

Cape May Court House, NJ
November 7, 2011
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 DeLanzo, Committeemember Doughty, Committeemember Lockwood, Township Business Administrator Mark Mallett, Township Clerk Kimberly Krauss, Municipal Solicitor James Pickering, and Township Engineer Vincent Orlando

1. PRESENTATIONS BY THE MAYOR
2. QUESTION/ANSWER PERIOD ON AGENDA (This question and answer session shall relate only to items as outlined and pending on current agenda. Issues and concerns not related to agenda item shall be withheld to public comment portion at the conclusion of meeting.)
Vilma Pombo – asked particulars regarding item #24
3. RESOLUTION NO. 519-11 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$ 4,607,756.51
Committeemember Lockwood expressed concerns on Planning Board and Zoning Board compensation.
4. RESOLUTION NO. 520-11 – APPROVING PAYMENT FOR BILLS – BILL LIST B (A&H/ FMR) – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$ 1,579.23
5. RESOLUTION 521-11 – APPROVING PAYMENT FOR BILLS – BILL LIST C (ANZELONE) – On motion by Mayor DeLanzo seconded by Committeemember Doughty 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. \$ 672.00
6. RESOLUTION NO. 522-11 – APPROVING PAYMENT FOR BILLS – BILL LIST D (HATCH MOTT MACDONALD) – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$ 67,464.60
7. RESOLUTION NO. 523-11 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember Lockwood seconded by Mayor 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 minutes from the Township Committee meeting and work session held October 17, 2011 are hereby approved.
8. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of October; Land Use Administrator for the month of October; Zoning Official for the month of October; Construction Official for the month of October; Treasurer for the month of September; Tax Collector for the month of October;
9. REINTRODUCTION OF ORDINANCE NO. 1396-11 - AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, Ordinance No 1396-11 was reintroduced and passed first reading. Second reading, public hearing and consideration for adoption will be held on 12/05/2011 at 6:00 p.m.
- Original Ordinance 1396-11 introduced on 9/7/2011 to include range for crossing guard.

- Ordinance reintroduced on 9/19/2011 to include titles and ranges for Deputy Chief Financial Officer, Payroll Clerk, Clean Communities Supervisor and Temporary Acting Chief Financial Officer.
- Ordinance reintroduced 10/3/2011 to include Temporary Acting Deputy Chief Financial Officer with a range of \$10.00 to \$15.00 ph.
- Ordinance reintroduced 11/7/2011 to include title and range for Temporary Acting Court Administrator with a range of \$10.00 to \$30.00ph.

10. ORDINANCE NO. 1400-11 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE AMENDING LOCAL ORDINANCE CHAPTER 48 AND ESTABLISHING FEES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS LAW – Following second reading, hearing, and consideration for adoption, Ordinance 1400-11 was adopted on motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.

BE IT ORDAINED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following sections of the local ordinance are hereby revised as follows:

SECTION 1: The following sections of Chapter 48 of the Code of the Township of Middle is hereby amended to read as follows:

48-2 (B) Fees for routine copies of municipal documents are:

1. Copy Per Page / size 8.5” x 11” : \$.05
2. Copy Per Page / size 8.5” x 14” (legal): \$.07
3. Mailing envelope \$.10
4. Actual postage

48-6 (F) subsection (2) shall be amended to read as follows:

Discovery requests in matters pending in the Municipal Court are submitted through the Municipal Prosecutor.

(A) Fees (other than Municipal Court Discovery)

1. Copy Per Page / size 8.5” x 11” : \$.05
2. Copy Per Page / size 8.5” x 14” (legal): \$.07\$
3. \$5.00 for mailed accident reports (N.J.S.A. 39:4-131)
4. \$5.00 for each video or audiotape reproduction

SECTION 2. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

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

11. RESOLUTION NO. 524-11 – TEMPORARY APPOINTMENT – NEW HIRE – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

WHEREAS, the following individuals shall be temporary appointed in the departments as designated below.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employee is hereby temporarily appointed to the following position at the salary opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFF. DATE
Pam Davidson	Municipal Court	Temporary Acting Court Administrator	\$20.00 p/h	11/07/2011

12. RESOLUTION NO. 525-11– AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND THE COUNTY OF CAPE MAY FOR USE OF AN EMERGENCY GENERATOR – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes and encourages local governmental units to work cooperatively in order to increase efficiency and reduce the cost of governmental operations, through Uniform Shared Services and Consolidation Act, and

WHEREAS, the County Department of Emergency Management possesses various pieces of specialized equipment which are used in emergency situation, and

WHEREAS, the Township of Middle desires to utilize a Baldor Model TS80 Generator owned by the County, and to house said generator at Elementary #2 School, for emergency purposes.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that authorization is hereby given to enter into said Shared Services Agreement with the County of Cape May for use of a Baldor Model TS80 Generator.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to sign any and all documentation in connection with said agreement.

FURTHER RESOLVED, that the term of this agreement shall be for a period of seven years beginning October 11, 2011 through October 10, 2018.

FURTHER RESOLVED, that said agreement shall be in a form of a letter of request from the Middle Township Office of Emergency Management, a copy of which is attached hereto as Schedule “A”.

13. RESOLUTION NO. 526-11 – 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 Lockwood seconded by Committeemember Doughty 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 a contract submitted in accordance with the Fair and Open Process; 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 (www.middleborough.com) beginning on November 7, 2011 and continuing on the website through November 21, 2011.
2. The Township shall accept proposals until 1:00 o’clock on November 21, 2011.
3. Proposals shall be in a sealed envelope addressed to:
Kimberly 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
6. On November 21, 2011 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 and the governing body may award a contract by approving a resolution. 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?
- III. REQUEST FOR PROPOSALS AND QUALIFICATIONS ARE SOUGHT FOR THE FOLLOWING POSITIONS
 - A. Conflict Counsel to advise Township Committee with regard to a matter of potential litigation.

14. RESOLUTION NO. 527-11 – AMENDING CONTRACT AWARDED UNDER FAIR AND OPEN PROCESS – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, the following professional was originally awarded a contract under the Fair and Open Process, pursuant to N.J.S.A. 19:44A-20.4 et.seq., during reorganization 2011, and WHEREAS, said contract was further amended via Resolution 348-11 to include work performed by said professional to amend Chapter 218 of the zoning code, and WHEREAS, it has been deemed necessary to amend said contract further to include work to be performed on the following matters:
 - A. Plan Endorsement – Plan Implementation Items (PIA)
 - i. Complete Streets Policy
 - ii. Adopt Transportation Improvement Analysis as Circulation Element
 - iii. Work with County on Wastewater Management Plan

- iv. Finalize CAFRA Center's Designation
- B. Affordable Housing Issues –includes working with Township Housing Advisory Committee, address administrative issues relative to State requirements (such as trust fund), further develop affordable housing ordinance
- C. Sign Ordinance and/or other Chapter 218 issues

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 contract be amended as follows:

Planning Consultant – Terenik Land Use Consulting - additional work to be performed as outlined above. – Not to exceed \$5,700.00 (rate of \$95.00 per hour)

15. RESOLUTION NO. 528-11 – APPROVE ECONOMIC DEVELOPMENT LOAN – TJ MAINSTREET LLC. – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted. BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the economic development loan to TJ Mainstreet LLC. in the amount of \$35,000.00, be and is hereby approved.
16. ACKNOWLEDGEMENT OF RETIREMENT: George Seabrook, Pump Station Operator/Sewer Repairer has submitted his retirement letter effective November 1, 2011.
17. RESOLUTION NO. 529-11 – CLOSED SESSION –POTENTIAL LITIGATION; UNION NEGOTIATION (UAW) AND PERSONNEL MATTER – On motion by Committeemember Lockwood seconded by Committeemember Doughty 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: POTENTIAL LITIGATION; UNION NEGOTIATION (UAW); PERSONNEL MATTER
 - 2.) The general nature of the subject matter to be discussed is as follows: POTENTIAL LITIGATION; UNION NEGOTIATION (UAW); PERSONNEL MATTER
 - 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.
18. RESOLUTION NO. 530-11 – CLOSED SESSION – PERSONNEL MATTER – DEPUTY CFO POSITION – On motion by Committeemember Lockwood seconded by Committeemember Doughty 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, the Township Committee of the Township of Middle wishes to meet in closed/executive session regarding the position of Deputy Chief Financial Officer and furthermore review resumes and applications as submitted and hold interviews in connection therewith,
 WHEREAS, the dates of said sessions shall be on various dates as indicated below in the 2nd floor conference room of Township Hall:
 November 9, 2011 at 6:00pm; November 10, 2011 at 10:00am; November 14, 2011 starting at 6:00pm
 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: PERSONNEL MATTER – DEPUTY CFO POSITION
 - 2.) The general nature of the subject matter to be discussed is as follows: PERSONNEL MATTER – DEPUTY CFO POSITION
 - 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.
19. RESOLUTION NO. 531-11 – DEPARTMENT CHANGE – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following department change for the following employee is hereby acknowledged:
- | Name | Prev. Dept. | New Dept. | Title | Effective |
|--------------|----------------|-----------|--------------------|------------|
| Dawn Perdomo | Tax Collection | Sewer | Senior Tax Clerk * | 10/25/2011 |
- *Subject to change in title from Senior Tax Clerk to Senior Clerk Typist

20. RESOLUTION NO. 532-11 – ALTERNATE FUND COMMISSIONER APPOINTMENT – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 BE IT RESOLVED, by the Township of Middle that Vera Kalish be and is hereby appointed as Alternate Fund Commissioner to the Atlantic County Joint Insurance Fund effective November 7, 2011.

21. RESOLUTION NO. 533-11 – AUTHORIZING SIGNORS FOR VARIOUS TOWNSHIP RELATED ITEMS – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 WHEREAS, it has been deemed necessary to outline various acts authorized with said title.
 WHEREAS, the following employees are hereby confirmed and/or assigned the authority to sign the following articles:

Purchase Orders in the absence of the Chief Financial Officer:

Mary Kate Garry All Funds

BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof; that the following employees are hereby authorized to transfer of funds within various bank accounts in the absence of the Chief Financial Officer:

Mary Kate Garry (for payroll purposes only)

22. RESOLUTION NO. 534-11 – APPROVAL FOR PAYMENT TERMINAL LEAVE – DANIEL SIMPSON – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, Daniel Simpson has submitted his retirement forms with an effective date of October 3, 2011, and

WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated sick, vacation, and personal time, and

WHEREAS, the personnel office has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time,

NOW THEREFORE BE IT RESOLVED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employee in the amount referenced below.

Daniel Simpson

19.5 Vacation Days	\$ 2,843.10
2 Personal Days	\$ 291.60
1 Easter Holiday	<u>\$ 145.80</u>
	\$3,280.50

23. RESOLUTION NO. 535-11 through 536-11 – REFUND OF TAXES (A THROUGH B) – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

535-11 Refund due to overpayment by Mortgage Company

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
16776	48	47	Meehan, Lillian & John 21 Lacivita Drive	1,079.56	
6644	426	16	Robinson, Jefferey & Megan Caprioni 8 Lafayette Ave	794.38	

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 2011 taxes.

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

536-11

BLOCK	LOT	OWNER/LOCATION	AMOUNT
18703	1432	6 C0143 Schwartz, Joseph 2306 Tidewater Ave Rio Grande, N J 08242 Location: 2306 Tidewater Ave Veteran Deduction	250.00
5418	328	12 Colbourne, Diane 3 Hereford Ave Cape May Court House, NJ 08210 Location: 3 Hereford Ave Senior Citizen Deduction	250.00

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2011 taxes.

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

24. RESOLUTION NO. 537-11 through 541-11 – RATIFY SHARED SERVICES AGREEMENTS – ANIMAL CONTROL SERVICES (ITEMS A THROUGH E) – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
- 537-11 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Shared Services Agreement between the Borough of Stone Harbor and the Township of Middle for Animal Control Services effective January 1, 2012 through December 31, 2012, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
- 538-11 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Shared Services Agreement between the Borough of West Cape May and the Township of Middle for Animal Control Services effective January 1, 2012 through December 31, 2012, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
- 539-11 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Shared Services Agreement between the Township of Lower and the Township of Middle for Animal Control Services effective January 1, 2012 through December 31, 2012, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
- 540-11 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Shared Services Agreement between the Borough of West Wildwood and the Township of Middle for Animal Control Services effective January 1, 2012 through December 31, 2012, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
- 541-11 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Shared Services Agreement between the Borough of Cape May Point and the Township of Middle for Animal Control Services effective January 1, 2012 through December 31, 2012, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
25. RESOLUTION NO. 542-11 – APPROVE TEMPORARY TRAILER – COLASANTI – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
WHEREAS, on October 3, 2011 the home of Mr. Vincent Colasanti, located at 13 William Street (Block 50 Lot 27), sustained fire damage rendering it uninhabitable, and
WHEREAS, Mr. Colasanti is requesting the placement of a temporary trailer to be located on lots 26 & 27 while the home is repaired.
NOW THEREFORE BE IT RESOLVED, that authorization for placement of a temporary trailer is hereby granted by the Township Committee, the governing body of the Township of Middle, at the location of Block 50 Lots 26 & 27, otherwise known as 11 & 13 William Street.
FURTHER RESOLVED, that a copy of this resolution shall be given to the Middle Township Construction, Zoning, and Code Enforcement offices for notification.
FURTHER RESOLVED, that said authorization shall be for a period not to exceed six (6) months from the date of this resolution.
26. RESOLUTION NO. 543-11 – RELEASE OF PERFORMANCE BOND – ACCEPTANCE OF STREET – WOODVIEW LANE – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
WHEREAS, the improvements located at Block 350 Lot 1.02, 2.01, 2.02, 5, otherwise known as Woodview Lane, constructed by 1261 Associates, LLC. are complete, and
WHEREAS, the Engineer for the Township of Middle has conducted his inspection and certified that all improvements have been completed, and
WHEREAS, the Engineer has recommended that the performance bond, in the amount of \$38,421.60 be released, and
WHEREAS, since the performance bond has been in place for the last two years, it is recommended that the two-year maintenance bond not be required. This recommendation is based upon a recent site evaluation of the existing street.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the release of the performance bond is hereby authorized.
BE IT FURTHER RESOLVED, that Woodview Lane be and hereby is accepted into the Township road system for continuous maintenance.
27. RESOLUTION NO. 544-11 – RELEASE PERFORMANCE BOND – MANISH SINGH – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
WHEREAS, \$38,608.80 is being held as a performance guarantee of Manish Singh for Block 99.02 Lot 54.08, and

WHEREAS, the Township Engineer for the Township of Middle has conducted his inspection and certified that all improvements have been completed, and
 WHEREAS, the Land Use Administrator for the Township of Middle has recommended that the performance bond be released, and
 WHEREAS, the Land Use Law of the State of New Jersey (NJS 40:55D-1 et seq) requires such a release upon recommendation by the Township Engineer.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of \$38,608.80 is hereby released.

28. RESOLUTION NO. 545-11 – AUTHORIZING PURCHASE - COPY MACHINE – ZONING DEPARTMENT – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, the purchase of a copy machine for the Zoning Department was approved via Capital Ordinance 1374-11, and
 WHEREAS, the Zoning Office has obtained 3 quotes for said machine and has received the most reasonable price from Patriot Blueprinting Systems.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey, that authorization is hereby granted to purchase a KIP 7100 copy machine through Patriot Blueprinting Systems for the purchase price of \$14,484.00.
29. RESOLUTION NO. 546-11– AMENDING FAIR AND OPEN CONTRACT – HATCH MOTT MACDONALD – SSGC SEWER PROJECT – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, as part of the SSGC Sewer Project, various parts of Johnson Acres, Wayne Avenue and Ellen Avenue have been designated to be reconstructed due to the poor conditions of these roads, and
 WHEREAS, in order to do so it would be necessary to amend the Fair and Open Contract with Hatch Mott MacDonald for engineering services in connection therewith, to include field survey, design of reconstruction, construction management and inspection services.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the fair and open contract with Hatch Mott MacDonald shall hereby be amended for an additional \$31,000.00.
 BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign and any all documentation in connection therewith.
30. RESOLUTION NO. 547-11 – APPROVE CHANGE ORDER NO. 1 – HOUSING REHABILITATION CONTRACT NO. 2010-1 – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, Housing Rehabilitation Contract No. 2010-1 was awarded January 19, 2011 via Resolution No. 62-11 to LGE Associates.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the attached Change Order #1 for the project awarded to LGE Associates be and is hereby approved in the amount of \$1,730.00.
31. RESOLUTION NO. 548-11 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – VAN NOTE HARVEY – TAX MAP ANNUAL MAINTENANCE – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Van Note Harvey and the Township of Middle for Tax Map Annual Maintenance, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.
 FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
 Van Note Harvey – Tax Map Annual Maintenance – 1 year contract – Not to exceed \$9,000.00
32. RESOLUTION NO. 549-11 – CANCEL UNEXPENDED CAPITAL BALANCES – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 WHEREAS, certain General Capital and Sewer Utility Improvement appropriation balances remain dedicated to projects now completed; and
 WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited and returned to the General Capital Improvement fund and to the respective capital surplus funds and any unused debt authorizations may be canceled:
 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 unexpended and dedicated balances of the General Capital and Sewer Utility appropriations be canceled:
- | Ordinance Number | Date Authorized | Project Description | Amount Canceled | |
|------------------|-----------------|----------------------------|-----------------|----------|
| | | | Funded | Unfunded |
| 1029-98 | 12/21/1998 | Purchase Land-Goshen | \$ 70.00 | |
| 1094-01 | 10/15/2001 | Shellbay Park Improvements | \$ 257.94 | |
| 1169-04 | 08/16/2004 | CMC Int. Vntr Snack Stand | \$ 1,479.12 | |
| 1324-09 | 06/15/2009 | Various Capital Imprvmnts | | |
| | | a) Acquisition of Vehicles | \$179.06 | |
| | | b) Radar Signs | \$ 20.00 | |
| | | c) Car Video System | \$ 301.00 | |
| | | d) Computer Info/ Tech | \$.70 | |

1180-05	02/07/2005	Ft. Apache Bldg.	\$154,440.67	
1325-09	06/15/2009	Romney Curb & Sidewalk		\$ 68,256.14
1339-10	04/05/2010	Marlyn Manor Flooding Repairs	\$ 1,223.25	_____
Totals			\$225,512.01	\$ 68,256.14
Sewer Utility Fund				
1294-08	04/07/2008	Satt Blvd. Sewer	\$261,559.47	
Totals			\$261,559.47	

BE IT FURTHER RESOLVED, of the amounts canceled above that be returned to the appropriate accounts as follows:

General Capital Improvement Fund	\$ 1,724.01
General Capital Fund Balance	\$67,540.27
General Capital Deferred Charges Unfunded	\$ 68,256.14
Utility Capital Fund Balance	\$261,559.47

33. RESOLUTION NO. 550-11 – TABULATION COMMITTEE – VARIOUS ROAD RECONSTRUCTION (M-2282) – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. 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 Tuesday, November 29, 2011 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:
VARIOUS ROAD RECONSTRUCTION (M-2282)

34. RESOLUTION NO. 551-11 – TRANSFER OF FUNDS – On motion by Committeemember Lockwood seconded by Mayor DeLanzo 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 2011:

From	Amount	To
Public Bld & Grds 1-01-23-310-310-299	\$2,000.00	Tax Collector OE 1-01-20-145-145-224
Public Bld & Grds 1-01-23-310-310-299	\$7,500.00	Tax Assess S&W 1-01-20-150-150-111
Telephone Costs 1-01-31-440-440-475	\$5,700.00	Smart Growth 1-01-21-180-180-111
Natural Gas 1-01-31-446-446-475	\$7,500.00	Gasoline Costs 1-01-31-460-460-475
PERS 1-01-36-471-471-451	\$5,000.00	PFRS 1-01-36-471-471-455

35. RESOLUTION NO. 552-11 – AWARD OF BID – DAVIES COMPLEX WATER RE-USE BOOSTER STATION – CONTRACT NO. 24 – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, it has been deemed necessary and desirable to solicit bids for a water re-use booster station at the Davies Complex, and
WHEREAS, sealed bids were received on October 26, 2011 at 10:00am, and
WHEREAS, it appears that the lowest bid submitted by F. W. Shawl and Sons, Inc. lacks a complete list of subcontractors, as required in NJSA 40A:11-2, thereby disqualifying them from the bid.
WHEREAS, it appears that the second lowest bid submitted by A.C. Schultes, Inc. represents a figure which complies with specifications and requirements as set forth by the State of New Jersey.
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for a water re-use booster station at the Davies Complex is hereby awarded to A.C. Schultes in the amount of \$174,000.00.
FURTHER RESOLVED, that this award is conditioned upon submission of Treasurer’s Certification of availability of funds.

36. PUBLIC COMMENT:

Committeemember Doughty commented on shredding day.

Tree of life to be held at old firehouse. Xmas in Court House and parade on the 2nd of December.

Committeemember Lockwood commended on successful clean-up day. “Hopefully we will do it again in the near future”.

Mayor DeLanzo mentioned the volunteer board dinner on Friday.

Fran Grant asked why Ella Avenue is not included in item #29. Asked what streets are included.

V. Orlando – Whiting, Saddlewood, Cooks Beach, Aspen, Shunpike, Oyster & Shunpike.. etc..

Fran Grant expressed concerns regarding Ella Avenue paving.

Carl Carmleowitz asked about purchase of zoning copier. Complained that twp. should change time of shred day. Was turned away because he showed up too late and truck was full.

John Hand asked for status on payment for services rendered during hurricane in August.

Frank Brad spoke about increased taxes and police department as large part of budget.

Chief Leusner gave a breakdown of cost of police daily and the police budget.

Barb Cresse asked if the soccer fields at Fort Apache have been leased out.

Mark Mallett explained that a future agreement shall take place with Cape Express.

There being no further business, the meeting was adjourned at 7:35pm. Committee went into closed session.

Kimberly D. Krauss, Twp. Clerk