

Cape May Court House, NJ
September 19, 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. 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.)

Tim Donahue asked about item #7 and if Tracey Taverner is still CFO.

All – yes

Donahue asked why still hiring?

Mallett explained.

2. RESOLUTION NO. 453-11 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – 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 payment for the following bills in the amounts indicated are hereby approved:

Current Acct. \$ 238,243.41

3. RESOLUTION NO. 454-11 – 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. \$ 1,974.52

4. RESOLUTION NO. 455-11 – 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. \$ 775.00

5. RESOLUTION NO. 456-11 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

6. REPORTS: The following departments have submitted their reports for the months indicated:
Municipal Court for the month of August;

7. REINTRODUCING 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 passed first reading. Second reading, public hearing and consideration for adoption will be held on 10/17/2011 at 6:00 p.m. Original Ordinance included new range for Crossing Guard. The following titles and ranges shall also included:

| | |
|--|----------------------------|
| Crossing Guard | \$1.00 to \$20,000.00 |
| Clean Communities Supervisor | \$9.00 to \$12.00 p/h |
| Deputy Chief Financial Officer | \$30,000.00 to \$65,000.00 |
| Payroll Clerk | \$18,720.00 to \$40,000.00 |
| Temporary Acting Chief Financial Officer | \$10.00 to \$15.00 p/h |

New Adoption Date and Public Hearing Scheduled for 10/17/2011

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 – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, Ordinance No 1398-11 passed first reading. Second reading, public hearing and consideration for adoption will be held on 10/17/2011 at 6:00 p.m.

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. – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, Ordinance No 1399-11 passed first reading, Second reading, public hearing and consideration for adoption will be held on 10/17/2011 at 6:00 p.m.
10. RESOLUTION NO. 457-11 – REFUND OF TAXES – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

Refund due to overpayment by mortgage company

| ACCT ck# | BLOCK | LOT | OWNER/LOCATION | AMOUNT |
|-------------|---------|---------|---|----------|
| 16817 | 94 | 35 | Eaves, Keith A & Pamela A 126 Timothy Lane | 1,275.70 |
| 2393 | 117.04 | 64 | Jarmix, LLC 623 Avalon Blvd | 2,993.98 |
| 2485 | 120 | 40 | Ebert, Andrew R III & Peter 36 Channel Rd. | 3,030.40 |
| 6449 | 412 | 13 | Zeiss, David R 13 S 9 th St. | 679.13 |
| 6644 | 426 | 16 | Robinson, Jeffrey & Megan Caprioni 8 Lafayette Ave | 794.39 |
| 12931 | 1104 | 5 | Harvey, Robert C 81 N 7 th Ave. | 820.73 |
| 13825 | 1410.02 | 30 | Ziegler, Wayne P Jr & Crissy A 305 Ridge Rd. | 1,120.03 |
| 14019 | 1422 | 3/C0020 | Murray, Michael Jr & Michael Sr 20 Oslo Ave. | 493.12 |
| 18225 | 1436.05 | 25 | Krause, Dennis R & Grace 11 Glen Cove Court | 1,146.56 |

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.

11. RESOLUTION NO. 458-11 – RENEWAL- TOWING LICENSES – 2011 – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

WHEREAS, several towing license renewal applications listed below have been found to be in proper form, and the fees paid in each case.

NOW, THEREFORE BE IT RESOLVED, that each of the following truck is hereby added to the license listed below for the calendar year of 2011:

| License# | Tradename | Truck # | License Plate Number | Truck Make/ Model | Fee | Sticker Fee Paid |
|----------|---------------------|---------|----------------------|-------------------------------|-----|------------------|
| 05 | Gary's Automotive 2 | | NJ XF305W | 1994 Chevy C3500HD Flatbed | | \$50.00 |

12. RESOLUTION NO. 459-11 – ACKNOWLEDGING SUPPORT FOR SAFETY & KIDS WORKSHOP – CMC DEPARTMENT OF MOSQUITO CONTROL – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the Cape May County Department of Mosquito Control was asked to participate in a Safety & Kids workshop at the Home Depot, 21 Indian Trail, CMCH, on October 1, 2011, and

WHEREAS, they wish to utilize their helicopter as part of their display, and

WHEREAS, in order to do so they must obtain a NJ Department of Transportation, Division of Aeronautics Temporary Aeronautical Facility License in order to land said helicopter at the site.

NOW THEREFORE BE IT RESOLVED, that the Township Committee, of the Township of Middle, County of Cape May, New Jersey hereby has no objection to the issuance of a temporary license and furthermore has no objection to the landing of the aircraft at the location of 21 Indian Trail, CMCH, on October 1, 2011.

13. RESOLUTION NO. 460-11 – RELEASE OF TRUST ACCOUNTS – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid, and
WHEREAS, the applicants are entitled to a refund of this money,
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts as listed on the attached sheets shall be released.
14. RESOLUTION NO. 461-11 – RELEASE PERFORMANCE BOND – E.L. BRAINARD, JR – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, \$1,355.25 plus interest is being held as a Performance Guarantee for E.L. Brainard, Jr. for site improvements at Block 389 Lot 16.01, 16.02, 16.03, and
WHEREAS, the 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 Cash bond (plus interest) be and is hereby released.
15. RESOLUTION NO. 462-11 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – KAVANAGH & KAVANAGH LLC. – HEARING OFFICER – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Kavanagh & Kavanagh LLC. and the Township of Middle 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.
Kavanagh & Kavanagh LLC. – Hearing Officer – Rate of \$165.00 per hour (not to exceed \$2,500.00)
16. RESOLUTION No. 463-11 – AUTHORIZE APPLICATION TO NEW JERSEY DEPARTMENT OF TRANSPORTATION DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT FOR 2011/2012 MUNICIPAL AID PROGRAM – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, applications are now being accepted for the New Jersey Department of Transportation Fiscal Year 2011/2012 Municipal Aid Program, and
WHEREAS, NJDOT’s Municipal Aid Program has been a significant resource for municipalities in funding their transportation projects, and
WHEREAS, the Municipal Engineer is hereby directed to submit all necessary documentation for the following project as follows:
Second Avenue (Between Linden & Rte 47) Rio Grande
BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documentation in connection therewith.
17. RESOLUTION NO. 464-11 – TABULATION COMMITTEE – RECONSTRUCTION OF MAIN STREET (M-2230) – 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 Thursday, October 13, 2011 at 1:00 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:
RECONSTRUCTION OF MAIN STREET (M-2230)
18. RESOLUTION NO. 465-11 – TABULATION COMMITTEE – 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.
NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Chief Finance Officer Tracey Taverner, Township Clerk Kimberly Krauss, Business Administrator Mark Mallett be and hereby are appointed to tabulate the bids to be taken on Wednesday, October 26, 2011 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:
DAVIES COMPLEX WATER RE-USE BOOSTER STATION – CONTRACT NO. 24

19. RESOLUTION NO. 466-11 – CONFIRMING AND FURTHERMORE ESTABLISHING VARIOUS 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. 409-11 and 450-11 confirmed and furthermore established various authorized signors for various township related items, and
 WHEREAS, it has been deemed necessary to extend the timeframe previously authorized in said resolution.
 WHEREAS, due to the absence of various accental personnel within the Finance Office, 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:

| | |
|------------------------|--------------------------------|
| Rita Kirk | All Funds excluding Recreation |
| Mary Kate Garry | All Funds |
| Susan Atkinson DeLanzo | All Funds |
| F. Nathan Doughty Jr. | All Funds |
| Daniel Lockwood | 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
 FURTHER RESOLVED, that the following employees are hereby authorized to certify availability of funds in the absence of the Chief Financial Officer:
 Mary Kate Garry
 FURTHER RESOLVED, that this resolution shall remain in effect until end of business day on October 3, 2011.
20. RESOLUTION NO. 467-11 – ACCEPTING A PORTION OF SATT BOULEVARD – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 WHEREAS, it was a condition of approval for the Grande Plaza that Satt Boulevard be extended across the railroad tracks to Route 9 and that it be dedicate as a County Road; and
 WHEREAS, while the Engineer for the Township of Middle has not conducted an inspection nor certified that improvements have been completed, but the engineer for the County of Cape May has made certain inspections and determinations that Satt Boulevard was properly and satisfactorily constructed; and
 WHEREAS, it has been represented by the County of Cape May through its counsel to the Township of Middle through its counsel that the County of Cape May will accept Satt Boulevard from the Township of Middle.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the portion of Satt Boulevard improved pursuant to the Grande Plaza site plan be and hereby is accepted into the Township road system which dedication is to be made by deed in a form acceptable to the municipal solicitor from the Developer to the Township, and also subject to the Developer posting any maintenance bond required by the municipal land use law.
21. RESOLUTION NO. 468-11 – ADOPTING A FLEXIBLE SPENDING PLAN – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, recent revisions were made to Chapter 78 regarding Pension and Health which requires municipalities to provide employees with a 125 Cafeteria Plan and a Flexible Spending Account; and
 WHEREAS, The Township has already set up a 125 Cafeteria Plan with AFLAC; and
 WHEREAS, a Flexible Spending Account allows an employee to voluntary set aside a portion of his or her earnings to pay for qualified medical expenses; and
 WHEREAS, AFLAC can provide a Flexible Spending Account plan for Middle Township employees;
 NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, that the AFLAC Flexible Spending Account Plan is hereby adopted, pending review and ratification by the governing body and municipal solicitor.
22. RESOLUTION NO. 469-11 – RESOLVING BONDING ISSUES REGARDING OSPREY COVE – On motion by Committeemember Doughty seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, Homes by Handson, LLC (hereinafter referred to as “Developer”), received approval from the Middle Township Planning Board to create a subdivision commonly known as the Osprey Cove Subdivision located at 2 – 23 Julia Court, Cape May Court House; and
 WHEREAS, pursuant to said approval Developer was required to install a total of 56 trees on the various properties contained in the subdivision; and
 WHEREAS, a misunderstanding arose between the Developer and the Township relative to Developer’s obligation to install said trees and, in fact, the trees were not installed; however, a cash escrow in the amount of Fifteen Thousand One Hundred Twenty (\$15, 120.00) dollars was posted by the Developer to ensure installation of the same and a maintenance bond insuring the trees and other items remains in place; and

WHEREAS, the Developer and the Township seek to resolve this issue, provide for the installation of the trees and for a clarification of the various responsibilities of the Developer with regard to the same and its bonding obligations;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the matter be resolved pursuant to the terms and conditions of the attached Agreement, that the Mayor and Clerk be authorized to sign the same, and that the necessary municipal representatives are authorized to carry out the terms and conditions of the Agreement.

23. RESOLUTION NO. 470-11 – CHANGING CUSTODIAN PETTY CASH FUNDS – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

WHEREAS, NJSA 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution, and

WHEREAS, it is the desire of the Township of Middle, County of Cape May to establish such funds for various departments in the following amounts, and

WHEREAS, the custodian for this funds shall be as follows, who is bonded for the amount of blanket bond; such custodians shall maintain records for these funds in a manner conducive to proper accounting and auditing procedures, and

WHEREAS, it is necessary to set a maximum disbursement per transaction, the maximum being of \$10.00 (ten dollars) with the exception of the Sewer and Water Department which shall not exceed \$25.00 (twenty five dollars).

| Custodian | Department | Fund Amount |
|---------------------------|-------------------------|-------------|
| Marilyn Miller | Senior Citizen Center | \$100.00 |
| Charles McDonnell | Recreation Department | \$150.00 |
| Chief Christopher Leusner | Police Department | \$100.00 |
| Rita Kirk** | Public Works Department | \$300.00 |

** As of 9/18/2011. Change in Department and Custodian

NOW, THEREFORE BE IT RESOLVED that the Township of Middle hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

24. RESOLUTION NO. 471-11 – APPROVAL FOR PAYMENT TERMINAL LEAVE– DIANE SHINN – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, Diane Shinn has submitted her retirement forms with an effective date of September 1, 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.

| | |
|-------------------------|--------------------|
| Diane Shinn | |
| 573 Hours Sick | \$ 12,000.00 |
| 154 Hours Vacation Days | \$ 3,587.16 |
| 3.67 Comp Hours | \$ 85.49 |
| | <u>\$15,672.65</u> |

25. RESOLUTION NO. 472-11 – ACKNOWLEDGMENT OF RESIGNATION – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

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

| EMPLOYEE | POSITION | EFFECTIVE |
|-----------------|--|------------|
| Tracey Taverner | Deputy Joint Insurance Fund Commissioner | 09/15/2011 |

26. RESOLUTION NO. 473-11 – AUTHORIZATION TO CLOSE BOYD STREET – HARVEST FESTIVAL – On motion by Committeemember Doughty seconded by Committeemember Lockwood 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 authorization to close the section of Boyd Street from Hand Avenue to Church Road on October 22, 2011 from 6:00 AM until 7:00 PM (rain date October 23th) for the Harvest Festival is hereby approved.

27. RESOLUTION NO. 474-11 – ORDER REMOVAL OF VEHICLES FROM MUNICIPAL PARKING LOT – HARVEST FESTIVAL – On motion by Committeemember Doughty seconded by Committeemember Lockwood 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 an Order to Remove Vehicles from the Municipal Parking Lot from the close of business on Friday, October 21, 2011 until 7:00 AM on Sunday, October 23, 2011 for the Harvest Festival is hereby approved.

BE IT FURTHER RESOLVED, that in the case that the “rain date” for the event is utilize, this order shall remain until 8pm on Sunday October 23, 2011.

28. RESOLUTION NO. 475-11 – ALLOWING CONSUMPTION OF ALCOHOL IN OPEN CONTAINERS AT HARVEST FESTIVAL – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle is conducting a “Harvest Festival” between 10:00 a.m. and 5:00 p.m. on October 22, 2011(with a rain date of October 23, 2011 from 12 noon until 5:00pm), and
 WHEREAS, certain purveyors have acquired one day licenses for the sale of alcoholic beverages at said Harvest Festival, and
 WHEREAS, Section 84-10 of the Code of the Township of Middle prohibits the carrying or consumption of alcoholic beverages in open containers in public areas within the Township of Middle, and
 WHEREAS, it has been deemed in the best interest of the Township of Middle to permit the carrying or consumption of alcoholic beverages in an open container at the Harvest Festival.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Section 84-10 of the Code of the Township of Middle be and hereby is suspended on October 22, 2011 between the hours of 10:00 a.m. and 5:00 p.m. (or as stated in event a “rain date” is utilized) in the Municipal Parking Lot behind the Township Hall at 33 Mechanic Street, Cape May Court House, New Jersey.
 FURTHER RESOLVED that this lifting of the aforescribed prohibition shall apply only to the time and place described above.
29. RESOLUTION NO. 476-11 – TRICK OR TREAT – On motion by Committeemember Doughty seconded by Committeemember Lockwood 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 Trick or Treat will be held in the Township on Monday, October 31, 2010 from 5:00pm until 8:00 PM.
30. RESOLUTION NO. 477-11 – AUTHORIZING “EUS” CONTRACT WITH JERSEY PROFESSIONAL MANAGEMENT FOR RECRUITMENT SERVICES – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle desires to appoint a Temporary Acting Chief Financial Officer, and
 WHEREAS, such position would be best filled after professional search is conducted and candidates for this position are evaluated, and
 WHEREAS, Jersey Professional Management is a firm with the requisite experience in municipal government operations, personnel search and consulting to manage such search, and
 WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) permits the Township to award contracts for consultant services, without competitive bidding as an extraordinary unspecifiable service, and
 WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of a contract for “extraordinary, unspecifiable services” without competitive bidding and the contract itself must be available for public inspection, and
 NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey, as follows:
1. The Mayor be and is hereby authorized to enter into a contract, and accept the proposal attached hereto, for consulting services with Jersey Professional Management for a sum not to exceed \$17,500.00, for a term of 3 months, to perform Recruitment Services for the Township of Middle.
 2. This contract is awarded without competitive bidding pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a)(ii) which specifies that services such as those relating to labor or employment search consulting services, are exempted from the competitive bidding requirement of the Local Public Contract Law as an “extraordinary unspecifiable service”.
 3. Attached hereto is a certification of funds, which states that there are available and sufficient legally appropriated funds for said purpose.
 4. Notice of award of this EUS contract shall be published by the Township Clerk in accordance with the law.
 5. A copy of the executed contract shall be filed with the Township Clerk.
31. RESOLUTION NO. 478-11 – AUTHORIZE SUBMISSION OF USDA PRE-APPLICATION SEEKING FUNDING FOR PHASE III GRASSY SOUNDS WASTEWATER PROJECT – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

32. PUBLIC COMMENT:

Committeemember Doughty shared that tomorrow at the Goshen Complex 47 teams will compete in a 75 yrs. of age and older softball tournament.

Committeemember Lockwood commented on various employees that have stepped up with the void in the treasurer’s dept. Thank you.

Mayor DeLanzo commented on the success at the Rabies Clinic.

Jim Pickering commented on the ruling on Railroad Partners (Conifer). It was reversed and remanded back to the Zoning Brd. Not the best news... not that worse either.

Steve O'Connor asked the basis...

Pickering – Appellate felt that wrong standard was used. Decision is available online. Site located within the fair share plan should have been reviewed. Suggestions that reasonable conditions should have been issued. Did agree with finding on traffic issues.

Betty McGurk asked if twp. has recourse on appeal.

Pickering indicated that it would be to ask Supreme Court to hear it. In this case the likely hood of that working is to be considered.

Steve O'Connor – Can you speak to options that zoning board may gave?

Pickering to report at a later meeting, after Mr. Fineberg speaks to Zoning Board.

Brian Murphy thanked Elizabeth for going over ordinance. Concerns expressed in letter were based on concerns prior to speaking with Liz and Vince.

Barb Cresse - #20 expenses to taxpayers?

Pickering – No – all done by county.

Cresse - #30 – asked about fee of \$17,500.00. How is ordinance on Chapter 218 enforced?

Tim Donahue – new requirement for assessment?

Vince Orlando – lots of components. Vince explained...

There being no further business, the meeting was adjourned at 7:50pm.

Kimberly Krauss, Twp. Clerk