

Cape May Court House, NJ
 December 7, 2009
 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 Doughty, Committeemember DeLanzo, Committeemember Barry, Township Business Administrator Mark Mallett, Township Clerk Kimberly Tomkinson, Attorney James Pickering, and Engineer Vincent Orlando.

Mayor Doughty announced the passing of 104 year old Middle Township resident Thelma Crater and also Frank Heise

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.)
Eileen Fausey – #22. Are these people considered Part-time?

J. Pickering – most of them are ... all of them are independent contractors except for the Municipal Prosecutor who is part time and does not get benefits. None of them get any benefits now in 2009 except the Municipal Prosecutor. As of 2010 the Municipal Prosecutor will not get benefits.

Joseph Ravitz - #18 – 2009 short fall? Nothing to do with 2010?

Mallett – This is for some of the remaining work in 2009.

Pickering – this is for work in 2009, if there is work to be done if 2010 it will be part of the 2010.. if Maser is selected in 2010.

2. RESOLUTION NO. 491-09 – APPROVING PAYMENT FOR BILLS – BILL LIST A – On motion by Committeemember DeLanzo seconded by Committeemember Barry 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:

Dedicated Trust	\$ 3,808.50
Current Acct.	\$ 3,171,923.47

3. RESOLUTION NO. 492-09 – APPROVING PAYMENT FOR BILLS – BILL LIST B – On motion by Committeemember DeLanzo seconded by Committeemember Barry and passed on roll call, the following resolution was adopted. Mayor Doughty abstained
 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.	\$ 15,925.98
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4. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Court for the month of October; Treasurer for the months of September and October; Zoning Official for the month of November; Tax Collector for the month of November; Municipal Clerk for the month of November; Construction Official for the month of November;

5. RESOLUTION NO. 493-09 THR 495-09 – REFUND OF TAXES (ITEMS A THROUGH C) – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

493-09 Refund due to:

Robert Cebular has been granted a Veteran deduction for 2009.

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
18300	473	19.09	Cebular, Robert G & Catherine M 2 Carmen Drive Cape May Court House, NJ 08210 Property Location: 2 Carmen Drive	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 2009 taxes.

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

494-09 Refund due to:

Gustav Langford has been granted a Veteran deduction & Senior deduction for 2009.

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT
16787	335.01	28	Langford, Gustav 210 E 3 rd Ave Cape May Court House, NJ 08210 Property Location: 210 3 rd Ave	500.00

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 2009 taxes.

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

495-09 Refund due to 100% disabled status per County Board of Taxation as of July 30, 2009

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
18940	264	60.01 C0032	Cubbage, Edmond J & Elaine M 8 Sanderling Court		549.02

Refund Payable and sent to:

Cubbage, Edmond J & Elaine M

8 Sanderling Court

Cape May Court House, NJ 08210

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 2009 taxes.

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

6. RESOLUTION NO. 496-09 AND 497-09 – CANCELLATION OF TAXES – (ITEMS A THROUGH B) – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

496-09 CANCELLATION OF TAXES DUE TO 100% DISABLED VETERAN

ACCT #	BLOCK	LOT	NAME/LOCATION	2009 balance	2010 1 st ½
18940	264	60.0 1 C00 32	Cubbage, Edmond J & Elaine M 8 Sanderling Court	549.02	650.50

497-09 CANCELLATION OF TAXES AS PROPERTIES ARE EXEMPT

ACCT #	BLOCK	LOT	NAME/LOCATION	2010 1 st 1/2
9449	700	1	Nature Conservancy Location: Fishborn St	5408.65
13860	1411	8	Arc of Cape May County Inc 50 W Secluded Lane	2460.25
14789	1480	4	Arc of Cape May County 1 N 5 th St	5860.40

7. RESOLUTION NO. 498-09 – CANCELLING OUTSTANDING CHECKS – CLERKS ACCOUNT – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, there are certain checks that have been outstanding in the Middle Township Clerk's Account for a period of more than one year, and

WHEREAS, it is the desire of the Township Treasurer to return these funds to the Middle Township Current Fund.

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 the following checks be and hereby are canceled and will be returned to the Current Fund of the Township of Middle.

Clerk's Account

111	Unknown	\$200.00
1620	Unknown	\$225.00
1637	Unknown	\$100.00
1788	Unknown	\$200.00
2094	Unknown	\$225.00

8. RESOLUTION NO. 499-09 – RELEASE OF TRUST ACCOUNTS – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

9. RESOLUTION NO. 500-09 – APPOINTMENTS – NEW HIRE – PART TIME TELECOMMUNICATIONS OPERATOR – On motion by Committeemember DeLanzo seconded by Committeemember Barry 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	WAGE	EFF. DATE
Brenda Camp	Public Safety	PS Telecommunications Operator P/T	\$13.46ph	11/16/2009

10. RESOLUTION NO. 501-09 – APPROVE – ADOPT A SPOT GRANT – On motion by Mayor Doughty seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that a Mini Grant for the “Adopt a Spot Project”, be and are hereby awarded to the following:

BSA venture Crew #104
PA. Ave bet Indian Tr. & Main St;
Main St. bet PA. Ave. & Rte 9
November 10, 2009

11. RESOLUTION NO. 502-09 – RELEASE PERFORMANCE BOND – TRICOUNT INVESTORS A & B LLC. – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, \$28,633.20 plus interest is being held as a Performance Guarantee for Tricount Investors A & B LLC. for site improvements at Block 326 Lot 22, also known as 601 Rte 9 South, and

WHEREAS, the Engineer for the Township of Middle has conducted his inspection and certified that all improvements have been completed, and

WHEREAS, the Zoning Officer 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) with Commerce Bank be and is hereby released.

12. RESOLUTION NO. 503-09 – AMENDMENT TO TITLE – On motion by Committeemember Barry seconded by Mayor Doughty and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle will no longer house the Dennis Township Court System, and

WHEREAS, therefore it is necessary to remove the title of Dennis Township Court Administrator from Cindy Lutes and also the corresponding stipend in the annual amount of \$7,500.00.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the title of “Dennis Township Court Administrator” and stipend in the amount of \$7,500.00 be and is hereby removed from Cindy Lutes as of December 1, 2009

13. RESOLUTION NO. 504-09 – AUTHORIZE MAYOR TO SIGN DISCHARGE OF MORTGAGE – HOUSING REHABILITATION GRANT – On motion by Committeemember Barry seconded by Mayor 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 Housing Rehabilitation Grant- Mortgage is following is hereby discharged:

Borrower	Mrtg Dated	Date Satisfied	Sum of Principal
Martha Cappelli	September 14, 1992	September 14, 2002	\$8,075.00

FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign said Discharge of Mortgage.

14. RESOLUTION NO. 505-09 – REFUND OF OVERPAYMENT – SEWER – On motion by Committeemember Barry seconded by Mayor 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 Director of Sewer is hereby authorized to make the adjustment to sewer account referenced below:

ACCT. NO.	OWNER	BLK / LOT	AMOUNT
18566	Gerald & Joan Byrnes	1432 / 6 C0006	\$80.03

15. ACKNOWLEDGEMENT OF RETIREMENT – The Township has received notification that Rick Ceglarski of the Public Works Department has intent to retire effective January 1, 2010.

16. RESOLUTION NO. 506-09 – AUTHORIZING ANDREW SMITH TO SIGN ROAD OPENING PERMIT APPLICATIONS AFTER THE RETIREMENT OF RICK CEGLARSKI, SUPERINTENDENT OF PUBLIC WORKS – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, when a Road Opening Permit Application is submitted to the office of the Municipal Clerk, both the Clerk and the Administrative Director of Public Works must approve the application in order for it to become valid, and

WHEREAS, due to the upcoming retirement of Rick Ceglarski, Administrative Director of Public Works, and to insure a smooth transition, it is deemed necessary for the Township of Middle to designate someone to complete this task.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Andrew Smith is hereby designated to sign Road Opening Permit Applications effective January 1, 2010.

17. RESOLUTION NO. 507-09 – TRANSFER OF FUNDS – On motion by Mayor Doughty seconded by Committeemember Barry 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 2009:

From	Amount	To
Records Mgmt 122-299	\$2,800	Police OE 240-299
Demolition of Bldgs 198-299	\$1,000	Police OE 240-299
Grants OE 131-299	\$9,300	Police OE 240-299
Grants OE 131-299	\$4,000	Mun Court OE 490-299
Grants OE 131-299	\$4,000	Public Works OE 260-299

18. RESOLUTION NO. 508-09– AUTHORIZING AMENDMENT TO FAIR AND OPEN CONTRACT – PLANNING CONSULTANT – MASER CONSULTING – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, the Township Committee has previously instituted a Fair and Open Process for the award of contract pursuant to N.J.S.A. 19:44A-20.4 et.seq., and

WHEREAS, the Township Committee has followed the procedures that it has previously set forth for the award of specific contracts; and

WHEREAS, the Township Committee has solicited proposals, and has publicly opened each proposal submitted, and has considered each proposal in light of criteria previously established by the Township, and has made a decision on each proposal submitted in light of those criteria;

WHEREAS, the Township of Middle has approved Resolution No. 230-09 authorizing a contract in the amount of \$30,000.00 for Maser Consulting, and

WHEREAS, due to unforeseen expenses it is hereby necessary to amend said contract.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for Maser Consulting as approved on May 4, 2009 via Resolution 230-09 is hereby amended for an additional \$17,000.00 thereby making the grand total of the contract \$47,000.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts with each of the above-mentioned individuals as necessary, to be followed with a resolution of award and certification as attached hereto.

19. RESOLUTION NO. 509-09 – AUTHORIZING AMENDMENT TO FAIR AND OPEN CONTRACT – VARIOUS TELECOMMUNICATIONS PROJECTS – VCOMM – On motion by Committeemember DeLanzo seconded by Committeemember Barry and passed on roll call, the following resolution was adopted.

WHEREAS, the Township Committee has previously instituted a Fair and Open Process for the award of contract pursuant to N.J.S.A. 19:44A-20.4 et.seq., and

WHEREAS, the Township Committee has followed the procedures that it has previously set forth for the award of specific contracts; and

WHEREAS, the Township Committee has solicited proposals, and has publicly opened each proposal submitted, and has considered each proposal in light of criteria previously established by the Township, and has made a decision on each proposal submitted in light of those criteria;

WHEREAS, the Township of Middle has approved Resolution No. 225-09 authorizing a contract in the amount of \$30,000.00 for VComm Telecommunications, and

WHEREAS, due to unforeseen expenses it is hereby necessary to amend said contract.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for VComm Telecommunications as approved on May 4, 2009 via Resolution 225-09 is hereby amended for an additional \$3,000.00 thereby making the grand total of the contract \$33,000.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts with each of the above-mentioned individuals as necessary, to be followed with a resolution of award and certification as attached hereto.

20. RESOLUTION NO. 510-09 – APPROVE APPLICATION FOR RAFFLE LICENSE – RIO GRANDE VOLUNTEER FIRE COMPANY – On motion by Mayor Doughty seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
- WHEREAS, Rio Grande Volunteer Fire Company has applied to Legalized Games of Chance Control Commission for Raffle Nights(Annual Instant Raffle License), and
- WHEREAS, the location will be at, 1120 Rte 47 S, Rio Grande, NJ 08242, has been approved by the Middle Township Committee as an Amusement Game Zone, and

WHEREAS, the Department of Law and Public Safety, Division of Consumer Affairs, Legalized Games of Chance Control Commission, determines fees and rules of conduct,
WHEREAS, the proper application and fee have been received.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the instant raffles sold at the location of 1120 Rte 47 S, Rio Grande, are hereby approved.

21. RESOLUTION 511-09 – APPROVE APPLICATION FOR BINGO LICENSE – RIO GRANDE VOLUNTEER FIRE COMPANY – On motion by Mayor Doughty seconded by Committeemember Barry and passed on roll call, the following resolution was adopted.
WHEREAS, Rio Grande Volunteer Fire Company has applied to Legalized Games of Chance Control Commission for Bingo Nights, and
WHEREAS, the location will be at, 1120 Rte 47 S, Rio Grande, NJ 08242, has been approved by the Middle Township Committee as an Amusement Game Zone, and
WHEREAS, the Department of Law and Public Safety, Division of Consumer Affairs, Legalized Games of Chance Control Commission, determines fees and rules of conduct,
WHEREAS, the proper application and fee have been received.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Bingo Night (with the dates listed on the form attached) at the location of 1120 Rte 47 S, Rio Grande, is hereby approved.
22. RESOLUTION NO. 512-09 – 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 Barry seconded by Mayor 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 Contracts submitted in accordance with the Fair and Open Process; and
WHEREAS, the Township Committee desires to establish the positions which for the year 2010 shall be subject to the Fair and Open Process and also where stated below additional criteria for certain position; and
WHEREAS, the Township Committee has decided to go beyond what is required by the state statute and to submit all professional services contracts to the Fair and Open process, even those that are below the \$17,500.00 threshold;
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that:
1. **THE FAIR AND OPEN PROCESS**
 - A. The Township Committee of the Township of Middle has determined that the following procedure constitutes a fair and open process and shall be the manner in which requests for proposals and qualifications are sought, accepted, and awarded:
 1. A request for proposals and qualifications shall be publicly advertised on the Township of Middle’s internet website beginning on December 8, 2009 and continuing on the website through December 22, 2009;
 2. The Township shall accept proposals until 1:00 o’clock on December 22, 2009.
 3. Proposals shall be in a sealed envelope addressed to:
Kimberly Tomkinson
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
 - E. Office Staffing Plan and Resources
 - F. Location of Office from which services shall be provided
 - G. References
 - H. Potential Conflicts
 6. On December 22, 2009, the Township Clerk or representative shall open each of the proposals and shall announce the proposals received by name, and a short summary of the proposal and qualifications.
 7. The proposals shall be submitted to Township Committee for consideration at its reorganization meeting at which time Township Committee may award a contract by approving a resolution, or, it may choose to award at the next regularly scheduled Township Committee meeting. If a majority votes to seek interviews, interviews may be held between Township Committee and the person or entity that submitted proposals. Township Committee may send proposals to Township Board’s or Agency’s for consideration and approval as is appropriate.

2. CRITERIA BY WHICH REQUESTS FOR PROPOSALS AND QUALIFICATIONS SHALL BE EVALUATED

A. The Township of Middle hereby discloses in writing that all of the submissions in response to the Request for Proposals and Qualifications submitted through the fair and open process described above, will be evaluated by the Township Committee of the Township of Middle and awarded or rejected on the basis of the following criteria. Proposals will be evaluated by the Township Committee of the Township of Middle on the basis of the most advantageous, price and other factors considered. The evaluation will consider:

1. Experience and reputation in the field
 2. Knowledge of the Township of Middle and the subject matter to be addressed under the contact
 3. Availability to accommodate any required meetings of the agency
 4. Compensation proposal
 5. Other factors if demonstrated to be in the best interest of the Township of Middle
- B. The following criteria, found under the competitive contracting rules at N.J.A.C. 5:34-4.2, if determined to be of assistance, may also be considered by Township Committee. These criteria are not intended to be limiting or all-inclusive, and they may be adapted or supplemented in order to meet the Township Committee's needs. No criteria will unfairly or illegally discriminate or exclude otherwise capable vendors.

I. Technical criteria:

a. Proposed methodology:

- i. Does the vendor's proposal demonstrate a clear understanding of the scope of work and related objectives?
- ii. Is the vendor's proposal complete and responsive to the specific RFP requirements?
- iii. Has the past performance of the vendor's proposed methodology been documented?
- iv. Does the vendor's proposal use innovative technology and techniques?
- v. Are sound environmental practices such as recycling, energy efficiency, and waste reduction used?

II. Management criteria:

a. Project management:

- i. How well does the proposed scheduling timeline meet the agency's needs?
- ii. Is there a project management plan?

b. History and experience in performing the work:

- i. Does the vendor document a record of reliability of timely delivery and on-time and on-budget implementation?
- ii. Does the vendor demonstrate a track record of service as evidenced by on-time, on-budget, and contract compliance performance?
- iii. Does the vendor document industry or program experience?
- iv. Does the vendor have a record of moral integrity?

c. Availability of personnel, facilities, equipment and other resources:

- i. To what extent does the vendor rely on in-house resources vs. contracted resources?
- ii. Are the availability of in-house and contract resources documented?

d. Qualification and experience of personnel:

- i. Documentation of experience in performing similar work by employees and when appropriate, sub-contractors?
- ii. Does the vendor make use of business capabilities or initiatives that involve women, the disadvantaged, small and/or minority owned business establishments?
- iii. Does the vendor demonstrate cultural sensitivity in hiring and training staff?

III. Cost criteria:

a. Cost of goods to be provided or services to be performed:

- i. Relative cost: How does the cost compare to other similar proposals?
- ii. Full explanation: Is the price and its component charges, fees, etc., adequately explained or documented?

b. Assurances of performance:

- i. If required, are suitable bonds, warranties, or guarantees provided?
- ii. Does the proposal include quality control and assurance programs?

c. Vendor's financial stability and strength:

- i. Does the vendor have sufficient financial resources to meet its obligations?

III. REQUEST FOR PROPOSALS AND QUALIFICATIONS ARE SOUGHT FOR THE FOLLOWING POSITIONS

A. Municipal Prosecutor - Prosecutes in the Township's municipal Court. Court meets every Monday, Wednesday and any special session as set forth by the Municipal Court Administrator.

B. Rent Leveling Board Solicitor - Attorney represents the Rent Leveling Board. The Rent Leveling Board meets quarterly.

C. Hearing Officer - Attorney sitting as a hearing officer on employee disciplinary matters.

D. Economic Development and Grant Administrator Consultants - provide administrative services for economic development board, home rehabilitation program for low income homeowners, evaluation services for loan program to businesses, and assist in applications for grants involving the same.

E. Grant, Utility, and Legislative Consultant - completes grant applications and advises Township Committee on utility and legislative issues impacting the Township.

F. Beach Erosion Prevention and Replenishment Consultant - completes grant applications and advises Township Committee on beach erosion prevention and beach replenishment issues and funding, particularly federal funding.

23. RESOLUTION NO. 513-09 – APPROVAL FOR PAYMENT CASH OUT SICK LEAVE – POLICE EMPLOYEES – On motion by Mayor Doughty seconded by Committeemember Barry and passed on roll call, the following resolution was adopted.

WHEREAS, the Township allows the cash out of accumulated sick time by employees who meet the guidelines set forth in the personnel policy manual, and
 WHEREAS, final payment is requested to be made on December 18, 2009, 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 employees in the amount referenced below.

Last	First	Hours	Amount
Bryan	Joshua	6	158.94
Conte	Pasquale	80	3,586.40
DeVico	Jeffrey	48	1,998.72
Dougherty	James	56	2,331.84
Edwards	John	80	3,898.40
Fritsch	Paul	80	4,116.80
Higginbottom	Mark	80	2,920.00
Johnson	Phillip	43	1,677.00
Larkin	Leonard	40	859.60
Leusner	Christopher	80	4,528.80
Loftus	James	68	2,822.68
Miller	Ronald	40	959.60
Murphy	Christopher	80	3,640.80
Norton	John	32	847.68
Novsak	Steven	24	695.76
Stocker	Clinton	80	3,359.20

24. RESOLUTION NO. 514-09 – APPROVAL FOR PAYMENT CASH OUT SICK LEAVE – VARIOUS EMPLOYEES – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township allows the cash out of accumulated sick time by employees who meet the guidelines set forth in the personnel policy manual, and
 WHEREAS, final payment is requested to be made on December 18, 2009, 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 employees in the amount referenced below.

William Barger	1 Day	211.54
William Mayerson	5 Days	422.81

25. PUBLIC COMMENT:

Committeemember DeLanzo – Thank you to all involved in Christmas in Middle Township this past weekend. Parade went really well. Lots of participates. Hope everyone enjoyed themselves.

Committeemember Barry – Just recovered from the flu.. hopes everyone can hear “me”. Next three years, this year then 2010, and the next few years after that, are going to present an unparallel budget challenge, not just in Middle Twp., if you follow news fiscal problems State is in and we rely on significant part of our budget from the State and there has been a pledge from our new governor not to increase budget or fees. We can look forward to a reduction in state revenues for local purposes. Next few months, everyone will be looking at budget... very important to distinguish between operating and capital budget, gain an understanding on what the surplus is and what the impact on the budget the surplus has, and distinguish between budget and levy cap. 3 ½ budget cap.. 4% levy cap. ... (Barry gave examples of how taxes are raised and process)

Mayor Doughty – Congratulated everyone those who participated in Christmas in Middle Twp.

E. Fausey – Wanted to draw attention to Pearl Harbor Day. Didn’t know if you saw “gravy train” article in paper...might be time to rewrite the policy manual. Middle Twp. has have done big payouts.

T. Taverner explained township’s policy on pay out of time.

Fausey – discussed youth shelter and outside contractor taking over. Asked if Freeholders talked to Middle Twp. Will be an impact on Middle Twp. Nursing service also to be contracted out.

Mayor Doughty indicated they had not.

Vilma Pombo – Went to meeting about water bill that came out. Asked committee if they read it and any plans to change it based on development.

Steven O’Connor – asked about status of bike path.

J. Pickering – Mayor just signed agreement for right away, hopefully extension in spring.

O'Connor – asked status of moving library.

Mayor – indicated the library will be staying. Smaller annex of library going to Zoo.

O'Connor – What will happen to space here at Mechanic Street. Also, has the court agreement with Dennis been dissolved?

Committeemember DeLanzo – Original agreement testing ground and had stipulations of notice. Tried to work through several issues. They decided no longer want to be with Middle and going to Upper.

Pickering – Recall please there were some issues in operation in day to day basis and the township tried to work through them with Dennis. That didn't appear that some of the issues could be worked out. We approved resolution... I think.. regardless.. letter sent saying agreement would be terminated. Experiment did not work out.

E. Fausey – Library is moving but what we have here will just be an annex. Fewer services going on here.

Joanne Maserella – wanted to find out if engineer has come out.

Orlando – He has.. number of things have taken place over on Marlyn Manor. First Mr. Dwyer has completed first investigation and decided on what type of testing he wants to do, and is in the process of finalizing proposal to us for long term testing. Spoke with him last week, looking at alternatives. That is moving along. We did, with respect to drainage system, cleaning on the day before thanksgiving. Appears there is major blockage on 4th and Marlyn Terrace. That needs to be addressed. Two close trees that appear to have rooted into storm drainage system blocking it 80%. Isolated where this is, public works has jetted entire system. I am in the process of doing a budget for Township Committee to do this work, which will be upgrading system from 4th to Marlyn. The system in Marylyn and to (“Knap”) is functioning. *Orlando explained further regarding ideas on drainage.*

Carol Grey (to Orlando) – Is grading part of plan?

Orlando – correct

Pickering/Orlando – explained easements on Beazer Home properties for drainage.

C. Grey – discussed “ditch” that existed “through the years” that was filled in.
Collect pools in Beazer are not draining. Why are some pool drains stone and concrete.

Orlando – explained

Thomas Duffy – did they take samples of ground from 2 houses?

Orlando – no soil testing has been done just yet. Still ongoing. Discussing monitoring facilities.

Duffy – Holding tanks on Beazer have still not drained.

Betty McGurk – Bike Path, what part of road? *Mrs. McGurk asked Mr. Barry about a lawsuit with COAH.*

Mike McGurk – asked about Conifer appeal.

Pickering – Findberg handling appeal. Unsure of briefing schedule. Briefing then oral agreement.

Roy Moore – discussed easement line and 2 trees on property.

Joanne Maserella – indicated that there is an easement behind her property as well.

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

Kimberly Tomkinson, Twp. Clerk