – AUTHORIZING SPECIAL DISPENSATION FOR RELIEF OF CHAPTER 179, ENTITLED NOISE – AVALON MANOR / LEONARD’S LANE ROAD RECONSTRUCTION PROJECT – 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 special dispensation for relief from Chapter 179 of the township code is hereby granted in connection with the Avalon Manor / Leonard’s Lane Road Reconstruction Project.

Connie Mahon – Normal business hours for this type of project are outside of our Noise Ordinance so we are passing this Resolution to help them complete the job in an expeditious manner without paying overtime at prevailing wage.

45. RESOLUTION 256-13 – SUPPORTING THE APPLICATION FOR A GRANT TO COMPLETE A MUNICIPAL PUBLIC ACCESS PLAN – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, the Public Trust Doctrine protects the public’s right to access tidal waterways and their shores.
WHEREAS, as part of the public input process, access to the Township’s water ways was identified as a need and goal, and the following amenities were requested: canoe and kayak launch, fishing and crabbing areas, public boat ramp; wildlife viewing areas; and
WHEREAS, although the Township is bordered by water on its east and west, the relative number of safe, convenient and well-marked water access points is limited; and
WHEREAS, a Municipal Public Access Plan (MPAP) is a voluntary plan which identifies public access points to State-owned waters; and
WHEREAS, a MPAP allows municipalities to determine and direct public access suited specifically to the wants and needs of the community; and
WHEREAS, a MPAP allows developers to fund projects identified in the Plan as an alternative to providing NJDEP-mandated public access on their private property; and
WHEREAS, the Middle Township Open Space and Recreation Plan recommends drafting and adopting a MPAP (adopted a policy document by the Planning Board); and
WHEREAS, the NJDEP is offering grants up to \$15,000 to prepare and adopt a MPAP;
NOW, THEREFORE, BE IT RESOLVED BY the TOWNSHIP OF MIDDLE of the COUNTY OF CAPE MAY of the STATE OF NEW JERSEY, expresses its support and authorizes the Mayor to sign an application for a NJDEP grant to complete a Municipal Public Access Plan.
Elizabeth Terenick – Public Access to Waterways is a right based on common law, legislation, and Middle Township has a lot of Public Access which is not safe or marked with parking. Voluntary plan to inventory all public Access points and put plans together to access certain sites. \$10,000 grant available with additional \$5,000 for resiliency planning. This was a small part of the Open Space Plan. State offers potential funding if the DEP is to use our Public Access points if they want to develop one of the Township’s proposed plans.
Connie Mahon – Reed’s Beach/Pierce’s Point project which we are trying to get funded also requires public access, so this should benefit that project.
46. RESOLUTION 257-13 – SUPPORTING THE BAYSHORE HERITAGE BYWAY CORRIDOR MANAGEMENT PLAN – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, in accordance with the New Jersey Scenic Byway Program, the Bayshore Heritage Byway was designated as a State Scenic Byway on July 22, 2009; and
WHEREAS, in accordance with the New Jersey Scenic Byway Program, the state, county and local routes included herein as Attachment A are designated as the Bayshore Heritage Byway; and
WHEREAS, in accordance with the New Jersey Scenic Byway Program, a Scenic Byway Corridor Management Plan was prepared with participation of the Bayshore Heritage Byway Corridor Management Committee, which included representatives from the municipalities and non-governmental organizations along the Byway as well as Salem, Cumberland, and Cape May Counties, the National Park Service and the US Fish and Wildlife Service, under the sponsorship of NJDOT and approved in October 2012; and
WHEREAS, Committeewoman Susan DeLanzo and Township Planner Elizabeth Terenick actively participated on behalf of the Township in the process of developing the Scenic Byway Corridor Management Plan; and
WHEREAS, the Middle Township Open Space and Recreation Plan incorporates the Bayshore Heritage Byway Corridor Management Plan and recommends strategies to advance the Plan; and
WHEREAS, Middle Township has an abundance of natural, historic, and cultural resources, as well as several public recreation facilities along Route 47, Bayshore Road, and along the Delaware Bay; and
WHEREAS, Middle Township has significant commercial establishments including campgrounds, recreation facilities, wineries, farm markets, marinas and eating establishments along the Byway that will receive economic benefits from implementation of the Corridor Management Plan; and
WHEREAS the National Park Service’s oversight of the New Jersey Coastal Heritage Trail Route’s program was terminated by sunset action as of September 30, 2011 and the Bayshore Heritage Byway Corridor Management Plan provides guidance for maintaining and enhancing the investments made in the Coastal Heritage Trail for the Bayshore region; and
WHEREAS, the Bayshore Heritage Byway Corridor Management Plan includes strategies to preserve, protect and promote intrinsic qualities of the byway through actions that are not regulatory or otherwise mandated by the Plan; and
WHEREAS, two rounds of public meeting events were conducted at important planning milestones in each county along the Byway to explain the Corridor Management Plan and obtain input from the general public; and
WHEREAS, successful implementation of the Plan depends on cooperation, collaboration and support of municipalities and counties along the Byway; and
WHEREAS, the Township of Middle wishes to express its support for the concept of a Scenic Byway and its commitment to collaborate in the process necessary for its implementation; and
NOW, THEREFORE, BE IT RESOLVED BY the TOWNSHIP OF MIDDLE of the COUNTY OF CAPE MAY of the STATE OF NEW JERSEY, expresses its support of the Bayshore Heritage Byway Corridor Management Plan and its intention to participate in future implementation strategies described in the Plan.
Elizabeth Terenick - Cooperative effort with NJ DOT to highlight the benefits of the Delaware Bay. This route includes 20 business in Middle Township which will be highlighted throughout this route.

47. RESOLUTION 258-13 – SUPPORTING THE GOSHEN FIRE COMPANY TO APPLY FOR GRANTS FOR THE GOSHEN SCHOOLHOUSE – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, the Goshen Schoolhouse is owned by the Goshen Volunteer Fire Company and contains an historic schoolhouse and a playground; and
 WHEREAS, the building has been nominated for a listing on the national Register of Historic Places; and
 WHEREAS, the structure has sever deterioration and is need of immediate stabilization and repair; and
 WHEREAS, the Fire Company has received \$30,000.00 in grants to date and has applied for additional funds; and
 WHEREAS, having a resolution of support from Township Committee may assist in receiving grant funds; and
 WHEREAS, the Township fully supports the efforts of the Fire Company to stabilize the building and develop it into a community building to be used for education, public services, cultural venues and support for the Fire Company; and
 WHEREAS, the Middle Township Open Space and Recreation Plan recommends supporting the revitalization efforts of the Schoolhouse and the entire property,
 NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey does hereby express its support for the Goshen Fire Company to apply for funds to stabilize the Schoolhouse building, and for future improvements to the property.
Elizabeth Terenick – Property is an asset to the township, just to support their efforts for this Schoolhouse. May be used for a community/education center in the future.

48. RESOLUTION 259-13 – AUTHORIZING AMENDMENT TO RATE OF PAY – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, Resolution 443-09 established rate of pay for various part-time positions, which further outlines authorized increases to rate of pay after 6 months of satisfactory employment, and
 WHEREAS, Resolution 340-11 appointed 5 part-time employees to the EMS department, and
 WHEREAS, the rate of pay for said employees should have been increased to \$11.60 per hour effective 1/18/2012, however was inadvertently missed during the payroll process.
 NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the remaining three employees listed below shall be increased to the rate of pay of \$11.60 per hour, retroactive back to 1/18/2012:
 Kyle Lindholm
 Kristen Davis
 Walter Belles Sr.

49. RESOLUTION 260-13 – SOCIAL AFFAIRS PERMITS – THE WETLANDS INSTITUTE – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, the Wetlands Institute has applied for approval to sell alcoholic beverages at an event to be held at the Wetlands Institute, 1075 Stone Harbor Blvd, CMCH, on June 30, 2013 (3:00pm-6:00pm), July 13, 2013 (6:00pm- 10:00pm) and August 3, 2013 (6:00pm – 10:00pm), 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 Permits as submitted.

50. RESOLUTION 261-13 – AUTHORIZE CHANGE IN EMPLOYEE STATUS – 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 that the following employee is hereby designated to the employment status listed below:

NAME	PREVIOUS STATUS	AMENDED STATUS	SALARY	EFFECTIVE DATE
Albert Mabry	Recreation Aide P/T T/A	Recreation Aide P/T Permanent	\$10.00 ph	05/02/2013
Derek Thomas	Recreation Aide P/T T/A	Recreation Aide P/T Permanent	\$10.00ph	05/02/2013

51. RESOLUTION 262-13 – CLOSED SESSION – CONTRACTUAL MATTER (LEASE OF PUBLIC BUILDINGS AND MUNICIPAL PROSECUTOR) – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the above referenced topic in closed session. This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist. The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.
 WHEREAS, the section of the Open Public Meetings Law, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and
 WHEREAS, the Township Committee of the Township of Middle, the governing body thereof, is of the opinion that such circumstances presently exist, and
 WHEREAS, said Closed Session shall be held directly after this open session.
 NOW THEREFORE BE IT RESOLVED, by the Township of Middle, County of Cape May, State of New Jersey:

- 1.) The public shall be excluded from the discussion of an action upon the hereinafter specified matter: CLOSED SESSION – CONTRACTUAL MATTER (LEASE OF PUBLIC BUILDING AND MUNICIPAL PROSECUTOR)
- 2.) The general nature of the subject matter to be discussed is as follows:
CLOSED SESSION – CONTRACTUAL MATTER (LEASE OF PUBLIC BUILDING AND MUNICIPAL PROSECUTOR)
- 3.) It is anticipated at this time the above subject matter will be made public as follows:
WHEN THE MATTER IS RESOLVED
- 4.) This Resolution shall take effect immediately.

52. RESOLUTION 263-13 – AUTHORIZING MAYOR TO EXECUTE AGREEMENT IN CONNECTION WITH REVERSE ENERGY AUCTION – MUNICIPAL COMPLEXES – VERDE ENERGY USA, INC. - On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, on May 3, 2013 CUC on behalf of the Township of Middle held a Third Party Reverse Energy Auction electric services, and
WHEREAS, based on the results of this auction it is desired that the Township of Middle formally enter into an agreement with the following company for a 12 month contract:
Energy Supply: Verde Energy USA, Inc.
Connie Mahon – CUC went out for quotes on energy used at Township Municipal Building. We were previously with South Jersey Power Cooperative, but by switching, we are saving \$17,413 over a two year period with the new company, in comparison to what we would have had we stayed with South Jersey Power Cooperative. We originally saved money by switching to South Jersey Power Cooperative, but will be seeing more savings now that we have gone out on our own.

53. PUBLIC COMMENT:

Engineer Report read by Connie Mahon.

Committeemember Donohue –

Welcome Cheryl Spaulding to Economic Development Committee and Charles McNeal to Recreation Advisory Meeting. Mr. McNeal is a member of the Concerned Citizens of Whitesboro which we feel will be beneficial to the Recreation Advisory Board.

Thanked Township CFO and employees who worked hard on lowering the budget which was able to go below the 2011 levy which is significant even with factors working against us such as insurance and pension rates.

Noted motel owners in the audience who have issues with sewer billing, along with some residents. Sewer billing recently moved to the Tax Collectors office and the girls there are trying hard to fix the “mess” with people who have never hooked into the system, some people who were never billed, and others who were billed at different rates than others and we are trying to make it so that everyone is being billed fairly. We plan on having a discussion at the May 20th work session to discuss sewer billing issues.

Mayor Lockwood -

Difficulty in correcting sewer billing but we are aware that it is a problem and are working towards correcting it. We are making sure that it is not only resident friendly, but business friendly as well.

Meeting tomorrow to work towards setting up energy fair to raise public awareness to the residents for energy savings which are available and hope to have this information available by next Township meeting.

Applauded everyone involved in budget, we will now start working on the 2014 budget.

Recognized Elizabeth Terenick with her help through several projects which are being worked on.

Affordable Housing Resolutions were obligation on settling lawsuit with Confider.

Clean Communities Grant increased about \$6,000 for this year. We use this money to support community clean up days.

Recognized Nurse’s Week today giving a proclamation at Cape Regional Medical Center. Everyone has a need for a nurse at some point in their life and they are very important in our lives.

Lou Altobelli –

Questioned Kindle Ford property which is a deed restricted wetlands property that is currently being used as a construction site. Contacted Zoning Office to inquire about this and was told that no approvals have been secured by Kindle to use site as a construction site. Believes Zoning Officer gave verbal approval to Kindle, but no application was ever filed, yet a month ago there was a property in Rio Grande being cited for stock piling dirt on their property. Is the town going to act on this?

Committeemember Donohue –

I share your concerns and I questioned this as well. I understand that you spoke to Connie Mahon, Business Administrator about this and she has informed me of your concerns as well. We are going to work towards resolving this matter.

Lou Altobelli provided Committeemember Donohue and Marc Karavan with a copy of the deed restriction for this property.

Sam Kelly –

Many references to Conifer tonight which is disturbing and believes the Conifer project is a “red flag”. Does not believe that “project housing” should be permitted in the Township.

Committeemember Donohue –

We did not run to defend Conifer. This has been a 20 year project that we walked into which involved a lawsuit. We worked hard to get the best deal we could with the cards that we were dealt. They originally wanted a lot more units than what they were awarded. We negotiated to cut the number of units in half.

Mayor Lockwood –

Asked Sam Kelly to explain what he knew about the Boy Scout issue that he briefly mentioned and asked where they are meeting now.

Sam Kelly –

Only knows what he heard, they are currently meeting at a church.

Mayor Lockwood –

They were welcome to continue to meet in the garage until the summer season to allow them enough time to find them another place. We offered to have them meet at one of our recreation facilities.

Sam Kelly –

Thought that the boy scouts were here being honorable at the last meeting but later found out that they were “kicked out” of the public works garage where they were meeting.

Committeemember Donohue –

We think there is a safer place for a group of boys to meet than a Public Works garage.

Kimberly Krauss –

Personally spoke to the leaders on several occasions and they did not want to hear what we had to say.

Sam Kelly –

Thinks there is a political standpoint on this matter. Sounds like there is a lot of miscommunication on this matter.

Mayor Lockwood –

Boy scouts have not yet followed up with our recreation facility leaders to arrange a meeting to discuss options for meeting at another facility.

Bob Bakley –

Wanted clarification on what the Boy Scout matter was about.

Mayor Lockwood –

Found out that they were meeting in the Public Works garage. We believe there is a safer place for them to meet which isn't surrounded by machines, asphalt, etc.. They asked if they could stay there until the summer when their meetings were done. We agreed to that. Connie has spoken to them on several occasions to hear their concerns regarding this matter.

Connie Mahon –

We have a meeting scheduled with them next week to discuss their concerns. They came to the meeting last week and received a badge, but did not once mention their issue regarding a meeting place. We are working amicably to resolve this matter to them. We are looking for a place which is more conducive to the scouts and a safer environment.

Committeemember Donohue –

Some is this is our responsibility for the taxpayers as a liability. Does not think our insurance provider would want to hear that we have a group of Boy Scouts meeting in our Public Works garage.

Bernice Brunson –

Has the Township ever been sued for an injured person at a recreation facility?

Connie Mahon –

Yes.

Sal DeSimone –

Great job on the budget.

Questioned COAH/Governor article in Press of Atlantic City. Will this affect us?

Mayor Lockwood –

We received a form letter in June or July of last year that said that our monies are committed. Spoke to the attorney who consults us who advised that we have done what is required and we do not need to take any steps at this time. It may stop the project but it will not stop the funding.

Marc Karavan –

We have committed most of our money and the COAH counsel is comfortable with the conclusion that our plan will be approved and it is favorable for us.

Sam Kelly –

Apologized for misspeaking regarding the boy scouts but doesn't believe that the information has been spoke clearly between the parties.

Fran Grant –

If they strip us of the money, what will happen?

Marc Karavan –

We will have to revisit the project again and possibly restructure the project. We got an urgent ruling asking COAH to address our issue within the week.

Fran Grant –

Will it fall back on the township taxpayers?

Marc Karavan –

I cannot say. It is not a probability, but it could be a possibility. There is always a chance, as slim as it may be.

Committeemember Donohue –

We did what they have asked for us to do by the deadline. They want the money but we still have that obligation.

Fran Grant –

What is going to be done to be sure that the people (occupants) follow the Ordinances of the Township?

Mayor Lockwood –

It is the job of the governing body to make sure residents abide by the Ordinances.

Connie Mahon –

In response to your personal complaint, we took remedial action and responded immediately to your complaint.

Mary Kelly –

Inquired about status of funding/grants for Pierce's Point/Reed's Beach project?

Connie Mahon –

We are awaiting a letter from Army Corp of Engineers relative to the federal funding. Working on drafting a letter to the federal government requesting these funds for the project. All comes down to Office of Management and Budget, we are trying to get this project funded and have expressed the urgency for this matter.

Mary Kelly –

Status of people who do not comply with bulkheads?

Mayor Lockwood –

We have been lenient due to hardships and funding for the replacements.

Mary Kelly –

Will this be funded by the grant?

Connie Mahon –

No, that is for the beach replenishment. Homeowners are responsible for their bulkheads. I am working on securing a meeting with the Philadelphia District of the Army Corp of Engineers.

Ed Dillio –

Asked about discussions on possible change in form of government.

Mayor Lockwood –

The change has not been discussed but the idea of studying our government has been discussed.

Connie Mahon –

This can be done by a referendum called a charter study commission. The commission appoints a committee to study the forms of government, usually done by the voters and is usually done from the outside in.

Committeemember Donohue –

Charter study Committee makes a recommendation to go on the ballot and is voted up or down by the residents. This study is about a 9 month process.

Mayor Lockwood –

There have been several towns who have done this study and have changed their form of government and have ended up switching back since then.

Committeemember Donohue –

More towns in the past 10 years have switched to our form of government than anything else. It's the decision of the residents to bring up the discussion.

John Lansinger –

Asked about the proposed energy fair.

Mayor Lockwood –

Idea was to provide residents with information on government programs which may help them save money on energy costs. Hoping to have more information by the next meeting when our Township Engineer is here.

Bernice Brunson –
Will Township be maintaining the “project housing” buildings?
Mayor Lockwood –
No, it is not public housing. It is privately owned affordable housing.
Committeemember Donohue –
There will be on-site managers required at these buildings to maintain and manage the properties.

Carl Karmelowicz –
Believe the Township took the right action by removing Boy Scouts from Public Works garage for safety reasons.
Ask Connie Mahon if she spoke to Avalon about dredging?
Connie Mahon –
Yes, has been in contact with them.

Kimberly D. Krauss, Township Clerk

Motion to go into closed session –
1st Committeemember Donohue 2nd Mayor Lockwood
Pass on Roll Call: Committeemember Donohue, Mayor Lockwood
*Committeemember DeLanzo Absent

Motion to enter back into open meeting – 8:25pm
1st Committeemember Donohue 2nd Mayor Lockwood
Pass on Roll Call: Committeemember Donohue, Mayor Lockwood
*Committeemember DeLanzo Absent

Motion to adjourn meeting – 8:26pm
1st Mayor Lockwood 2nd Committeemember Donohue
Pass on Roll Call: Committeemember Donohue, Mayor Lockwood
*Committeemember DeLanzo Absent