

Cape May Court House, NJ  
November 4, 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.)

*Stan Doniger – Questioned the MLK boiler unit, item #20*

*Committeemember Donohue – This is an original boiler unit from about 14 years ago and needs to be replaced.*

*Connie Mahon – Parts on the current boiler cannot be replaced.*

*Vilma Pombo – Regarding item #18 – Planning Consultant – has the Township ever received planning endorsement?*

*Committeemember Donohue – Yes, the plan has to reviewed every two years. These positions are out for bid but do not have to be hired/awarded.*

*Curt Kelly – Regarding item #10, asked for clarification of “debris, etc.”.*

*Mayor Lockwood – Resolution pertains to lawn maintenance.*

*Curt Kelly – Spoke of excess debris in Reeds Beach area, especially after Hurricane Sandy.*

*Believes this is a public safety hazard and should be addressed. Watched furniture, bulkheads, siding, float into the Delaware Bay because it was not picked up.*

*Mayor Lockwood – Anything that would attract rodents would be covered. Spoke of new individual who will be working in Township to address unsafe properties. Have to be patient to give people their property rights before house gets knocked down, have to allow time to repair.*

*Curt Kelly - Mentioned recent article in Herald regarding unsafe structures, believes several properties in Reeds Beach meet several items in that criteria to define a property as unsafe.*

*Connie Mahon – Spoke of organization, Dewberry, hired through FEMA to remove debris from bodies of water. Website is available through FEMA to submit information regarding this type of information. Mentioned that they cannot go onto people’s property, but can work in the water from high tide mark and out.*

*Sam Kelly – Believes Committee spoke with sarcasm to Curt Kelly in previous comments.*

*Regarding item #12, Special Events Coordinator – is this a new position or replacing someone? Believes Justin Cox is a nice young man, has a degree, but no experience. Does not believe that a full-time employee should be given more money to do something that is already part of his job duties.*

*Committeemember Donohue – New emphasis on special events, goal to improve special events. Harvest Fest had more vendors than in the past. We have always had three full-time employees, which is still in effect, this is not a new position. Respects Mr. Kelly’s opinion, believes it is a worthy expenditure to improve Township’s special events.*

*Peggy Mathis – Asked what Justin Cox’s current title is and scope of work.*

*Committeemember Donohue – This is not part of his job description when hired. His job title is Recreation Aid. Recreation Department has always overseen special events. We would like Tammy to spend more time focusing on Goshen, and Justin will be able to work on special events.*

*Peggy Mathis – Asked how Justin Cox falls under the tree of command in Recreation. Does the increase pay into his pension.*

*Committeemember Donohue – Tammy Devitt and Robert Matthews are Directors of each facility, Justin Cox works at both facilities.*

*Kimberly Krauss – Yes. This is a salary increase, not a stipend.*

*Tracey Taverner – Mentioned Sue Rennie previously holding this position when she worked in the Recreation Department.*

*Peggy Mathis – Understands that special events is over and above Justin Cox’s job description.*

*Stan Doniger – Questioned \$2,6xx item on bill list for landscape memorial. What did it go for?*

*Committeemember DeLanzo – Rio Grande, corner of Route 9 and Route 47. Dedication to former Rio Grande Resident/Fire Chief, William Belles. Costs were for landscaping, beautification.*

*Connie Mahon – Materials were donated at cost, Township did the labor.*

*Stan Doniger – Asked about Board Appreciation Dinner cost.*

*Mayor Lockwood – A dinner for all of the volunteer board members and spouses invited too.*

2. RESOLUTION 547-13 – 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. \$2,548,971.15
  
3. RESOLUTION 548-13 – APPROVING MINUTES FROM PREVIOUS MEETINGS – 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, the governing body thereof, that the following minutes are approved: Work Session 10/21/2013, Regular Meeting 10/21/2013 and Closed Session 10/21/2013.
  
4. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of October; Tax Collector / Sewer Utility Collector for the month of October; Construction Official for the month of October; Zoning Official for the month of October;
  
5. REINTRODUCTION OF ORDINANCE NO. 1453-13 - BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE SEWER UTILITY OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$165,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$165,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, Ordinance No.1453-13 was reintroduced and passed first reading. Second reading, public hearing and consideration for re-adoption will be held on 12/02/2013 at 6:00 p.m. BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two thirds of all members thereof affirmatively concurring) AS FOLLOWS:
  - Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Middle, in the County of Cape May, New Jersey (the “Township”). For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$165,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond.
  - Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$165,000 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38, as amended. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.
  - Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to the sewer utility, consisting of the purchase of materials for the construction of two PVC sanitary sewer force mains, a sanitary sewer air release manhole, a sanitary sewer manhole, GIS mapping including all work, inspections and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.
    - (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.
    - (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.
  - Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond, and the chief financial officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.
  - Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.
  - Section 6. The following additional matters are hereby determined, declared, recited and stated:
    - (a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$165,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$35,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

6. RESOLUTION 549-13 - AUTHORIZE CHANGE IN EMPLOYMENT 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
Christina Oliver	Keyboarding Clerk 1 P/T	Keyboarding Clerk 1 F/T	\$18,720.00	10/23/2013

7. RESOLUTION 550-13 - RATIFY SHARED SERVICES AGREEMENT WITH THE RIO GRANDE FIRE DISTRICT No. 2 – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the attached Shared Services Agreement between the Township of Middle and the Rio Grande Fire District No. 2, for services of an Inspector, to perform services relative to unsafe structures damaged by fire, other hazards or neglect on a part time basis, be and is hereby ratified; and

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documents in connection therewith.

8. RESOLUTION 551-13 - APPOINTMENT – PART TIME - NEW HIRE – 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 employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Alexis Cropper	Township Clerk / Registrar of Vital Statistics	Keyboarding Clerk 1 P/T T/A	\$9.00ph	11/18/2013

9. RESOLUTION 552-13 - APPOINTMENT – ALTERNATE DEPUTY REGISTRAR OF VITAL STATISTICS – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary to 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
Alexis Cropper	Township Clerk / Registrar of Vital Statistics	Alternate Deputy Registrar of Vital Statistics	11/18/2013	11/18/2016

10. RESOLUTION 553-13 - AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

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

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

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

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

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

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

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

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

OWNER	PROPERTY LOCATION	BLOCK // LOT	AMOUNT
William & Christine Rynne	512 Cedar Avenue	994 // 4	\$55.70
Jeff & Tammie Livingston	7 Sunray Beach Road	442 // 8.01	\$55.70
Arthur Carter	453 Shunpike Road	322.01 // 26	\$77.72

11. RESOLUTION 554-13 – SALARY ADJUSTMENT – 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, State of New Jersey, that the following employee salary be amended to the amount opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Stephen Delinski	Public Safety	PS Telecommunications Operator P/T	\$13.46ph	10/11/2013

12. RESOLUTION 555-13 - APPOINTMENT – SPECIAL EVENTS COORDINATOR – 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 opposite their name:

NAME	DEPARTMENT	TITLE	SALARY INCREASE	EFFECTIVE
Justin Cox	Recreation	Special Events Coordinator	\$1,000.00	11/04/2013

13. RESOLUTION 556-13 through 557-13 - AUTHORIZING LEASE UNDER STATE CONTRACT FOR COPY MACHINE (ITEMS A THROUGH B) – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

A. WHEREAS, there is a need to lease various copy machines and a printer for the Township of Middle, in the County of Cape May, State of New Jersey; and

WHEREAS, machines will be leased for the following department:

1. Recreation Department

WHEREAS, this can be leased through State Contract #T437A, and

WHEREAS, public bids are not required when the purchase is under State Contract in accordance with 40A:11-12 of the Local Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:

Keystone Digital Imaging

PO Box 1610  
Media, PA 19063

For the lease/purchase of copier machines/ printer for 48 months in the amount of \$450.00 per month.

- B. WHEREAS, there is a need to lease various copy machines and a printer for the Township of Middle, in the County of Cape May, State of New Jersey; and  
WHEREAS, machines will be leased for the following department:

1. Tax Collector

WHEREAS, this can be leased through State Contract #T437A, and

WHEREAS, public bids are not required when the purchase is under State Contract in accordance with 40A:11-12 of the Local Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:

Keystone Digital Imaging

PO Box 1610

Media, PA 19063

For the lease/purchase of copier machines/ printer for 36 months in the amount of \$230.00 per month.

14. RESOLUTION 558-13 through 559-13 - REFUND 2013 TAXES (ITEMS A THROUGH B) –  
On motion by Committeemember Donohue seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted. **\*Mayor Lockwood Abstain**

- A. Refund due to overpayment by Mortgage Company.

ACCOUNT	BLOCK	LOT	OWNER / LOCATION	AMOUNT
1783	60	6	Coleman, Andrew D 5 Ella Avenue	\$671.70
2215	103	4	Lockwood, Kathryn W 112 Birch Drive	\$952.36
16229	166	51	Federal National Mtg Assoc 15 Fishing Creek Road	\$864.08
14107	1427	30	Lacharite, Michael A & Heidi 13 Mimosa Drive	\$899.67

Make check Payable to:

Corelogic Real Estate Tax Service

Attn.: Refund Dept.

P O Box 961250

Fort Worth, TX 76161-9858

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 check in the above noted amount payable to the above mentioned party, as a refund of 2013 property taxes.

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

- B. Refund due to overpayment by Mortgage Company

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
17639	114	8 C0015	Barth, Holli A 402 West Hampton court	\$1,869.33
13737	1410.01	50	Flannery, Colleen 1449 Burleigh Ave	\$1,231.69

Make check Payable to:

Lereta LLC

1123 Park View Drive

Covina, CA 91724

Attn.: Refund Tax Department

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 check in the above noted amount payable to the above mentioned party, as a refund of 2013 property taxes.

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

15. RESOLUTION 560-13 - FISCAL GRANT EXTENSION – MUNICIPAL ALLIANCE GRANT – GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE – JANUARY 1, 2014 TO JUNE 30, 2014 – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Committee of the Township of Middle, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and  
WHEREAS, the Township was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to Middle Township Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding; and  
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee does hereby authorize the submission of the grant extension for the Middle Township Municipal Alliance grant in the amount of:

DEDR:	\$6,077.00
Cash Match:	\$1,519.00
In-Kind:	\$4,558.00

The Township Committee acknowledged the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
Daniel Lockwood, Mayor

16. RESOLUTION 561-13 - RATIFY SHARED SERVICES AGREEMENT WITH THE COUNTY OF CAPE MAY – USE OF MEDICAL ATV’S – 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 attached Shared Services Agreement between the Township of Middle and the County of Cape May, for use of Medical ATV’s, be and is hereby ratified.  
BE IT FURTHER RESOLVED, that said agreement shall be for the term of January 1, 2014 through December 31, 2014.  
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documents in connection therewith.
17. RESOLUTION 562-13 - AUTHORIZE MAYOR TO EXECUTE DISCHARGE OF MORTGAGE – ELFREDIA ALLEN – 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 and State of New Jersey, that the mortgage loan for Elfredia Allen in the amount of \$7,420.00 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.
18. RESOLUTION 563-13 - 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 Mayor Lockwood seconded by Committeemember Donohue 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 2014 shall be subject to the Fair and Open Process and also where stated below additional criteria for certain position; and  
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 06, 2013 and continuing on the website through November 20, 2013.
      2. The Township shall accept proposals until 1:00 o’clock on November 20, 2013.
      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 November 20, 2013 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 contact
  - 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?

3. 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 2013, 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 servicers 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.\*

T. Ethics Board Attorney - Legal Advisor to the Middle Township Ethics Board as needed on a case to case basis.

19. RESOLUTION 564-13 – ACKNOWLEDGEMENT OF TERMINATION – On motion by Mayor Lockwood seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.  
 BE IT RESOLVED, by the Township Committee, 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
Brittney Adams	Municipal Court	Keyboarding Clerk 1	11/01/2013

20. RESOLUTION 565-13 - EMERGENCY APPROPRIATION – MLK BOILER UNIT - On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.  
 WHEREAS, a condition has arisen with respect to the failing of the Boiler unit at the Martin Luther King Center and no adequate provision was made in the 2013 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 \$16,000.00 and three percent of the total operations in the budget for the year 2013 is \$611,783.65  
 WHEREAS, the foregoing appropriation, together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2013,  
 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 MLK Boiler Replacement in the amount of \$16,000.00  
 2. That said emergency appropriation shall be provided for in full in the 2014 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.

*Connie Mahon - During routine maintenance visit, it was discovered that the inner parts of boiler unit caved in and destroyed the burners and melted. Attempt was made to repair the boiler, but was unsuccessful. Boiler cannot be rebuilt and parts cannot be replaced. We are looking into rebates. There is no heat in the MLK Center as of now, but they hope to have the new boiler installed within a week.*

21. RESOLUTION 566-13 - AUTHORIZING EMERGENCY CONTRACT – BADAME – MLK BOILER – On motion by Committeemember Donohue seconded by Mayor Lockwood and passed on roll call, the following resolution was adopted.  
 WHEREAS, the Township of Middle has declared an emergency in the township due to failure of the boiler at MLK; and  
 WHEREAS, the Township of Middle needed to bring in an outside contractor to replace said boiler at MLK; 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 Contractor listed below: NICK BADAME REFRIGERATION  
 As the Chief Financial Officer of the Township of Middle, I acknowledge the sum of \$ not to exceed \$16,000.00 has been authorized for the following service or items: Boiler replacement at MLK. It is further certified that sufficient funds are available from the following appropriation or ordinance to cover this contract: 3-01-44-907-907-612.  
 PO#: 21303310 Nick Badame Refrigeration

\_\_\_\_\_  
 Tracey Taverner, CFO

22. RESOLUTION 567-13 – APPOINTMENTS – NEW HIRE – On motion by Mayor Lockwood 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 employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Walter Belles	Public Works	Mechanics Helper/Truck Driver F/T	\$20,120.00	11/12/2013

23. PUBLIC COMMENT:

Committeemember DeLanzo –

-Thanked everyone involved in Harvest Festival. Heard nothing but great reviews about the event.

Committeemember Donohue –

-Echoed Committeemember DeLanzo comments about Harvest Festival. Thanked Recreation Department and Public Works Department. Beautiful weather, some parking issues, but hears everything went well.

-Press Release today for \$1.6M funding award for restoration for Reeds Beach and Pierces Point. Efforts made earlier this year for sand fill to have flats restored before horseshoe crabs arrived, believes that helped with this award of funding. Part of \$162M federal investment in 45 areas. Will help migratory birds, horseshoe crabs as well as residents in those areas.

Connie Mahon –

-Will be handled by North East Region of NJ Fish and Wildlife. Geared towards migratory birds and horseshoe crabs.

Committeemember Donohue –

-Spoke of reorganization of construction/zoning offices and mentioned Resolution on tonight's agenda for an employee moving from one department to another.

Reorganization is an ongoing process and believes this to be a big step. Technical Assistant, Sue Copson in Construction office is soon retiring. Sue has been great asset and will be missed. Looking forward to more united Construction and Zoning offices.

Connie Mahon –

-Spoke of upcoming energy fair, being held on November 13<sup>th</sup>. 2pm session for commercial properties, 6pm session for residential residents. Representatives from BPU, SJ industries (SJ Gas), and Atlantic City Electric as well as many vendors. Energy Fair will held at MLK Center.

Mayor Lockwood –

-County's annual Community Disabilities Awareness Day on November 16<sup>th</sup> from 10a-1p at Avalon Elementary School.

-Success at Harvest Festival with great weather.

-Public Works luncheon on November 6<sup>th</sup> presented by Concerned Citizens of Whitesboro, well deserved for Public Works employees.

Carl Karmelowicz –

-Asked about status of energy auction. Read article about Committeemember Donohue being against it. Only heard a few oppositions from other suppliers at meetings which he attended. Does not think that it is hard concept to understand for the average person.

Mayor Lockwood –

Nothing currently happening, Township will be part of the auction, but no actions being taken at this time.

Committeemember Donohue –

-We are still part of the effort, but it is not moving forward at this time. People are not opposed to saving money, but opposed to being forced into something that they may not want. Middle Township will be part of the first multi-town aggregation, doesn't seem like

it is clicking together as expected. It is an easy program to opt-out of, but does not feel comfortable moving forward with resident electric accounts at this time.

Mayor Lockwood –

Spoke about slowing down the process until questions are answered, but believes residents are losing money in savings.

Sam Kelly –

Disagrees with Carl's comments about the energy aggregation being positive for the community. Also agrees with paying a stipend to an employee for doing a job they should already be doing.

Mayor Lockwood –

Clerk confirmed that it is not a stipend, it is an increase in salary.

Judy Anderson –

Followed up on questions from Work Session regarding Patsy's Way project.

Connie Mahon –

Some feedback has been received, target to respond to questions was 30 days. Has asked several more questions in addition to what was originally asked, received application to apply for affordable housing. Read into record email from developer with application attached. Developer will be at next Work Session meeting in November to continue to discuss this matter and ask any additional questions.

Committeemember Donohue –

Received copy of petition which has been passed on to our Solicitor and Engineer. We are working on getting answers for you. One major question was to define a disability, as opposed to special needs. Read into record definition of disability, specifically towards mental or physical disability.

Connie Mahon –

Read email from developer regarding marketing units for families with disabled persons. Plans on bringing developer to next Work Session meeting to obtain more information on the project. Spoke of Resolution of Need requested by developer for them to secure additional funding for the project.

Mayor Lockwood –

Spoke of Senator Van Drew's comments from previous meeting that were misconstrued. Two sources of funding; Sandy relief which was state funded \$500,000, waiver from federal government to get Resolution of Need for additional funding, second source of funding was from NJ Special Needs. Does not believe that Committee will consider Resolution of Need until all questions from residents are answered.

Judy Anderson –

Presented petitions to Committee. Requested copies of emails from developer.

Dana Tyndall –

Asked how she could request copies of emails and correspondence from developer.

Connie Mahon –

Directed Ms. Tyndall to contact Clerk's office to submit OPRA request.

Dana Tyndall –

Spoke of ADA compliance issue from about 10 years ago regarding sidewalks.

Connie Mahon –

Developer would have to make accommodations on a case by case basis, depending on needs. Developer will own the properties and lease the homes, the Township will not be responsible.

Dana Tyndall –

Asked if anyone on Township Committee or Planning Board would act as a contractor for the project?

Mayor Lockwood –

Cannot speak for Planning Board. Mentioned rule that states that members cannot benefit from application passed, but only for one year period. This subdivision was passed 8 years ago.

Committeemember Donohue –

Members recuse themselves on a regular basis from approving certain projects, which is why alternate members are available.

Dana Tyndall –

Spoke of square footage deed restriction which is in the deed for that property.

Connie Mahon –

Advised that is a deed restriction and not a township issue.

Committeemember Donohue –

Plan is 1,500 sqft homes, but developer was not aware of deed restriction.

Judy Anderson –

Asked what protection is available that says that developer will not turn around and sell the properties once they are complete.

Connie Mahon –

Agreement that they cannot sell the properties for 15 years. This item was addressed at the previous Work Session.

Peggy Mathis –

Provided copy of deed restrictions from Delaware Farms, indicated that she has to approve plans within Delaware Farms, deed restriction is recorded with County Clerk.

- Mayor Lockwood –  
Has this process been going on?
- Peggy Mathis –  
Yes. This pertains to the Tally Ho lot. Spoke of history of property that developer wishes to put 9 homes on. Advised that property was a former dump.
- Committeemember Donohue –  
This property is no different than any other, which has to go through planning/zoning for permits and approvals.
- Sam Kelly-  
Does not believe issues regarding Patsy's Way have to do with legislature and Senator Van Drew. Mentioned special meeting from August regarding HMFA which approved application for Conifer, Patsy's Way was on that same agenda. Doesn't believe that Committee was unaware of this development until recently.
- Mayor Lockwood –  
Advised that the Patsy's Way project is not part of the affordable housing plan.
- George Tsiamis, 7 Hoppy's Lane –  
Expressed concern for a low income house being placed in a neighborhood with houses valued at over \$500,000. Does not believe that sufficient notice about previous Work Session meeting was given to property owners near the Tally Ho Road property. Spoke of deed restriction and asked if developer will have to comply with the deed restriction.
- Marc Karavan –  
Deed restriction is filed with the County Clerk's office and is enforceable by the person who holds the deed restriction.
- Mayor Lockwood –  
Agreed that proper notice was not given, tried to notice as many people as possible in surrounding area. Developer was made aware of both deed restrictions at previous Work Session meeting.
- Dana Tyndall –  
At previous Work Session, Engineer stated that application would have to be reopened to review stormwater drainage.
- Committeemember Donohue –  
Previous application will have to be reviewed to make sure it meets current regulations. A pre-construction meeting would have to be set.
- Sarah Lees –  
Asked when next Work Session is scheduled for.
- Connie Mahon –  
November 18<sup>th</sup> at 4pm, Developer will be at 4 o'clock meeting.
- Stan Doniger –  
Apologized for comment at previous meeting about "entertainment". Harvest Festival was a wonderful event, mentioned issues with trouble finding parking.
- Bernice –  
Requested more handicap accessible parking spots for future Harvest Festival or events.

Motion to adjourn meeting – 7:37pm

1<sup>st</sup> Committeemember DeLanzo                      2<sup>nd</sup> Committeemember Donohue

Pass on Roll Call: Committeemember DeLanzo, Committeemember Donohue, Mayor Lockwood

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Kimberly D. Krauss, Township Clerk