

Cape May Court House, NJ
October 17, 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. PRESENTATION BY MAYOR AND CHIEF OF POLICE
(Postponed until November meeting)
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.)*
Elaine Fausey - #16 asked what a temporary appointment means.
3. RESOLUTION NO. 503-11 – 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. \$ 453,016.90
4. RESOLUTION NO. 504-11 – APPROVING PAYMENT FOR BILLS – BILL LIST B (A&H/ FMR) – 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 payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$ 20,558.59
5. RESOLUTION NO. 505-11 – APPROVING PAYMENT FOR BILLS – BILL LIST C (ANZELONE) – On motion by Committeemember Doughty 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 payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$ 198.00
6. RESOLUTION NO. 506-11 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
7. REPORTS: The following departments have submitted their reports for the months indicated:
Treasurer for the month of July and August; Construction Official for the month of September; Zoning Official for the month of September; Municipal Court for the month of September;
8. ORDINANCE NO. 1398-11 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, TO MAKE REVISIONS TO CHAPTER 250 OF THE TOWNSHIP CODE, AS PREVIOUSLY ADOPTED AS ORDINANCE 1392-11 –
Following second reading, hearing, and consideration for adoption, Ordinance 1398-11 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.
Elizabeth Terenik gave a break down on the ordinance and explained the changed made to the original ordinance 1392-11. No Public Comment
9. ORDINANCE NO. 1399-11 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, TO MAKE REVISIONS TO CHAPTER 218 OF THE TOWNSHIP CODE, ENTITLED SUBDIVISION OF LAND AND SITE PLAN REVIEW.
– Following second reading, hearing, and consideration for adoption, Ordinance 1399-11 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk's Office.
Elizabeth Terenik gave a breakdown of said ordinance and changes as proposed.

Brian Murphy – thanks to Mayor and Elizabeth over his concerns. Right thing to do!

Steve O'Connor – asked about revisions to parking.

Orlando – explained mixed use building and shared parking element. Not automatic.

Vilma Pombo – glad to see ordinance come back. Thanks to Master Plan committee and Vince for good job.

10. RESOLUTION NO. 50-11 – DEPOSITORY CURRENT FUNDS – 2011 – AMENDED – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

BE IT FURTHER RESOLVED, that the Sturdy Savings Bank shall be the depository for the following account of the Township of Middle for the year 2011, and that all disbursements shall be made by checks signed by the following:

ACCOUNT	DISBURSEMENT OFFICER
Clerk	Township Clerk or Deputy Clerk
TTL Redemption	Tax Collector or Designated Tax Clerk
Construction Official	Construction Official, Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Municipal Court	Municipal Judge or Court Administrator or Deputy Court Administrator
Bond Account	Municipal Judge or Court Administrator, or Deputy Court Administrator
Current	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
General Checking Account)	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer, Administrator, Mayor, Clerk or Deputy Clerk
Trust Account - Other)	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Forfeited Monies)	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
General Capital Account	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Urban Development Action	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
EMS Billing	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Middle Township Municipal Alliance Committee	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
(Dedicated by Rider)	
Housing Rehabilitation	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Revolving Fund	
Utility Account	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Utility Escrow Account	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Utility Capital Account	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Green Acres	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Payroll (SS & Withholding)	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Unemployment Trust	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Recreation-Ded. Trust Fund	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Public Assistance Trust Fund	Chief Financial Officer, Deputy Chief

Dog Tax	Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Accumulated Absences Trust Fund	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
COAH Fees	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Alarm Billing Account	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator

BE IT FURTHER RESOLVED, that TD Bank, of New Jersey shall be the depository for all of the following current funds, of the Township of Middle, for the year 2011, and that all disbursements shall be made by checks signed by the following:

ACCOUNT	DISBURSEMENT OFFICER
Master Escrow Checking	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator
Master Escrow Savings	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator

BE IT FURTHER RESOLVED, that MBIA Class, of New Jersey shall be the depository for all of the following current funds, of the Township of Middle, for the year 2011, and that all disbursements shall be made by checks signed by the following:

ACCOUNT	DISBURSEMENT OFFICER
General Capital Account	Chief Financial Officer, Deputy Chief Financial Officer, Temporary Acting Deputy Chief Financial Officer or Administrator

FURTHER RESOLVED, that in the Township Clerk may sign in the absence of the Chief Financial Officer.

11. RESOLUTION NO. 508-11 – ESTABLISHING AUTHORIZED SIGNORS FOR VARIOUS TOWNSHIP RELATED ITEMS – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, Resolution No. 492-11 appointed Mr. Jim Terruso as Temporary Acting Deputy Chief Financial Officer of the Township of Middle, and
 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:
 Jim Terruso 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:
 Jim Terruso
 FURTHER RESOLVED, that the following employees are hereby authorized to certify availability of funds in the absence of the Chief Financial Officer:
 Jim Terruso
 FURTHER RESOLVED, that this resolution shall remain in effect until the end of the ratified contract period between Jersey Professional Management and the Township of Middle.

12. RESOLUTION NO. 209-11 – AWARD OF BID – FURNISHING AND DELIVERY OF ONE (1) NEW 2011/2012 GASOLINE POWERED 6X4 UTILITY VEHICLES – On motion by Committeemember Doughty 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 the furnishing and delivery of gasoline powered 6x4 utility vehicles, and
 WHEREAS, sealed bids were received on September 29, 2011 at 1:30pm, and
 WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications.
 Pole Tavern Equipment – Total lump sum bid for one (1) 2011/2012 gasoline powered 6x4 Utility Vehicle -- \$8,879.00
 NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for furnishing and delivery of one (1) gasoline powered 6x4 utility vehicles by and hereby is awarded to Pole Tavern Equipment.
 FURTHER RESOLVED, that this award is conditioned upon submission of Treasurer’s Certification of availability of funds.

13. RESOLUTION NO. 510-11 – AMEND RESOLUTION 492-11 - On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, Resolution No. 492-11 listed William Nelson as an employee in the Public Works Department, and
 WHEREAS, he should be listed as an employee in the Sewer Department.

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
William Nelson	Sewer	Laborer	\$9.00 ph*	10/03/2011

*rate goes to \$10.00 after 6 months of employment

14. ****TABLED**** RESOLUTION – RELEASE PERFORMANCE BOND – 1261 ASSOCIATES LLC. – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, \$38,421.60 is being held as a performance guarantee of 1261 Associates LLC. for Block 350 Lot 1.02, 2.01, 2.02 & 5, 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 \$38,421.60 is hereby released.
15. RESOLUTION NO. 511-11 – SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND THE CITY OF SEA ISLE CITY FOR COURT ROOM VIDEO CONFERENCING SYSTEM AND MAINTENANCE – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes municipalities to enter into agreements for the purposes of exchanging, sharing and cooperating with regard to services common to said communities through Uniform Shared Services and Consolidation Act, and
 WHEREAS, the City of Sea Isle City is in need of services relating Court Room Video Conferencing System and Maintenance: and
 WHEREAS, the Township of Middle has certain equipment and personnel available to meet the needs of the City of Sea Isle City in this area; and
 NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference;
 BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute the attached Shared Services Agreement between the Township of Middle and the City of Sea Isle City for Court Room Video Conferencing System and Maintenance, which is hereby incorporated by reference, pursuant to N.J.S.A. 40A:65-1 et seq.
16. RESOLUTION NO. 512-11 – TEMPORARY APPOINTMENT – NEW HIRES - On motion by Committeemember Doughty seconded by Committeemember Lockwood 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 |
|---------------------|--------------|---------|------------|------------|
| Leroy Sneathen | Public Works | Laborer | \$9.00 ph* | 10/17/2011 |
| William Hammerstein | Public Works | Laborer | \$9.00 ph* | 10/17/2011 |
| Maria Mattera | Public Works | Laborer | \$9.00 ph* | 10/17/2011 |
| Marque Little | Public Works | Laborer | \$9.00 ph* | 10/17/2011 |
- *rate goes to \$10.00 after 6 months of employment
17. RESOLUTION NO. 513-11 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, N.J.S.A. 40:48-2.13 authorizes the governing body of every municipality the power to make, enforce, amend and repeal ordinances requiring the owner or tenant of a dwelling or of lands lying within the municipality to provide for the removal or destruction of brush, weeds, debris, etc. constituting fire hazard or injurious to public health or safety and to provide for the imposition of penalties for the violation of any such ordinance, and
 WHEREAS, N.J.S.A.40:48-2.14 authorizes the municipality the right to place a lien against such dwelling or lands to provide for the cost of removing brush, weeds debris, etc., and
 WHEREAS, the Township of Middle has adopted Ordinance No. 316-76 known as Article I of Chapter 193 of the Code of the Township of Middle “Property Maintenance”, and
 WHEREAS, the Township of Middle has noticed the following property owners as indicated below and furthermore these violations had not been remedied.
 WHEREAS, in absence of compliance by said owners, the Township of Middle commenced and completed abatement of these violations, and

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

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

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

OWNER	PROP. LOCATION	BLOCK / LOT	
AMOUNT			
Michael & Veronica Frazier	703 Gibbs St.	902/10	\$197.97
Robert & Rosalie King	124 Indian Trail	208/4	\$197.97
William & Janet Irvine	104 Hawthorne Dr.	1431.03/3	\$109.80

18. RESOLUTION NO. 514-11 – CLOSED SESSION – POTENTIAL LITIGATION – 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
- 2.) The general nature of the subject matter to be discussed is as follows: POTENTIAL LITIGATION
- 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. 515-11 – CANCELLATION OF TAXES – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

Cancellation due to Mr. Allsworth is a 100% Disabled American Veteran and is tax exempt as of July 19, 2011.

Cancelling added assessment for 2012

Account	BLOCK	LOT	OWNER/LOCATION	2012 added assessment
18156	1436.02	22	Allsworth, Allan L & Alice A 214 Aberdeen Way Rio Grande, NJ 08242	\$1,325.45

20. RESOLUTION NO. 516-11 – AWARD OF BID – SNOW AND DEBRIS REMOVAL – On motion by Committeemember Doughty 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 Snow and Debris Removal for upcoming potential snow storms that might occur within the Township of Middle, and

WHEREAS, sealed bids were received on September 28, 2011 at 1:00pm, and

WHEREAS, it appears that the following bids submitted represents a figure equal to the lowest RESPONSIBLE bids received, which complies with specifications and requirements as set forth by the State of New Jersey.

WHEREAS, exhibit A attached hereto this resolution shows the results of said request for bid, outlining the following award.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that in the event that private snow removal services are necessary, the Administrative Director of Public Works is hereby authorized to utilize the following companies as shown on the attached exhibit, who were the lowest responsible bidders.

BE IT FURTHER RESOLVED, that if the low bid contractor's equipment is unavailable, authorization is hereby granted to contact the next lowest bidder.

BE IT FURTHER RESOLVED, that this award is conditioned upon certification of funds and also submission of appropriate affirmative action forms.

FURTHER RESOLVED, that the amount to be certified shall not exceed the amount as set aside in the municipal budget for said services.

Middle Township Snow and Debris Removal Contractor Pricing Results September 28, 2011						
EQUIPMENT	SPECIFICATION	CAPACITY/SIZE	Mitch		Jonathon	Garden State
			Nichols	A&H	Hand	General Constr.
Loader, Wheel	Bucket Capacity	0.5 cy	\$ 120	\$ 150	\$ 100	\$ 115
Loader, Wheel	Bucket Capacity	1 cy	\$ 120	\$ 150	\$ 120	\$ 185
Loader, Wheel	Bucket Capacity	1.5 cy	\$ 120	\$ 175	\$ 125	\$ 185
Loader, Wheel	Bucket Capacity	2 cy	\$ 145	\$ 200	\$ 150	\$ 210
Loader, Wheel	Bucket Capacity	3 cy	\$ 180	\$ 250	\$ 200	\$ 225
Loader, Wheel	Bucket Capacity	4 cy	\$ 250	\$ 250	\$ 250	No Bid
Loader, Wheel	Bucket Capacity	5 cy	\$ 250	\$ 275	\$ 250	No Bid
Loader, Wheel	Bucket Capacity	6 cy	\$ 275	\$ 275	\$ 300	No Bid
Loader, Wheel	Bucket Capacity	7 cy	\$ 300	\$ 300	\$ 350	No Bid
Loader, Wheel	Bucket Capacity	8 cy	\$ 300	\$ 300	\$ 350	No Bid
Plow, Snow, Grader,	Width	To 10 ft	\$ 250	\$ 275	\$ 500	No Bid
Plow, Snow, Grader,	Width	To 14 ft	\$ 250	\$ 275	\$ 500	No Bid
Plow, Snow, Truck, Mounted	Width	To 15 ft	\$ 175	No Bid	\$ 150	No Bid
Trailer, Dump	Capacity	20 cy	\$ 125	\$ 150	\$ 250	\$ 135
Trailer, Dump	Capacity	30 cy	\$ 125	\$ 150	\$ 250	\$ 135
Truck, Dump	Capacity	12 cy	\$ 100	No Bid	\$ 80	\$ 100
Truck, Dump	Capacity	18 cy	\$ 100	\$ 90	\$ 125	\$ 135
Truck, Dump, Off	Capacity	28 cy	\$ 150	\$ 150	\$ 125	No Bid

21. RESOLUTION NO. 517-11 – STATEMENT PURSUANT TO N.J.S.A.40:55d-62.1 – STATEMENT OF REASONS FOR ADOPTION OF ZONING ORDINANCE – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
- WHEREAS, N.J.S.A. 40:55d-62a states that the governing body of a municipality may adopt or amend a zoning ordinance after the planning board has adopted the land use plan element and the housing plan element of the master plan, and that all of the provisions of the zoning ordinance or any amendment or revision thereto “shall either be substantially consistent with the land use element and the housing plan element of the master plan or designed to effectuate such plan elements; provided that the governing body may adopt a zoning ordinance or amendment or revision thereto which in whole or part is inconsistent with or not designed to effectuate the land use plan element and the housing plan element, but only by affirmative vote of a majority of the full authorized membership of the governing body, with the reasons of the governing body for so acting set forth in a resolution and recorded in its minutes when adopting such a zoning ordinance”; and
- WHEREAS, the Land Use Element and the Master Plan Reexamination Report were adopted by the Middle Township Planning Board on July 22, 2010; and
- WHEREAS, Middle Township Committee introduced Ordinance 1398-11 on September 19, 2011, revisions to Chapter 250 zoning; and
- WHEREAS, the Middle Township Planning Board found that Ordinance #1398-11 is substantially consistent with the Master Plan and stated such in a report dated September 22, 2011; and
- WHEREAS, the Township Committee agrees that Ordinance #1398-11 is substantially consistent with the Master Plan; and
- WHEREAS, to the extent that it can be asserted that there is an inconsistency between the Master Plan and Ordinance #1392-11 regarding the floor area ratio for the Hildreth Village Zoning District, the reasons are set forth herein.
- NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body therein, as follows:
1. The Land Use Element states that the intent of the Hildreth Village Zoning District is to promote redevelopment and revitalization of the previously existing Amusement and Entertainment Zoning District by encouraging development for mixed residential and commercial uses. The purpose of the Hildreth Village area as stated in the master plan is to provide for a location of higher density residential housing. Density can be regulated by the mass of the units, which means regulating the floor area ratio.
 2. The Land Use Element of the Master Plan suggests a floor area ratio of .10 in the Hildreth Village Zoning District; however Ordinance #1398-11 proposes a floor area ratio of .30.
 3. Upon further review after adoption of the master plan, the Township Committee has concluded that a floor area ratio of .10 and a density of six units per acre would not create a unit size that will encourage redevelopment of the district, and would more than likely result in a project that may not successfully meet the purpose and intent stated in the master plan for that district, and instead a floor area ratio of .30 and a density of six units per acre would promote that purpose.
 4. To the extent that this minor difference is not consistent with the master plan, the Township committee approves this resolution stating its reasons for that inconsistency.
 5. Township Committee directs that this Resolution and any discussion regarding it be included in the minutes of the meeting.
22. RESOLUTION NO. 518-11 – AUTHORIZING SUBMISSION OF USDA APPLICATION SEEKING FUNDING FOR PHASE III GRASSY SOUNDS WASTEWATER PROJECT – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the Grassy Sound Civic Association is a group of approximately 40 homeowners and businesses in the Grassy Sound section of the Township which has constructed Phase I of a wastewater collection; and

WHEREAS, the Association has also obtained funding from the USDA to construct Phase II of the system consisting of a pump station and other improvements; and

WHEREAS, Phase III of the system is to potentially take the wastewater to the existing Middle Township Sewer system which is located in Burleigh, and which requires a pump station and a force main from Grassy Sound to Burleigh; and

WHEREAS, it is possible that the Township could obtain funding from the USDA for Phase III from the USDA and that a funding period opens on October 1, 2011 which requires an application;

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 Township of Middle submit an application as soon as possible to the USDA seeking funding for Phase III of the Grassy Sound Wastewater project in an amount determined by our Municipal Engineer to be sufficient to get the Phase III constructed, and that the Mayor, Engineer, and any and all other municipal representatives are authorized to sign and submit the application.

23. PUBLIC COMMENT:

Committeemember Doughty - Harvest Fest this weekend. Put on by the township, employees pitch in. 26th is Halloween Parade. Trick or Treat 31st. Tree dedication yesterday. Bonnie did excellent job. She is the one that makes it happen.

Committeemember Lockwood – parade at 7pm. Trick or Treat 5-8pm. Shade Tree dedication excellent. Bonnie is army of one. Assessor is going in front of tax board tomorrow to go over compliance plan. Go over neighborhoods that are a bit over assessed. Little more of a sweeping then property by property. Asked for review of outstanding capital projects, to see what we can remove before spending more money.

Mayor DeLanzo – Environmental commission – Sat Oct 29th community cleanup day. 8am at MLK center for sign up. After clean up, lunch at MLK center. Areas identified by commission. Hoping for lots of fellowship and participation. Thank you to environmental commission. Shred Day first Saturday in November.

Steve O'Connor – how are results of closed session minutes resolved and released.

Pickering explained released and that they are approved in a resolution.

Carl Carmelowitz asked how residents are notified compliance plan is taking place.

Betty McGurk – anything new on Conifer.

Pickering status same from last meeting.

Kippy Pelzer – Son chosen as all American football player for State of NJ and will be at professional football game. How do we as a community come together and fundraise for him? “How do we get him to be represented by community or would township sponsor him with a donation of \$200.00. He is an outstanding student. How do we get him acknowledged for his accomplishments?”

Mark indicated he will be placed on the next agenda. Mayor to reach out to Mr. Matthews.

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

Kimberly Krauss, Twp. Clerk