

Cape May Court House, NJ  
July 28, 2010 4:00pm  
SPECIAL MEETING  
FLAG SALUTE  
THIS MEETING IS BEING RECORDED:

This Special Meeting was called pursuant to the provisions of the Open Public Meeting Law. Notices of this meeting were emailed to the Cape May County Gazette, Atlantic City Press and the Cape May County Herald on July 23, 2010. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk on aforementioned date. Notices on the bulletin board have remained continuously posted. Members present were Mayor DeLanzo, Committeemember Doughty, Committeemember Lockwood, Business Administrator Mark Mallett, Solicitor James Pickering, and Deputy Township Clerk Dawn Stimmel.

1. RESOLUTION NO. 305-10 – CLOSED SESSION – PENDING LITIGATION (RAVITZ V. MIDDLE) – On motion by Committeeman Lockwood seconded by Committeeman 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  
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: PENDING LITIGATION (RAVITZ V. MIDDLE)
  - 2.) The general nature of the subject matter to be discussed is as follows: PENDING LITIGATION (RAVITZ V. MIDDLE)
  - 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.
2. RESOLUTION NO. 306-10 – AUTHORIZING THE TOWNSHIP OF MIDDLE TO SETTLE LITIGATION – RAVITZ V. TOWNSHIP OF MIDDLE – On motion by Mayor DeLanzo seconded by Committeeman Lockwood and passed on roll call, the following resolution was adopted.  
*WHEREAS, there has been pending litigation known as Ravitz v. Township of Middle, Docket Number CPM-L-231-07 (Cape May County) and a related action by the same name at Docket Number CPM-L-423-09 (hereinafter “the litigation”); and*  
*WHEREAS, it appearing that the parties have reached an amicable resolution to settle this matter; and*  
*WHEREAS, the Township Committee believes that it is in the best interest of the Township to resolve the litigation to end the considerable costs incurred;*  
*NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, that the Township of Middle settle the above referenced litigation pursuant to the terms of the attached settlement agreement; and*  
*BE IT FURTHER RESOLVED, that pursuant thereto the Treasurer is authorized to make a salary adjustment to Ravitz salary for 2007 through July 31, 2010 in the amount of \$24,751 as per the attached spreadsheet;*  
*BE IT FURTHER RESOLVED that the appropriate Township Officials are hereby authorized to execute any documents necessary to carry out the purpose and intent of this Resolution including any Releases, Agreements, Stipulations and Orders.*
3. RESOLUTION NO. 307-10 – TO CONSENT TO THE PURCHASE OF LAND BY THE COUNTY OF CAPE MAY KNOWN AS BLOCK 167.01, LOT 92, FORMERLY KNOWN AS BLOCK 34.02 LOT 90, ALSO KNOWN AS 170-174 ROUTE 47, ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MIDDLE - On motion by Committeeman Lockwood seconded by Committeeman Doughty and passed on roll call, the following resolution was adopted.  
*WHEREAS, The Cape May County Agriculture Development Board has granted final approval for the purchase of a Development Easement on property owned by Warren C. Stiles, Beverly A. Schellinger, Irvin R. Stiles and Anne P. Stiles, Executrix of Herbert D. Stiles, at a certified value of \$12,825.00 per acre, designated as 83.73 acres, Block 167.01, Lot 92, formerly known as 34.02 and 90, also known as 170-174 Route 47, Middle Township, Cape May County, New Jersey, and on the Official Tax Map of the Township of Middle;*  
*WHEREAS, THE Board of Chosen Freeholders of the County of Cape May has entered into a contract to purchase said easement;*  
*NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey, has reviewed the aforesaid application, pursuant to N.J.A.C. 2:76-6.10(a) 4, and in the best interest of the Township approves the application and the purchase of the development easement of the property designated as, Block 167.01, Lot 92,*

*formerly known as Block 34.02, Lot 90, 83.73 acres, Township of Middle, Cape May County, New Jersey.*

4. RESOLUTION NO. 308-10 – TABULATION COMMITTEE – SNOW REMOVAL – On motion by Committeeman Lockwood seconded by Committeeman Doughty 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 Wednesday August 18, 2010 at 1:00 PM in the Middle Township Municipal Building, 2<sup>nd</sup> Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:*

*SNOW REMOVAL*

5. PUBLIC COMMENT:  
NONE

MEETING ADJOURNED 4:25 PM

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Dawn Stimmel, Deputy Clerk