

Cape May Court House, NJ
November 19, 2012
REGULAR MEETING
FLAG SALUTE
THIS MEETING IS BEING RECORDED:

I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

The Township Committee met on the above date at 6:00 PM at the Middle Township Municipal Building. Members present were Mayor Lockwood, Committeemember Donohue, Committeemember DeLanzo, Township Business Administrator Mark Mallett, Township Clerk Kimberly Krauss, Municipal Solicitor Marcus Karavan, 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 533-12 – 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.: \$654,764.44
3. RESOLUTION 534-12 – APPROVING PAYMENT FOR BILLS – BILL LIST B (ANZELONE) – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. ***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.: \$282.00
4. RESOLUTION 535-12 – 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: Regular Meeting 11/5/12
5. REPORTS: The following departments have submitted their reports for the months indicated:
Municipal Court for the Month of October, Tax Collector for the Month of October, Treasurer for the Month of October.
6. ORDINANCE NO. 1430-12 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, Ordinance No 1430-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 12/17/2012 at 6:00 p.m.
BE IT ORDAINED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey as follows:
SECTION 1. The positions listed in the attached schedule are hereby created.
SECTION 2. The salary ranges specified in the attached schedule are hereby adopted for each and every position listed therein. In those cases where only one rate or figure appears in said schedule, said rate or figure shall be the maximum rate of figure applicable to said position. In those cases where a maximum and minimum salary are hereby established for a position, the exact salary to be paid to the holder of said position shall be as determined from time to time by resolution of the Township Committee.
SECTION 3. The duties to be performed by each person holding any position listed in said schedule shall be those duties as outlined in Job Description of New Jersey Civil Service Department.
SECTION 4. In addition to the salaries set forth in said schedule, those employees who have held full time positions for a minimum of five years, as hereinafter defined, shall be entitled to additional compensation as set forth in this section, based upon current salary. The additional compensation to which the employee is entitled on January 1 of any year shall be the additional compensation for the entire year. In determining years service on January 1 of any year, for the purpose of this Ordinance only, no credit shall be given for less than six full months of service in any year, and credit for a full year shall be given for any year in which the employee served for six full months or more.

Years of Service	Additional Compensation (Percent of Annual Salary)
5 years or more	2%
10 years or more	4%
15 years or more	6%
20 years or more	8%
25 years or more	10%

Section 4 shall only apply to Township Employees hired before December 31, 1994.

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

SECTION 6. This Ordinance shall become effective, retroactive to January 1, 2013 immediately upon final passage and publication according to law.

TITLE	MINIMUM	MAXIMUM
Accounting Assistant	\$ 18,720.00	\$ 45,000.00
Administrative Clerk	\$ 18,720.00	\$ 36,000.00
Administrative Director of Public Works	\$ 40,000.00	\$ 58,000.00
Alt. Deputy Registrar	\$ 9.00	to 15.00 p/h
Animal Control Officer	\$ 18,720.00	\$ 50,000.00
Animal Cruelty Investigator		\$ 1.00
Assessing Clerk	\$ 18,720.00	\$ 33,000.00
Asst. Animal Control Officer		\$ 1.00
Asst. Maintenance Supervisor	\$ 19,000.00	\$ 55,000.00
Asst. Municipal Tax Collector	\$ 25,000.00	\$ 38,000.00
Asst. Recreation Supervisor	\$ 18,720.00	\$ 30,000.00
Asst. Supervising Labor	\$ 18,720.00	\$ 30,000.00
Asst. Supervising Mechanic	\$ 30,000.00	\$ 45,000.00
Asst. Supervisor Public Works	\$ 18,720.00	\$ 40,000.00
Asst.Zoning Officer	\$ 18,720.00	\$ 35,000.00
Attorney Planning Board	\$ 5,000.00	\$ 60,000.00
Attorney Zoning Board	\$ 5,000.00	\$ 25,000.00
Baseball Commissioner	\$ -	\$ 15,000.00
Building Director	\$ 5,000.00	\$ 30,000.00
Building Inspector F/T	\$ 20,000.00	\$ 40,000.00
Building Inspector P/T	\$ 3,000.00	\$ 10,000.00
Building Service Worker	\$ 18,720.00	\$ 30,000.00
Building Service Worker P/T	\$ 7.00	to 13.00 p/h
Building Sub-code Official	\$ 7.00	to 21.00 p/h
Business Administrator	\$ 90,000.00	\$ 100,000.00
Carpenter	\$ 18,720.00	\$ 35,000.00
Carpenter Helper	\$ 18,720.00	\$ 34,000.00
Carpenter Helper / Truck Driver- Laborer	\$ 18,720.00	\$ 30,000.00
Certified Public Works Manager	\$ 45,000.00	\$ 60,000.00
Chief Financial Officer	\$ 23,000.00	\$ 75,000.00
Clean Communities Supervisor	\$ 9.00	to \$12.00 p/h
Clerk P/T	\$ 7.00	to \$20.00 p/h
Clerk Typist	\$ 18,720.00	\$ 29,000.00
Clerk Typist P/T	\$ 7.00	to 12.00 p/h
Code Enforcement Officer	\$ 18,720.00	\$ 35,000.00
Code Enforcement Officer P/T	\$ 1.00	\$ 11,000.00
Code Enforcement Officer Trainee	\$ 18,720.00	\$ 30,000.00
Compliance Plan Stipend	\$ 10,000.00	\$ 15,000.00
Computer Service Technician	\$ -	\$ 50,000.00
Computer Service Technician P/T	\$ 15.00	to \$30.00 p/h
Conflict Attorney	\$ 1.00	\$ 2,500.00
Construction Official	\$ 22,000.00	\$ 70,000.00
Coordinator of Computer Services	\$ 1,000.00	\$ 6,000.00
Coordinator of Federal & State Aid	\$ 10,000.00	\$ 20,000.00
Crew Leader	\$ 20,000.00	\$ 35,000.00
Crossing Guard	\$ 1.00	\$ 20,000.00
Deputy Business Administrator	\$ 90,000.00	\$ 100,000.00
Deputy Chief Financial Officer	\$ 30,000.00	\$ 65,000.00
Deputy EMT Chief	\$ 18,720.00	\$ 50,000.00
Deputy Municipal Court Admin.	\$ 18,720.00	\$ 45,000.00
Deputy Municipal Emerg.Man.Coor.		\$ 1.00
Deputy Registrar of Vital Stats.	\$ 9.00	to 15.00 p/h
Deputy Tax Assessor	\$ 18,720.00	\$ 55,000.00
Deputy Tax Collector	\$ 25,000.00	\$ 38,000.00
Deputy Township Clerk	\$ 18,720.00	\$ 40,000.00
Director Community Dev.Program		\$ 1.00
Director of Grants & Economic Dev.Loans	\$ 4,000.00	\$ 6,000.00
Docket Clerk-Typing	\$ 18,720.00	\$ 37,000.00
Econ Devel/Paralegal/Rent Cont Off	\$ 35,000.00	\$ 50,000.00
Electrical Subcode Official	\$ 10,000.00	\$ 32,000.00
Electronic Repair Supervisor	\$ 20.00	to 22.00 p/h
Emergency Med. Tech. P/T	\$ 6.00	to 15.50 p/h

Emergency Medical Technician	\$	18,720.00	\$	50,000.00
EMS Billing Administrator	\$	1.00	\$	3,000.00
EMT Chief	\$	18,720.00	\$	60,000.00
Equipment Operator	\$	18,720.00	\$	44,000.00
Fire Inspector	\$	20,000.00	\$	35,000.00
Fire Inspector P/T	\$	10.00	to 20.00 p/h	
Fire Official	\$	38,000.00	\$	48,000.00
Fire Prevention Specialist P/T	\$	8.00	to \$20.00 p/h	
Fire Protection Inspector	\$	5.75	to 17.00 p/h	
Fire Subcode Inspector (Dennis Twp.)	\$		\$	5,500.00
Fire Subcode Official P/T	\$	5,000.00	\$	16,000.00
Food Service Worker P/T	\$	8.00	to 15.00 p/h	
Fund Commissioner			\$	1.00
Hearing Officer	\$	1.00	\$	5,000.00
Keyboarding Clerk 1	\$	18,720.00	\$	29,000.00
Judge Municipal Court	\$	24,000.00	\$	50,000.00
Judge Shared Municipal Court	\$	7,000.00	\$	15,000.00
Junior Counselors Summer Camp	\$	6.00	to 15.00 p/h	
Laborer	\$	18,720.00	\$	35,000.00
Laborer Clean Communities P/T	\$	6.00	to 12.50 p/h	
Laborer Grass Crew P/T	\$	7.00	to 12.50 p/h	
Laborer P/T	\$	7.00	to 12.50 p/h	
Land Use Administrator	\$	35,000.00	\$	52,000.00
Maintenance Supervisor & Project Manager	\$	25,000.00	\$	60,000.00
Manager of Parks and Grounds	\$	19,000.00	\$	50,000.00
Mechanic	\$	18,720.00	\$	35,000.00
Mechanic Trainee	\$	18,720.00	\$	34,000.00
Mechanics Helper	\$	18,720.00	\$	25,000.00
Member Board of Health	\$	-	\$	1,500.00
Memory Lane Coordinator			\$	1,500.00
Motor Broom Driver	\$	25,000.00	\$	32,000.00
Municipal Emergency Management Coordinator	\$	1.00	\$	10,000.00
Municipal Court Admin.	\$	23,000.00	\$	62,000.00
Municipal Court Admin. (Dennis Township)			\$	7,500.00
Municipal Engineer	\$	10,000.00	\$	85,000.00
Municipal Prosecutor	\$	10,000.00	\$	35,000.00
Municipal Recycling Coordinator			\$	1.00
Payroll Clerk	\$	18,720.00	\$	40,000.00
Personnel Clerk	\$	18,720.00	\$	23,000.00
Personnel Officer / Benefits Administrator / Training Coord	\$	29,000.00	\$	60,000.00
Plumbing Subcode Official P/T	\$	4,000.00	\$	28,000.00
Police Captain	\$	60,000.00	\$	135,000.00
Police Chief	\$	65,000.00	\$	140,000.00
Police Lieutenant	\$	50,000.00	\$	120,000.00
Police Officer	\$	25,000.00	\$	110,000.00
Police Officer Detective Stipend			\$	750.00
Police Officer/Detective	\$	30,000.00	\$	59,000.00
Police Sergeant	\$	40,000.00	\$	115,000.00
Police Sergeant/Detective Stipend			\$	750.00
Principal Account Clerk-typing	\$	18,720.00	\$	22,000.00
Principal Assessing Clerk	\$	18,720.00	\$	40,000.00
Principal Clerk-Typist	\$	18,720.00	\$	40,000.00
Principal Personnel Clerk	\$	18,000.00	\$	40,000.00
Principal Technical Aide Public Works	\$	18,720.00	\$	35,000.00
Project Manager	\$	45,000.00	\$	60,000.00
PS Telecommunications Oper.Trainee P/T	\$	6.50	to 15.00 p/h	
PS Telecommunications Operator	\$	18,720.00	\$	53,000.00
PS Telecommunications Operator, P/T	\$	6.50	to 15.00 p/h	
PS Telecommunications Operator,Trainee	\$	18,720.00	\$	40,000.00
Public Defender	\$	7,500.00	\$	20,000.00
Public Works Superintendent	\$	28,000.00	\$	68,000.00
Pumping Station Operator/Sewer Repairer	\$	18,720.00	\$	45,000.00
Qualified Purchasing Agent			\$	1.00
Real Estate Officer			\$	1.00
Reassessment Stipend Tax Assessor			\$	27,500.00
Reassessment Stipend Deputy Tax Assessor			\$	12,500.00
Receptionist	\$	6.00	to 10.00 p/h	

Recreation Aide P/T	\$	6.00	to 15.00 p/h	
Recreation Attendant	\$	18,720.00	\$	33,000.00
Recreation Attendant p/t	\$	6.00	to 18.00 p/h	
Recreation Attendant/ Senior Center / PT	\$	7.00	to 18.00 p/h	
Recreation Director	\$	35,000.00	\$	63,000.00
Recreation Leader	\$	18,720.00	\$	32,000.00
Recreation Leader P/T	\$	7,000.00	\$	10,000.00
Recreation Leader\Sports	\$	18,720.00	\$	42,000.00
Recreation Program Administrator	\$	22,000.00	\$	63,000.00
Recreation Program Coordinator	\$	18,720.00	\$	20,000.00
Recreation Program Specialist	\$	18,720.00	\$	38,000.00
Recreation Superintendent	\$	35,000.00	\$	50,000.00
Recreation Supervisor	\$	18,720.00	\$	33,000.00
Recycling Program Aide- P/T		\$9.00p/h	\$12.00 p/h	
Registrar of Vital Statistics	\$	20,000.00	\$	47,000.00
Rent Control Board Attorney			\$	2,500.00
Seasonal Employee - Laborer (CDL Requir)	\$	-	\$	14.00
Secretary Board of Health	\$	1.00	\$	2,000.00
Secretary Cable TV Advisory Bd.	\$	1.00	\$	2,000.00
Secretary Council on the Arts	\$	1.00	\$	2,000.00
Secretary Economic Dev. Council	\$	1.00	\$	2,000.00
Secretary Emergency Management	\$	1.00	\$	2,000.00
Secretary Environmental Comm.	\$	1.00	\$	2,000.00
Secretary Ethics Board	\$	1.00	\$	2,000.00
Secretary Planning Board	\$	1.00	\$	2,000.00
Secretary Recreation Council	\$	1.00	\$	2,000.00
Secretary Rent Leveling Board	\$	1.00	\$	2,000.00
Secretary Safety Committee	\$	1.00	\$	2,000.00
Secretary Shade Tree Comm.	\$	1.00	\$	2,000.00
Secretary Sr. Citizen Advisory Board	\$	1.00	\$	2,000.00
Secretary Traffic Comm.	\$	1.00	\$	2,000.00
Secretary Zoning Bd of Adj.	\$	1.00	\$	2,000.00
Senior Assessing Clerk	\$	19,000.00	\$	26,000.00
Senior Building Service Worker	\$	18,720.00	\$	25,000.00
Senior Citizen Activities Coordinator	\$	8,000.00	\$	35,000.00
Senior Citizen Life-Line Coordinator	\$	1,000.00	\$	2,000.00
Senior Clerk	\$	18,720.00	\$	21,000.00
Senior Clerk Typist	\$	18,720.00	\$	45,000.00
Senior Computer Operator	\$	18,720.00	\$	46,000.00
Senior Emergency Medical Technician	\$	18,720.00	\$	50,000.00
Senior Mechanic	\$	18,720.00	\$	40,000.00
Senior Payroll Clerk	\$	18,720.00	\$	36,000.00
Senior Personnel Clerk	\$	18,720.00	\$	38,000.00
Senior Tax Clerk	\$	18,720.00	\$	35,000.00
Sewer Administrator P/T	\$	15.00	to 30.00 p/h	
Sewer Billing Administrator	\$	2,000.00	\$	5,000.00
Sewer Equipment Operator P/T	\$15.00 p/h		to \$30.00 p/h	
Sewer Equipment Operator	\$	18,720.00	\$	63,000.00
Sewer License Operator Stipend	\$	6,000.00	\$	12,000.00
Sewer Maintenance Superintendent	\$	30,000.00	\$	70,000.00
Sewer Repairer	\$	18,720.00	\$	32,000.00
Shared Court Clerk Typist	\$	2,000.00	\$	5,000.00
Shared Court Deputy Municipal Court Admin.	\$	2,000.00	\$	5,000.00
Shared Court Municipal Court Administrator	\$	5,000.00	\$	10,000.00
Shared Court Municipal Prosecutor	\$	4,000.00	\$	10,000.00
Shared Court Public Defender	\$	2,000.00	\$	10,000.00
Shared Court Violations Clerk			\$	3,000.00
Solid Waste & Recycling Advisor to Mayor	\$	5,000.00	\$	12,000.00
Special Officer/Elections	\$	100.00	to 100.00 per day	
Special Police Officer - Class II	\$	10.50 p/h	to 14.00 p/h	
Substitute Animal Control Officer	\$	1,000.00	\$	3,500.00
Summer Camp Coordinator Stipend	\$	1,000.00	\$	5,000.00
Supervising Dispatcher Stipend			\$	1,500.00
Supervising Emergency Medical Technician	\$	18,720.00	\$	55,000.00
Supervising Equipment Operator	\$	28,000.00	\$	50,000.00
Supervising Laborer	\$	20,000.00	\$	38,000.00
Supervising Mechanic	\$	19,500.00	\$	58,000.00

Supervisor / Heavy Equipment Operator	\$	19,000.00	\$	54,000.00
Supervisor Clean Communities	\$	7.00	to 12.00 p/h	
Supervisor Water/Sewer B/C	\$	19,000.00	\$	75,000.00
Tax Assessor	\$	23,000.00	\$	75,000.00
Tax Clerk	\$	18,720.00	\$	28,000.00
Tax Collector	\$	23,000.00	\$	68,000.00
Temporary Acting Chief Financial Officer	\$	10.00	to 15.00 p/h	
Temporary Acting Deputy Chief Financial Officer	\$	10.00	to 15.00 p/h	
Temporary Acting Court Administrator	\$	10.00	to 30.00 p/h	
Technical Assistant Const. Off.	\$	19,500.00	\$	52,000.00
Township Attorney	\$	15,000.00	\$	200,000.00
Township Clerk	\$	53,000.00	\$	65,000.00
Township Clerk/Business Administrator	\$	23,000.00	\$	115,000.00
Township Committee	\$	17,000.00	\$	20,000.00
Violations Clerk			\$	1,000.00
Zoning Officer	\$	20,000.00	\$	65,000.00

7. ORDINANCE NO. 1431-12 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, NEW JERSEY ESTABLISHING UNIFORM REGULATIONS FOR CONSTRUCTION AND REPAIR OF BULKHEADS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, Ordinance No 1431-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 12/17/2012 at 6:00 p.m.

8. RESOLUTION 536-12 – AUTHORIZE MAYOR TO EXECUTE DISCHARGE OF MORTGAGE – JOHN JONES AND FLORENCE A. JONES – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey, that the mortgage loan for John Jones and Florence A. Jones in the amount of \$1,585.00 is hereby authorized to be discharged. BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.

9. RESOLUTION 537-12 – REFUND OF TAXES – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. Refund due to overpayment by Mortgage Company.

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
1783	60	6	Coleman, Andrew D. Property location: 5 Ella Ave	651.17
17042	326	20 C0192	Stephens, Ralph J & Patricia A Property location: 192 Lee Lane	820.69
6567	422	11	Zeiss, David A & Dawn Property location: 18 Geneva Ave	897.52
6754	442	4	Mc Keown, Matthew Property location: 21 Sunray Beach Rd	759.25
18710	1432	6 C0150	Schubert, John & Lucille Property location: 104 Seacrest Lane	1,572.97

Refund Payable and sent to:
CoreLogic Real Estate Tax Service
Refund Dept.
P O Box 961250
Fort Worth, TX 76161-9887

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2012 taxes.

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

10. RESOLUTION 538-12 – TITLE CHANGE – SEWER DEPARTMENT – GEORGE SEABROOK – 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 of the Township of Middle, the governing body thereof, that the following employee is hereby approved to the title change opposite their name:

Name	Department	Title	Eff. Date
George Seabrook	Sewer	PT Sewer Administrator	11/07/2012

11. RESOLUTION 539-12 - ACKNOWLEDGEMENT OF RETIREMENT – JAMES DOUGHERTY – On motion by Committeemember DeLanzo seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, James Dougherty, Middle Township Police Sergeant is retiring December 1, 2012; so BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following retirement listed below is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
James Dougherty	Public Safety	Police Sergeant	12/01/2012

12. RESOLUTION 540-12 through 545-12 – RATIFY LEASE AGREEMENTS – ITEMS A THROUGH F – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

A) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the War Gamers and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2013 through December 31, 2013, be and is hereby ratified.

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

B) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Middle Township Democratic Club and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2013 through December 31, 2013, be and is hereby ratified.

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

C) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Marine Corps. League and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2013 through December 31, 2013, be and is hereby ratified.

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

D) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Federation of Democratic Women and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2013 through December 31, 2013, be and is hereby ratified.

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

E) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between Burgess Hamer and the Township of Middle for usage of the Middle Township Martin Luther King Center from January 1, 2013 through December 31, 2013, be and is hereby ratified.

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

F) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Concerned Citizens of Whitesboro and the Township of Middle for use of premises located at the Martin Luther King Center for office space from which to operate certain programs that benefit the community, January 1, 2013 until December 31, 2013, be and is hereby ratified.

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

13. RESOLUTION 546-12 – RATIFY AGREEMENT – CAPE COUNSELING SERVICES – 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 of the Township of Middle, the governing body thereof, that the agreement between Cape Counseling Services and the Township of Middle for usage of the Clarence Davies Sports Complex and Martin Luther King Center from July 1, 2012 through December 31, 2013, be and is hereby ratified.

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

14. RESOLUTION 547-12 - ESTABLISHING: 1. FAIR AND OPEN PROCESS FOR CONTRACTS 2. CRITERIA TO BE CONSIDERED IN AWARDING CONTRACTS; AND 3. POSITIONS FOR WHICH PROPOSALS SHALL BE SOLICITED – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 19:44A-20.4 et. seq. requires that contracts with a value exceeding \$17,500 be awarded pursuant to a “fair and open” or “non-fair and open” process; and

WHEREAS, the Township Committee feel the best interests of the residents of Middle Township would be best served by the Township requesting proposals and qualifications, and considering and awarding contracts by use of a Fair and Open process; and

WHEREAS, the Township Committee desires to establish the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the criteria for the consideration of proposals and qualifications, and the award of contracts submitted in accordance with the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the positions which for the year 2013 shall be subject to the Fair and Open Process and also where stated below additional criteria for certain position; and

WHEREAS, the Township Committee has decided to go beyond what is required by the state statute and to submit all professional services contracts to the Fair and Open process, even those that are below the \$17,500.00 threshold;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that:

1. **THE FAIR AND OPEN PROCESS**

A. The Township Committee of the Township of Middle has determined that the following procedure constitutes a fair and open process and shall be the manner in which requests for proposals and qualifications are sought, accepted, and awarded:

1. A request for proposals and qualifications shall be publicly advertised on the Township of Middle's internet website beginning on November 20, 2012 and continuing on the website through December 4, 2012.
2. The Township shall accept proposals until 1:00 o'clock on December 4, 2012.
3. Proposals shall be in a sealed envelope addressed to:

Kimberly D. Krauss
Township Clerk - Township of Middle
33 Mechanic Street
Cape May Court House, NJ 08210

The envelope shall also state the name of the person or entity submitting the proposal and the position for which the proposal is submitted.

4. The envelope shall contain one original and two copies of the proposal.
5. The proposal shall include (**this is mandatory**) at a minimum, a statement of the following:
 - A. Qualifications and Experience of person or entity specifically with regard to the position sought
 - B. Scope of Services proposed to be provided
 - C. Contact Information, including name, address, phone number, email address
 - D. Fee Proposal including a "Not To Exceed" Amount
 - E. Office Staffing Plan and Resources
 - F. Location of Office from which services shall be provided
 - G. References
 - H. Potential Conflicts
 - I. The Applicant should provide a proposal which includes a statement of licensing, others in his/her office who will provide services, a fee schedule which lists names, titles and fees for each person and for each of these services, and any other information deemed of importance by the Applicant.
6. On December 4, 2012 at 1:00pm, the Township Clerk or representative shall open each of the proposals and shall announce the proposals received by name, and a short summary of the proposal and qualifications.
7. The proposals shall be submitted to Township Committee for consideration at its reorganization meeting, at which time Township Committee may award a contract by approving a resolution, or, it may choose to award at the next regularly scheduled Township Committee meeting. If a majority votes to seek interviews, interviews may be held between Township Committee and the person or entity that submitted proposals. Township Committee may send proposals to Township Board's or Agency's for consideration and approval as is appropriate.

2. **CRITERIA BY WHICH REQUESTS FOR PROPOSALS AND QUALIFICATIONS SHALL BE EVALUATED**

- A. The Township of Middle hereby discloses in writing that all of the submissions in response to the Request for Proposals and Qualifications submitted through the fair and open process described above, will be evaluated by the Township Committee of the Township of Middle and awarded or rejected on the basis of the following criteria. Proposals will be evaluated by the Township Committee of the Township of Middle on the basis of the most advantageous, price and other factors considered. The evaluation will consider:
 1. Experience and reputation in the field
 2. Knowledge of the Township of Middle and the subject matter to be addressed under the contract
 3. Availability to accommodate any required meetings of the agency
 4. Compensation proposal
 5. Other factors if demonstrated to be in the best interest of the Township of Middle
- B. The following criteria, found under the competitive contracting rules at N.J.A.C. 5:34-4.2, if determined to be of assistance, may also be considered by Township Committee. These criteria are not intended to be limiting or all-inclusive, and they may be adapted or supplemented in order to meet the Township Committee's needs. No criteria will unfairly or illegally discriminate or exclude otherwise capable vendors.
 - I. Technical criteria:
 - a. Proposed methodology:
 - i. Does the vendor's proposal demonstrate a clear understanding of the scope of work and related objectives?
 - ii. Is the vendor's proposal complete and responsive to the specific RFP requirements?
 - iii. Has the past performance of the vendor's proposed methodology been documented?
 - iv. Does the vendor's proposal use innovative technology and techniques?
 - v. Are sound environmental practices such as recycling, energy efficiency, and waste reduction used?
 - II. Management criteria:
 - a. Project management:

- i. How well does the proposed scheduling timeline meet the agency's needs?
- ii. Is there a project management plan?
- b. History and experience in performing the work:
 - i. Does the vendor document a record of reliability of timely delivery and on-time and on-budget implementation?
 - ii. Does the vendor demonstrate a track record of service as evidenced by on-time, on-budget, and contract compliance performance?
 - iii. Does the vendor document industry or program experience?
 - iv. Does the vendor have a record of moral integrity?
- c. Availability of personnel, facilities, equipment and other resources:
 - i. To what extent does the vendor rely on in-house resources vs. contracted resources?
 - ii. Are the availability of in-house and contract resources documented?
- d. Qualification and experience of personnel:
 - i. Documentation of experience in performing similar work by employees and when appropriate, sub-contractors?
 - ii. Does the vendor make use of business capabilities or initiatives that involve women, the disadvantaged, small and/or minority owned business establishments?
 - iii. Does the vendor demonstrate cultural sensitivity in hiring and training staff?
- III. Cost criteria:
 - a. Cost of goods to be provided or services to be performed:
 - i. Relative cost: How does the cost compare to other similar proposals?
 - ii. Full explanation: Is the price and its component charges, fees, etc., adequately explained or documented?
 - b. Assurances of performance:
 - i. If required, are suitable bonds, warranties, or guarantees provided?
 - ii. Does the proposal include quality control and assurance programs?
 - c. Vendor's financial stability and strength:
 - i. Does the vendor have sufficient financial resources to meet its obligations?

REQUEST FOR PROPOSALS AND QUALIFICATIONS ARE SOUGHT FOR THE FOLLOWING POSITIONS

A. Municipal Solicitor - Legal Advisor to the Township Committee and Administrative Staff. Includes all litigation, draft and review ordinances, resolutions, and any and all other matters regarding the Township's legal issues. Also solicitor to Cable Television Advisory Board, Economic Development Council, and Sewer and Water Department. Township Committee meets twice a month in the evening; there are frequent daytime meetings. Cable Advisory Board meets quarterly. The Solicitor is required to be in Township Hall at least one day a week to meet with department heads and employees. The Solicitor is expected to be immediately available to Township Committee members and the Administrator; at least one full time staff member is to be assigned to do Township work. Minimum qualifications are at least five years experience in some governmental capacity.

B. Labor Solicitor - Legal Advisor to the Township Committee and Administrative Staff on labor law issues, including civil service issues, disciplinary matters, hiring and firing of employees, and negotiating contracts.

C. Municipal Auditor - The auditor performs annual audit of Township Finances, assists with preparation of annual budget, and is always immediately available to discuss compliance with the Township Administrator and CFO.

D. Municipal Prosecutor - Prosecutes in the Township's municipal Court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.

E. Municipal Public Defender - Represents defendants who qualify for public defender in municipal court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.

F. Zoning Board of Adjustment Solicitor - Attorney representing the Zoning Board of Adjustment. The Zoning Board meets one evening a month.

G. Planning Board Solicitor - Attorney representing the Planning Board. The Planning Board meets two evenings a month.

H. Rent Leveling Board Solicitor - Attorney represents the Rent Leveling Board. The Rent Leveling Board meets quarterly.

I. Hearing Officer - Attorney sitting as a hearing officer on employee disciplinary matters.

J. Economic Development and Grant Administrator Consultants - provide administrative services for economic development board, home rehabilitation program for low income homeowners, evaluation services for loan program to businesses, and assist in applications for grants involving the same.

K. Grant Application and Housing Rehabilitation Consultant - completes applications and makes efforts to obtain grants particularly Housing Rehabilitation Grants.

L. Grant, Utility, and Legislative Consultant - completes grant applications and advises Township Committee on utility and legislative issues impacting the Township.

M. Bond Counsel - Legal Advisor to the Township Committee and Administrative Staff on issues regarding bond financing. Includes compliance with any and all necessary laws, state and federal, in the marketing and selling of the Township's bonds of any sort, including bond anticipation notes. Minimum qualifications are at least five years experience in the municipal bonding field, and that the person have the demonstrated experience and capacity for marketing and selling municipal bonds.

N. COAH Counsel - Legal advisor to the Township's Committee and Administrative Staff on issues regarding its obligations mandated by The Council on Affordable

Housing and assorted state statutes and regulations. Minimum qualifications are at least five years experience in the COAH field.

O. Communications Consultant (Various Telecommunications Projects) - Qualified consulting firm to assist with various telecommunications projects during the calendar year 2012, such as consultation on phone system and any problems associated with it; existing telecommunications projects with the Department of Public Safety ; with potential new infrastructure projects, and repairs or improvements to existing infrastructure. Applicant must have sufficient engineering staff to provide services on emergency basis, including weekend and night availability. Applicant must be familiar with Township systems, or substantial equivalents.

P. Risk Management Consultant – The consultant shall assist the Municipality in identifying its insurable exposures and to recommend professional methods to reduce, assume, or transfer the risk loss. Shall assist the Municipality in understanding and selecting the various coverage's available from the Atlantic County Municipal Joint Insurance Fund, review with the Municipality any additional coverage's that the Consultant feels should be carried but are not available from the Fund and subject to the Municipality's authorization place such coverage outside the fund. Shall further assist in the preparation of applications, statements of values and similar documents requested by the Fund, review the municipalities' assessment as prepared by the Fund and assist the municipalities' preparation of its annual insurance budget. Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjuster. And any other services as required

Q. Planning Consultant - Provide professional planning services and advise the Township Committee, Planning and Zoning Boards, on the master plan, housing plan, zoning and land use matters, plan endorsement, environmental studies, and other related planning services that may be deemed necessary to the Township.

R. Municipal Sewer Consultant – The Municipal Sewer Engineer must be a Professional Engineer in the State of New Jersey, and have experience in Municipal Engineering, including sewer projects.

- The Municipal Consultant is to advise the sewer department, and the Township Committee, on all sewer matters except those otherwise awarded by specific project contracts including Wastewater Management Planning, Operation and Maintenance of existing sewer collection systems, Annual Flow and budget Projections.
- Review of Developer Connection Applications.
- Inspection of Public Sewer Extensions.
- Specific Sewer Expansion Projects.
- Municipal Sewer Consultant shall be familiar with the Township's sewer infrastructure and with the County and State policies that relate to the Township's operation of the Sanitary Sewer System.
- The Municipal Consultant is to provide services on specific projects and services as necessary, including Principal Engineer, Project Engineer, Project Technician, Environmental Specialist, Drafts Person, AutoCadd Technician, Administrative Assistant, Clerical (other than overhead functions), Inspector (Level One), Inspector (Level Two) and other engineering services as is necessary.
- The Municipal Sewer Engineer is also to be available to all Township Staff under the direction of the Municipal Administrator and the Sewer Utility Supervisor/Department Head, and to make himself/herself regularly available to those people.

S. IT PROFESSIONAL - Under direction of Middle Township, the IT Professional would repair, service, and maintain computer system equipment and related peripheral devices and does related work as required. The examples of work are for illustrative purposes and all duties required for the job may not be listed.

- Diagnoses, troubleshoots, and repairs microprocessor systems, related peripheral devices, and telecommunications hardware including digital controllers.
- Diagnoses, troubleshoots, and repairs telecommunications hardware attached to minicomputers and/or mainframe computer based systems including key systems, communication controllers, circuit and board components, printers, modems, cables, terminals, connectors, and disk drives.
- Diagnoses, troubleshoots, and effects repairs on all personal computers and communications and peripheral equipment including memory boards, disk controllers, monitors, personal computer tape devices, hard disks, floppy disks, power supplies, electronic switches, multiplexers, modems, digital controllers, terminals, printers, cables, and connectors.
- Assembles and/or configures and tests microprocessors, minicomputers, and/or mainframe computer based systems according to user and/or application requirements, and tests prior to their release to field locations for installation.
- Repairs electronic analog or digital computers and peripheral equipment, following schematics, diagrams, and handbook instructions.
- Inserts test programs and data in computer, and monitors processing from maintenance or operator's control panel, comparing system performance and output to predetermined standards to analyze cause of machine error or stoppage.
- Operates or observes computer and peripheral equipment during system and trouble localization tests to locate defective circuits and isolate faulty units.
- Tests suspect circuits, modules, and components using oscilloscope and other instruments to diagnose defects.

- Solders faulty connections and adjusts, repairs, or replaces defective electronic, electromechanical, or mechanical components according to service manuals, schematics, and diagrams.
- Performs preventive maintenance duties such as cleaning unit, mass replacing of transistors, tubes, or electronic components, and testing circuitry by simulating extreme operating conditions to locate and replace marginal components.
- Checks new devices and/or systems for compliance with controller specifications.
- Prepares regular, accurate, and informative reports relative to the operation and maintenance of microprocessor, minicomputer, and/or mainframe computer based systems and telecommunications hardware.
- Instructs others in the proper field operation of assigned systems.
- Maintains a library of manufacturers' catalogues, operating instructions, and repair manuals for all equipment and provides updates with latest vendor technical newsletter releases as required.
- Reviews trouble data reports of equipment failures, completes analysis of failure, and effects repairs as required.
- Prepares schematic wiring diagrams of auxiliary controller circuitry for special controller sequences and campus wiring configuration for either voice or data applications including local area networks.
- Troubleshoots telecommunications lines including in-house cable, lease lines, and digital circuits for all remote or local terminals and telecommunications hardware including those peripheral devices attached to a microprocessor, minicomputer, and/or mainframe computer based systems.
- Prepares paperwork to order new parts, supplies, and equipment as required.
- Determines whether sources of difficulty are hardware or software related and refers software problems to the appropriate area of responsibility.
- Fabricates all types of computer cable for field or central sites as required.
- May install all communication and peripheral computer equipment, lay cables and hook up electrical connections.
- Will be required to learn to utilize various types of electronic and/or manual recording and computerized information systems used by the agency, office, or related units.
See Business Administrator for further information regarding computer servers and work stations.*

15. RESOLUTION 548-12 - AWARD OF BID – FURNISHING A COMBINATION VACUUM/JETTER – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary and desirable to solicit bids for the furnishing of a combination vacuum/jetter; and

WHEREAS, sealed bids were received on September 5, 2012 at 10:00 a.m.; and

WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for the furnishing of a combination vacuum/jetter, be and hereby is awarded to: PIERCE EAGLE EQUIPMENT for \$286,923.00 FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds.

16. RESOLUTION 549-12 – AUTHORIZING THE EXTENSION OF CAMPGROUND CLOSINGS FOR 2012 DUE TO HURRICANE – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, Chapter 104-15 of the township code outlines closing timeframes for licensed campgrounds within the Township of Middle, and

WHEREAS, due to Hurricane Sandy the governing body has decided to extend the specified closure period outlined in said code in an attempt to allow residents to utilize the campgrounds as shelter while rebuilding primary homes damaged by the storm.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that campgrounds located within the Township of Middle shall remain open until December 3, 2012, if they so choose, without penalty.

17. RESOLUTION 550-12 – AMENDING RESOLUTION 419-12 – RELEASE OF PERFORMANCE BOND – RPJK DEVELOPMENT, LLC – On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, on June 6, 2011 via Resolution 274-11, the Township of Middle declared that RPJK Development, LLC was deemed in default of its obligations and they had not satisfactorily completed their project located at Block 1520 Lots 2-20 and

WHEREAS, the Township of Middle was forced to take corrective measures, and the appropriate Township Officials were authorized to take whatever measures necessary to carry out the purposes and intents of said Resolution, including calling in the bond, and placing the money in the general funds, and

WHEREAS, on September 5, 2012 via Resolution No. 419-12 the Township of Middle acknowledged the sum of \$30,838.20 held as a performance guarantee (insurance guarantee) for RPJK Development, LLC., and

WHEREAS, \$12,945.00 had been withheld to reimburse the Township of Middle for repairs that were required on said development.

WHEREAS, said resolution also authorized the release of the remaining balance of the performance bond, at the recommendation of the Business Administrator, and

WHEREAS, due to issues with the insurance guarantee it has been deemed necessary to substitute a Utility Escrow Bond for the above referenced insurance guarantee, therefore releasing the NJ Administrative Code Standardized Insurance Bond in its entirety to RPJK.

NOW THEREFORE BE IT RESOLVED, as follows:

1. The NJ Administrative Code Standardized Bond, with Bond Safeguard Insurance Company, is hereby released in its entirety (\$30,838.20) to RPJK Development, LLC.
2. That \$12,945.00 of the Utility Escrow Bond held in the name of RPJK Development, LLC. shall hereby be released to the Township of Middle for the repairs listed above.
3. That \$3,902.67 shall hereby be released to RPJK Development, LLC.

18. RESOLUTION 551-12 – TRANSFER OF FUNDS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. WHEREAS, it is legal and lawful to make budget transfers on and after the first day of November in any budget year,

NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that the following transfers of budget appropriations be made in the budget of Middle Township for the year 2012:

FROM	AMOUNT	TO
Clerk S&W 120-111	\$3,000	Clerk OE 120-299
Finance S&W 130-111	\$5,500	Health Care Waiver 221-411
Mayor & Committee OE 110-299	\$1,500	Maint & Serv Pol 462-249
Legal OE 156-249	\$3,000	Maint & Serv Pol 462-249

19. RESOLUTION 552-12 – REDUCTION OF PERFORMANCE BOND – QUALITY ENVIRONMENTAL LAND MANAGEMENT – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. WHEREAS, \$77,564.92 plus interest (for a total balance of \$108,358.44) is being held as a performance guarantee of Quality Environmental Land Management for Block 95.06 Lot 2-26, otherwise known as Sand Castle Cove, and WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$92,470.00 have been completed, and WHEREAS, it has been further recommended that the performance guarantee for the above stated project be reduced to \$15,888.44. NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the cash bond with TD Bank be and is hereby reduced to \$15,888.44.

20. RESOLUTION 553-12 through 555-12 – TABULATION COMMITTEE – ITEMS A THROUGH C – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

A) 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 Chief Finance Officer Tracey Taverner, Township Clerk Kimberly Krauss, Business Administrator Mark Mallett be and hereby are appointed to tabulate the bids to be taken on Wednesday, December 19, 2012 at 1:00 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following: SNOW AND DEBRIS REMOVAL

B) BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Township Administrator Mark Mallett, Township Clerk Kimberly Krauss, Chief Finance Officer Tracey Taverner, be and hereby are appointed to tabulate the bids to be taken on Wednesday, December 19, 2012 at 11:30 AM in the Middle Township Municipal Building, 2ND Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following: DISPOSAL OF RECYCLABLE MATERIALS TAKEN TO CLASS B RECYCLING FACILITIES

C) BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Township Administrator Mark Mallett, Township Clerk Kimberly Krauss, Chief Finance Officer Tracey Taverner, be and hereby are appointed to tabulate the bids to be taken on Wednesday, December 19, 2012 at 11:00 AM in the Middle Township Municipal Building, 2ND Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following: MATERIALS PICKED UP OR DELIVERED FROM CLASS B RECYCLING FACILITIES

21. RESOLUTION 556-12 - ACKNOWLEDGEMENT OF RESIGNATION – LEON LINTHICUM – On motion by Mayor Lockwood seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following resignation listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Leon Linthicum	Public Safety	Police Officer	October 4, 2012

22. RESOLUTION 557-12 - EMERGENCY APPROPRIATION – HURRICANE SANDY RELATED COSTS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, a condition has arisen with respect to the costs related to Hurricane Sandy and no adequate provision was made in the 2012 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$170,000.00 and three percent of the total operations in the budget for the year 2011 is \$527,954.69

WHEREAS, the foregoing appropriation, together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2011,

NOW THEREFORE BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for Hurricane Sandy Related Costs \$85,000.00 (S&W - \$40,000.00, OE - \$45,000.00)

2. That said emergency appropriation shall be provided for in full in the 2013 budget. And is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED, that a copy of this Resolution be published in the Herald Times as required by law.

23. RESOLUTION 558-12 - APPOINTMENTS – NEW HIRE – FINANCE DEPARTMENT – 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 employee is hereby appointed to the following position at the salary opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFF. DATE
Joshua Niemann	Finance	Keyboarding Clerk 1	\$27,000.00	12/03/2012

24. RESOLUTION 559-12 – CLOSED SESSION – PERSONNEL ISSUES (RESTRUCTURING OF ADMINISTRATIVE OFFICES); CONTRACT NEGOTIATIONS (HEALTH INSURANCE; GRASSY SOUNDS CIVIL ASSOCIATION AGREEMENT; CAPE EXPRESS SOCCER LEASE AGREEMENT) – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the section of the Open Public Meetings Law, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, the Township Committee of the Township of Middle, the governing body thereof, is of the opinion that such circumstances presently exist, and

WHEREAS, said Closed Session shall be held directly after this open session.

NOW THEREFORE BE IT RESOLVED, by the Township of Middle, County of Cape May, State of New Jersey:

1.) The public shall be excluded from the discussion of an action upon the hereinafter specified matter: CLOSED SESSION – PERSONNEL ISSUES (RESTRUCTURING OF ADMINISTRATIVE OFFICES); CONTRACT NEGOTIATIONS (HEALTH INSURANCE; GRASSY SOUNDS CIVIL ASSOCIATION AGREEMENT; CAPE EXPRESS SOCCER LEASE AGREEMENT)

2.) The general nature of the subject matter to be discussed is as follows: PERSONNEL ISSUES (RESTRUCTURING OF ADMINISTRATIVE OFFICES); CONTRACT NEGOTIATIONS (HEALTH INSURANCE; GRASSY SOUNDS CIVIL ASSOCIATION AGREEMENT; CAPE EXPRESS SOCCER LEASE AGREEMENT)

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.

Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the following topic in closed session: PERSONNEL ISSUES (RESTRUCTURING OF ADMINISTRATIVE OFFICES); CONTRACT NEGOTIATIONS (HEALTH INSURANCE; GRASSY SOUNDS CIVIL ASSOCIATION AGREEMENT; CAPE EXPRESS SOCCER LEASE AGREEMENT).

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.

25. ORDINANCE NO. 1432-12 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, NEW JERSEY AMENDING CHAPTER 250, ENTITLED ZONING – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, Ordinance No 1432-12 passed first reading. Second reading, public hearing and consideration for adoption will be held on 12/17/2012 at 6:00 p.m.

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

SECTION 1. CHAPTER 250 Article VI DEVELOPMENT STANDARDS of the Code of the Township of Middle is hereby amended and supplemented as follows:

Replace 250-601 *Grandfathered lots in residential zones* in its entirety.

250-601 Grandfathered lots in residential zones

A. A single family dwelling is a permitted use on a vacant residential lot or combination of lots if all of the following conditions are satisfied:

1. The lot(s) are existing or received preliminary subdivision approval before the effective date of this ordinance

2. The parking requirements of this ordinance are met

3. The following bulk requirements are met

Zone	Lot Area (square feet)	Lot Frontage (feet)	Lot Width (feet)	Front Setback (feet)	Rear Setback** (feet)	Side Setback** (feet)	Total Side (feet)	Maximum Percent Coverage	Height (feet)
TR Sewered	5,000	50	50	20	20	5	15	50% building; 70% impervious	35
SR and R Sewered	12,000	75	75	30	30	10	25	35% building; 60% impervious	35
All Other Residential Zones and Septic lots in TR, SR and R	35,000*	100	100	40	40	12	32	20% building; 50% impervious	35

NOTES:

*Minimum unconstrained contiguous lot area of 15,000 is required.
 **All accessory structures shall have a minimum six-foot side and rear yard setback.

- B. If any existing single-family dwelling on a nonconforming lot is destroyed or demolished, it can be rebuilt without variance, as long as the setback requirements are met for the zone in which the lot is located.
 C. An existing single family dwelling on a nonconforming lot in the RC Rural Conservation zone may be rebuilt without variance as long as it meets the parking requirements of this chapter and the bulk requirements outlined in 250-601A.3.

Section 2. CHAPTER 250 Article IV DISTRICT REGULATIONS of the Code of the Township of Middle is hereby amended and supplemented as follows:

Replace the following bulk standards in 250-412. VC Village Commercial.

E. Bulk requirements for VC Village Commercial :

Type	Single-Family Dwelling	Commercial
Maximum coverage, building	Sewer: 30% Septic: 20%	Sewer: 30% Septic: 20%

Add the following conditional use to 250-409. TC Town Center.

C. Conditional uses:

(9) Car washes in accordance with 250-518

Add the following conditional use to 250-408. TB Town Business.

C. Conditional Uses

(9) Car washes in accordance with 250-518

Section 3. CHAPTER 250 Article V Conditional Uses of the Code of the Township of Middle is hereby amended and supplemented as follows:

Replace section I of 250-506. Fueling stations.

I. Permitted accessories to a fueling station include retail, restaurant (including fast food), and car wash. Such uses shall meet all principal use bulk requirements. For car washes, the conditions in section 250-518 shall be met.

Add section 250-518. Car Washes

A. Bulk standards of any car wash shall meet the district regulations or the regulations below, whichever are more restrictive:

Type	Requirement
Lot area	40,000 square feet
Lot width	150 feet
Lot frontage	150 feet
Yards:	
Front	50 feet
Side (1)	25 feet
Total both sides	50 feet
Rear	50 feet

Type	Requirement
Lot area	40,000 square feet
Accessory:	
Side	20 feet
Rear	20 feet
Maximum building height	35 feet
Maximum impervious coverage	75%

B. Exterior vacuum stations shall be in the rear of the car wash building. A minimum space of 25 feet shall exist between any two vacuum stations and between any vacuum station and the principal building.

C. There shall be an area that allows stacking of a minimum of ten (10) cars.

D. A detail shop may be permitted as part of the car wash.

E. Retail sales of ancillary products are permitted.

F. Car washes are not permitted in the Cape May Court House Overlay zone.

G. There shall be no other uses permitted on site.

SECTION 4. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 5. 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 6. This ordinance shall take effect after final adoption and publication as required by law.

26. PUBLIC COMMENT:

Mayor Lockwood read into record the letter received during the Work Session from Mr. Bethel and Mr. McDevitt regarding the flag for Mr. Dramis.

Committeemember DeLanzo spoke of the 104th birthday of Hilda Pike at the Senior Center.

Spoke of PAC Fundraiser on 12/11. Proceeds to go towards CMC residents in need of repairs due to Hurricane Sandy. Tickets \$10.00.

12/16/2012 is the Anniversary of the PAC.

Spoke of upcoming Council on the Arts Christmas Show.

Also spoke of retirement of Officer Dougherty. Wonderful to have known him. Best of luck and congratulations.

Committeemember Donohue referenced the special meeting scheduled for Tuesday 12/27/2012 for the reverse auction. Also discussed residential aggregation and the possibility to extend savings to the residents of Middle Township.

Marc DeBlasio read into record the Engineering Report dated November 19, 2012.

ENGINEERING STATUS REPORT							
MIDDLE TOWNSHIP							
November 19, 2012							
Prepared For: TOWNSHIP COMMITTEE	Prepared By: MARC DEBLASIO, P.E., P.P., C.M.E. Township Engineer						
GRANT APPLICATIONS							
Game Time Recreation-Playgrounds							
<ul style="list-style-type: none"> Marturano Recreation has offered the Township a 50% grant for the playgrounds identified for the Davies Sports Complex and in Rio Grande. The total grant amounts are listed below: <table border="0"> <tr> <td>1. Davies Sports Complex</td> <td style="text-align: right;">\$29,043.00</td> </tr> <tr> <td>2. Rio Grande</td> <td style="text-align: right;">\$11,383.00</td> </tr> <tr> <td style="text-align: right;">Total</td> <td style="text-align: right;">\$40,426.00</td> </tr> </table> Based on our meeting, the Township identified playground needs at the Davies Sports Complex and in Rio Grande. The Township can utilize this playground grant as an "in kind" match for the Township's pending NJDCA Small Cities grant application which contains the installation of an ADA playground at the Davies Sports Complex. 		1. Davies Sports Complex	\$29,043.00	2. Rio Grande	\$11,383.00	Total	\$40,426.00
1. Davies Sports Complex	\$29,043.00						
2. Rio Grande	\$11,383.00						
Total	\$40,426.00						
NJDOT Transportation Enhancement Program							
<ul style="list-style-type: none"> The Township has selected the streetscaping of Main Street from Mechanic Street to Hand Avenue and Mechanic Street from Boyd Street to Main Street (south side). Our office provided the necessary information and deliverables to Trisal Associates on July 14th and the grant application was submitted for the July 17th deadline. 							
NJDOT State Aid Program							
<ul style="list-style-type: none"> The State has sent out letters announcing the 2013 State Aid Program. Grants are available for the following categories: <ul style="list-style-type: none"> Municipal Aid, Transit Village, Bikeways & Safe Streets to Transit The following grant applications were submitted before the October 16, 2012 deadline: <ol style="list-style-type: none"> Municipal Roadway: Second Street - Phase 2 Bikeways: Bike Path Phase 4 Safe Streets to Transit: Main Street Sidewalk Installation Phase 2 							

CAPITAL IMPROVEMENTS

FY2012 NJDOT Reconstruction of Second Avenue

- The project began on October 2, 2012.
- 90% of concrete work is complete.
- Asphalt Paving Systems is scheduled to begin work in 2 weeks.

Whitesboro Roadway Improvements Phase 3

- New Jersey American Water (NJAW) has indicated that their Whitesboro Watermain Phase 3 project will likely not be ready for construction until early to mid September. This has led to our recommendation to divide this project into two phases (3A & 3B) in order for NJAW to complete their work prior to our resurfacing the roadways where the projects overlap.
- Project has been split into 2 sections (3A & 3B) to avoid conflict with NJAW project.
- The bid opening was held on August 7, 2012. The apparent low bidder was Arawak Paving Company (\$383,000.00) [Engineer's Estimate - \$627,875.00]
- Work began the week of October 22, 2012.
- Work for storm sewer pipe is scheduled for this week.
- A notice was sent to the contractor last week regarding project progress and time of completion.

Avalon Manor Road Program

- Our office has met with Township officials and completed site investigations to develop roadway construction cost estimates for Leonard's Lane and the Avalon Manor section of the Township.
- Our office has completed the project survey and base plans. The design process has begun.

USDA Rural Development Sanitary Sewer Application – Grassy Sound

- On June 15, our office met with Grassy Sound Homeowner Association's engineer to coordinate the project.
- Joint Permit Process meeting with NJDEP was held on August 8, 2012. Meeting minutes are on file with the Township.

FY 2012 NJDOT Bikepath – Phase 3

- Contract was awarded to Asphalt Paving Corporation, Inc. in the amount of \$299,007.00.
- Notice to proceed was issued at the July 12, 2012 preconstruction meeting (date of completion: November 9, 2012).
- Contractor is working on Change Order items.

Leonard's Lane

- Our office will work to correct the violation and design the reconstruction of roadway per meetings with Township's Public Works Department.
- Meeting with NJDEP / Army Corp of Engineers is being arranged.
- Wetlands have been delineated in the field.
- Survey and design work is complete and our office is preparing to submit the permit applications.

GENERAL ENGINEERING PROJECTS

Alternative Energy Review

- We have reviewed the electrical account information from Atlantic City Electric Company (ACE) for each Township account and have identified cost savings thru a third party supply (TPS) contract.
- A reverse energy auction for the Township's "non-TPS" electric accounts and street lighting was conducted. Based on the bid results, it is recommended that the Township proceed with these rates which is projected to save the Township approximately \$16,000.00.

Robert 'Ockie' Wisting Recreation Complex

- Project was a CMX administered project through 2007.
- Review of project was performed to analyze funds allocated to project and payments that have been made to the contractor and previous consultants.
- Contractor was paid for what was completed/constructed. There were no additional funds paid to contractor for work that was not completed.
- Cape Express Soccer Organization has proposed to complete what remains unfinished, additional work and maintenance of the facility.
- Our office has generated a conceptual plan to show additional recreation activities at the Complex based upon Cape Express' plan of development.

Marc DeBlasio indicated that he was informed there is no DEP permit needed for the Leonard's Lane Project. He also discussed the delay with the Whitesboro Roadway Project. "3B" contract to be bid at the same time as Avalon project, which will be sometime in the spring.

Mayor Lockwood spoke of the donations presented and the volunteers that dedicated time during Hurricane Sandy. Happy Thanksgiving to all. Town will host Christmas in Middle Township which will include Tree of Life Ceremony, which will be auctioned off for charity.

Concerned Citizens hosted a luncheon for the Public Works Department, which is always nice to be invited to and to be able to spend time with the employees at Public Works.

No Further Public Comment.

Motion to go into Executive Session – 7:05pm

1st Committeemember Donohue 2nd Committeemember DeLanzo

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

Motion to end Executive Session and return to Open Session– 9:45pm

1st Mayor Lockwood 2nd Committeemember Donohue

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

Committee opened meeting back up to public. No public present. No further public comment.

Motion to adjourn meeting:

1st Committeemember DeLanzo 2nd Committeemember Donohue

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

Meeting was adjourned at 9:45pm.

Kimberly D. Krauss, Twp. Clerk