

Cape May Court House, NJ
August 16, 2010
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 Lockwood, Township Business Administrator Mark Mallett , Township Clerk Kimberly Tomkinson, Municipal Solicitor James Pickering, and Township Engineer Vincent Orlando. Committeemember Doughty was absent

1. RESOLUTION NO. 340-10 – APPOINTMENT – TAX ASSESSOR – 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, County of Cape May, State of New Jersey, that the following employee is hereby appointed to the following position at the salary opposite their name:

NAME	TITLE	SALARY	EFF. DATE
Lee Ann Russ	Tax Assessor	\$58,000.00	8/16/2010
2. SWEARING IN OF TAX ASSESSOR – LEEANN RUSS
3. PRESENTATION BY CHIEF OF POLICE – INTERSECTION SAFETY CAMERAS
Agnes Keenan expressed to committee and the Chief of Police she thinks this project is a “no brainer!”
Betty McGurk asked when the study was done.
Chief – 3rd week in July
B. McGurk asked how many “out of towners” didn’t know the intersections therefore that was the reason they ran the red lights.
Charles Keenan asked what the statutory timeframe is from when the violation occurs and when the summons is issued.
4. PRESENTATION: DON RUSSELL, POINT & PAY- ONLINE PROPERTY TAX PAYMENTS
5. 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.)*
6. RESOLUTION 341-10 – APPROVING PAYMENT FOR BILLS – BILL LIST A – 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.	\$ 640,355.97
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7. RESOLUTION NO. 342-10 – APPROVING PAYMENT FOR BILLS – BILL LIST B – 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.	\$ 19,638.07
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8. RESOLUTION NO. 343-10 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
9. REPORTS: The following departments have submitted their reports for the months indicated: Treasurer for the month of May; Land Use Administrator for the month of July; Township Clerk for the month of July; Zoning Official for the month of July; Tax Collector for the month of July; Construction Official for the month of July
10. ****TABLED**** ORDINANCE NO. 1366-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY CONSENTING TO THE COUNTY OF CAPE MAY PURCHASE OF LAND KNOWN AS BLOCK 167.01, LOT 92, FORMERLY KNOW AS BLOCK 34.02, LOT 90, ALSO KNOWN AS 170-174 ROUTE 47, ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1366-10 was adopted on motion by

seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.

**** Ordinance tabled based on fact that Resolution No. 307-10 authorized same action.**

11. RESOLUTION NO. 344-10 – AUTHORIZING PURCHASE UNDER STATE CONTRACT – POLICE VEHICLE – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

*WHEREAS, there is a need to purchase a police vehicle, and
WHEREAS, through the State Contract Purchasing System, Contract # T-0098, this vehicle is available; and
WHEREAS, the amount of the purchase per vehicle is \$27,038.00, and funds are available as evidenced by the Chief Financial Officer's Certification; and*

*WHEREAS, the vehicle being purchased by authorization of this resolution is a Ford Crown Victoria Police Interceptor.
NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Middle, State of New Jersey, County of Cape May that the Police Department is hereby authorized to purchase one (1) aforementioned vehicle at a cost of \$27,038.00.
FURTHER RESOLVED, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:
Charles S. Winner Inc.
Winner Ford
250 Haddonfield Berlin Road
Cherry Hill, NJ 08034-3409*

12. RESOLUTION NO. 345-10 – REFUND OF TAXES – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

Refund due to overpayment by mortgage company

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
17134	5	66	Doan, William 7 Pine Hollow	1,333.49	
3109	163.05	14	Kane, Eric P & Theresa M 27 Dory Drive	1,414.00	
6560	422	8	Mc Pherson, Lauren J 15 Bucknell Ave.	680.24	
9389	695	3	Parker, Debra V & Stephen 1105 Savannah St.	1,149.13	
18298	712	2	Abbott, Raymond M Fulton St.	8.33	

Refund Payable and sent to:
First American 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 2010 taxes.
BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

13. RESOLUTION 346-10 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeemember Lockwood seconded by Mayor DeLanzo 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
Jeffrey Bucsek & Deborah Mahle	671 Dias Creek	164.02/15	\$299.15
Beverly J. Saylor & J.L. Goodway	1453 Burleigh Rd	1401.01/52	\$299.15
Jeffrey Evans	303 Goshen Road	60/10	\$228.92
Charles & Doris Albright	109 W. Main Street	1124/4	\$228.92
Christine Fritch	28 Park	400/12	\$228.92
Joseph Toland	204 School Ln	1447/9	\$228.92

14. RESOLUTION NO.'S 347-10 THR 348-10 – APPROVE CHANGE ORDERS – WHITESBORO SCHOOL PHASE III (LAV. RECONSTRUCTION AND INTERIOR IMPROVEMENTS – CAPRI CONSTRUCTION (ITEMS A THROUGH B) – On motion by Mayor DeLanzo seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
347-10 (A) WHEREAS, Capri Construction Company Inc. was selected to provide lavatory reconstruction and interior improvements towards the Former Whitesboro School (otherwise known as Head Start), within the confines of the Township of Middle.
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 #3 for the project awarded to Capri Construction Company Inc., be and is hereby approved in the amount of \$4,465.00
BE IT FURTHER RESOLVED, that this change order is to cover work not originally included in project plans.
348-10 (B) WHEREAS, Capri Construction Company Inc. was selected to provide lavatory reconstruction and interior improvements towards the Former Whitesboro School (otherwise known as Head Start), within the confines of the Township of Middle.
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 #4 for the project awarded to Capri Construction Company Inc., be and is hereby approved in the amount of \$12,720.00
BE IT FURTHER RESOLVED, that this change order is to cover additional work as requested by Cape Human Resources, and reimbursed by same.
15. RESOLUTION 349-10 - TABULATION COMMITTEE – WHITESBORO COMMUNITY SERVICE CENTER IMPROVEMENTS PHASE 3 – 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 Tomkinson, and Business Administrator Mark Mallett, be and hereby are appointed to tabulate the bids to be taken on Tuesday, September 14, 2010 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:
WHITESBORO COMMUNITY SERVICE CENTER IMPROVEMENTS PHASE 3
16. RESOLUTION 350-10 - TABULATION COMMITTEE – SHANNON OAKS/ELLA AVENUE DRAINAGE IMPROVEMENTS - 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, 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 Tomkinson, and Business Administrator Mark Mallett, be and hereby are appointed to tabulate the bids to be taken on Tuesday, September 14, 2010 at 1:30 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:
SHANNON OAKS/ELLA AVENUE DRAINAGE IMPROVEMENTS
17. RESOLUTION NO. 351-10 – TABULATION COMMITTEE – GALLOPING WAY DRAINAGE & ROADWAY IMPROVEMENTS – 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, 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 Tomkinson, and Business Administrator Mark Mallett, be and hereby are appointed to tabulate the bids to be taken on Tuesday, September 14, 2010 at 2:00 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:
GALLOPING WAY DRAINAGE IMPROVEMENTS
18. RESOLUTION NO. 352-10 – TABULATION COMMITTEE – CONTRACT TO DESIGN, INSTALL, OPERATE AND MAINTAIN INTERSECTION SAFETY CAMERA PROGRAM – 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, 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 Tomkinson, Business Administrator Mark Mallett and Chief Christopher Leusner be and hereby are appointed to tabulate the bids to be taken on Wednesday, September 8, 2010 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:
CONTRACT TO DESIGN, INSTALL, OPERATE AND MAINTAIN INTERSECTION SAFETY CAMERA PROGRAM

19. **TABLED ** RESOLUTION – ACKNOWLEDGEMENT OF TERMINATION** – On motion by seconded by and passed on roll call, the following resolution was adopted.
BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following termination listed below, is acknowledged.
- | EMPLOYEE | DEPARTMENT | POSITION | EFFECTIVE |
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James O'Brien	EMS	EMT-PART TIME	7/21/2010
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20. **RESOLUTION NO. 353-10 – REFUND OF OVERPAYMENT – SEWER** – 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 Director of Sewer is hereby authorized to make the adjustment to sewer account referenced below:

ACCT. NO.	OWNER	BLK / LOT	AMOUNT
02648	Edward H. Clement	132.01/15	\$1246.58

21. **RESOLUTION NO. 354-10 – DEPOSITORY CURRENT FUNDS – 2010 – 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 2010, 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 or Chief Financial Officer
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 or Administrator
General Checking Account)	Chief Financial Officer, Administrator, Mayor, Clerk or Deputy Clerk
Trust Account - Other)	Chief Financial Officer or Administrator
Forfeited Monies)	Chief Financial Officer or Administrator
General Capital Account	Chief Financial Officer or Administrator
Urban Development Action	Chief Financial Officer or Administrator
EMS Billing	Chief Financial Officer or Administrator
Middle Township Municipal Alliance Committee	Chief Financial Officer or Administrator (Dedicated by Rider)

Housing Rehabilitation	Chief Financial Officer or Administrator
Revolving Fund	
Utility Account	Chief Financial Officer or Administrator
Utility Escrow Account	Chief Financial Officer or Administrator
Utility Capital Account	Chief Financial Officer or Administrator
Green Acres	Chief Financial Officer or Administrator
Payroll (SS & Withholding)	Chief Financial Officer or Administrator
Unemployment Trust	Chief Financial Officer or Administrator
Recreation-Ded. Trust Fund	Chief Financial Officer or Administrator
Public Assistance Trust Fund	Chief Financial Officer or Administrator
Dog Tax	Chief Financial Officer or Administrator
Accumulated Absences Trust Fund	Chief Financial Officer or Administrator
COAH Fees	Chief Financial Officer or Administrator
Alarm Billing Account (New)	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 2010, and that all disbursements shall be made by checks signed by the following:

ACCOUNT	DISBURSEMENT OFFICER
Payroll (SS & Withholding) (Old)	Chief Financial Officer or Administrator
Unemployment Trust (Old)	Chief Financial Officer or Administrator
Recreation-Ded. Trust Fund (Old)	Chief Financial Officer or Administrator
Public Assistance Trust Fund (Old)	Chief Financial Officer or Administrator
Dog Tax(Old)	Chief Financial Officer or Administrator

Accumulated Absences Trust Fund (Old)
COAH Fees (Old)
Master Escrow Checking
Master Escrow Savings
FURTHER RESOLVED, that in the Township Clerk may sign in the absence of the Chief Financial Officer.

Chief Financial Officer or Administrator
Chief Financial Officer or Administrator
Chief Financial Officer or Administrator
Chief Financial Officer or Administrator

22. RESOLUTION NO. 355-10 – RATIFY CONTRACT WITH ENFORSYS POLICE SYSTEMS, INC. – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle wishes to enter into a contract with Enforsys Police Systems, Inc. for “PoliSys Enterprise Edition” of their proprietary software with various interfaces, including but not limited to:
911
Info-Cop CAD/RMS/Mobile Interface
B.E.A.S.T
Sagem Morpho
WHEREAS, the initial transitional fee shall be in the amount of \$32,800.00, and
WHEREAS, the police department has received grant monies to cover the cost of said transition, and
WHEREAS, this contract is not subject to the terms and conditions of the Pay to Play Laws, considering said service is indeed proprietary software, and
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between the Township of Middle and ENFORSYS Police Systems, Inc., be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said Agreement.
23. RESOLUTION NO. 356-10 – APPROVE CHANGE ORDER NO. 1 – RECONSTRUCTION OF BENNETT ROAD – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, Charles Marandino, LLC was selected for the Reconstruction of Bennett Road Project, within the confines of the Township of Middle.
WHEREAS, bids were received on Tuesday March 30, 2010 at 1:00 PM
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 Charles Marandino, LLC. be and is hereby approved in the amount of \$4,831.75.
24. RESOLUTION NO. 357-10 – APPROVE CHANGE ORDER NO. 7 – WHITESBORO/EDGEWOOD PHASE I SANITARY SEWER PROJECT – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, Perna Finnigan Inc. was selected for the Whitesboro/Edgewood Phase I Sanitary Sewer Project, within the confines of the Township of Middle.
WHEREAS, it has been deemed necessary to issue a change order for said project, in connection with an adjustment associated with an adjustment of unit amounts to reflect as-built quantities on items at or near completion.
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 #7 for the project awarded to Perna Finnigan Inc. be and is hereby approved for a credit in the amount of \$8,142.12
25. RESOLUTION NO. 358-10 – 2010-2011 HOTEL/MOTEL LICENSE APPROVAL – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle has established a Hotel / Motel License in connection with Ordinance NO. 1157-04, and
WHEREAS, a Hotel/Motel shall be defined for purposes in connection with this ordinance/license as a type of building or combination of buildings within the same complex having 4 or more rooms available for sleeping and lodging to the public for a fee, and
WHEREAS, prior to any person, operating a Hotel/Motel regulated by this ordinance, said person or entity must acquire an annual Hotel/Motel License from the Township Clerk by the 1st of July in each calendar year, and
WHEREAS, prior to the issuance or renewal of any annual Hotel/Motel License, the applicant for such license shall have made the payment of delinquent property taxes. The Township of Middle retains the
right of revocation or suspension for non-payment of property taxes when three (3) or more consecutive quarters are delinquent.
WHEREAS, the annual license fee to operate a Hotel/Motel within the Township of Middle shall be \$1,000.00.
WHEREAS, said approval is contingent upon all applicable building, housing, health and safety codes and regulations as set forth by all appropriate local, county and state agencies, and as outlined in Chapter 222-22 of the Code of the Township of Middle, and
WHEREAS, The Township of Middle shall have the right to inspect the licensed premises and the owner/applicant shall provide for the inspection of licensed facilities.
NOW, THEREFORE BE IT RESOLVED, that each of the following licenses be and are hereby authorized for the license year of 2010-2011:

Lic. #	Applicant	Tradename	Location	Sites
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5	Marion Monroe	Dutchman’s Motel	1077 Rte 47 South	11
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26. RESOLUTION NO. 359-10 – APPOINTMENTS –NEW HIRE – TELECOMMUNICATIONS –
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, County of Cape May, State of New Jersey, that the following employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Lauren Long	Public Safety	PS Telecommunications Operator	\$28,500.00	09/01/2010
Brittany Linz	Public Safety	PS Telecommunications Operator P/T	\$13.46ph	08/17/2010

27. PUBLIC COMMENT:

Committeemember Lockwood expressed how great of a time he had at the Phillies game with the police honor guard.

Mayor DeLanzo spoke about upcoming ribbon cutting at the former Whitesboro School Friday September 3 at 4:30pm. “Not often we can refinish a historic building with grant monies.”

Vilma Pombo asked particulars regarding raffling off of new liquor licenses.

Betty McGurk asked the summer hours of the public works garage. Very loud very early in the morning. Rough of residents that work late shift.

Henry Rice questioned committee and the engineer about the sewer line on Rte 9. Indicated the project is going very slow.

J. Pickering explained the process of running force main down Rte 9 in the summertime.

Henry Rice indicated he lived in Edgewood MHP and complained about the conditions of the park. He referenced the road conditions and the washer and dryer being malfunctioning. He asked what jurisdiction the township has over the park.

Pickering explained DCA regulations and rent leveling board regulations.

Rice – asked how long someone has to connect into a sewer system. He also expressed disappointment in MHP fee increase via ordinance that was adopted in May.

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

Kimberly Tomkinson, Municipal Clerk