

Cape May Court House, NJ
June 16, 2014
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 Donohue, Deputy Mayor Lockwood, Committeemember Clark, Township Clerk Kimberly Krauss, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon, Municipal Solicitor Marcus Karavan, and Township Engineer Marc DeBlasio.

1. PRESENTATION BY MAYOR – *CHRISTINA LILLEMOM, MAY EMPLOYEE OF THE MONTH*
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.*)

Stan Doniger:

- Electric charges for various locations
- Tool allowance for Walt Belles
- Verizon bill - \$2,400 for one month?

Rosie Jefferson:

Bus Stop Resolution – requested a bus stop last year on east side of Route 9 in Edgewood, asked for status.

Committeemember Lockwood:

Suggested Ms. Jefferson issue request in writing to be forwarded to Traffic Committee

Stan Doniger:

Questioned salary increase for tax collection office, asked if there has been an increase in responsibility.

Mayor Donohue:

Sewer billing is also handled in the tax collection office.

Justin Cline:

Stated opinion on Ordinance scheduled for public hearing and consideration for adoption regarding not allowing scooters in skateboard park. Stated that damage is not done only by scooters but by bikes and skateboards as well, as well as the ramps not being repaired correctly and holes being incorrectly drilled into ramps. Believes it would be biased to not allow scooters in the park. Asked that Mayor and Committee reconsider moving forward on this Ordinance this evening and consider his statement relative to this matter.

Sam Kelly:

Believes Mr. Cline's testimony was compelling and he did an excellent job presenting his opinion and facts.

3. RESOLUTION 327-14– APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – On motion by Committeemember Clark 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. \$414,477.83
4. RESOLUTION 328-14 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember Lockwood seconded by Committeemember Clark 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 following minutes are approved: Regular Meeting 6/02/2014 and Closed Session 06/02/2014.
5. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Court for the month of May; Tax Collection and Sewer Billing for the month of May; Zoning Official for the month of May; Construction Official for the month of May.
6. ****TABLED**** ORDINANCE NO. 1475-14 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 211, THEREOF, ENTITLED SKATEBOARD PARK – Following second reading, hearing, and consideration for adoption, Ordinance 1475-14 was adopted on motion by seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk's Office. *BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey as follows:*
SECTION 1

Local Ordinance Section 211-3 shall be amended to read as follows:

211-3 RULES, SUBSECTION 11. This facility is for skateboard and in-line skating only. The use of bicycles, scooters, or any other recreational sports equipment having wheels, is expressly prohibited.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable .

SECTION 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.

7. ORDINANCE 1478-14 - BOND ORDINANCE PROVIDING FOR ROAD DRAINAGE AND IMPROVEMENTS IN AND BY THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$4,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,800,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF – On motion by seconded by and passed on roll call, Ordinance No. 1478-14 passed first reading. Second reading, public hearing and consideration for adoption will be held on 07/21/2014 at 6:00 p.m. *BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:*

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Middle, in the County of Cape May, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$4,000,000, including the sum of \$200,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,800,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the reconstruction and repaving of the Township's roadway, installation of curbs, sidewalk, handicap ramps and miscellaneous storm sewer improvements including all other work and materials necessary therefor or useful thereto. (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof. (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated: (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby. (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years. (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,800,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law. (d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations. Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall

be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used. Section 9 The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking. Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount. Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

8. RESOLUTION 329-14, 330-14 – AMENDING FAIR AND OPEN CONTACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK AND WALBERG ENGINEERS – (ITEMS A THROUGH B) – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.

(A) WHEREAS, on January 4, 2012 Township Committee awarded Remington Vernick & Walberg Engineers a three year term as Township Engineer, and said contract was certified for 2014 as Resolution No. 33-14, and
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Remington, Vernick & Walberg Engineers shall provide engineering and construction observation services for the following:
 Remington, Vernick & Walberg Engineers – Engineering and Construction Observation Services FY 2014 NJ DOT Local Aid – Roadway Grant – Reconstruction of Third Ave – Phase I Not to Exceed \$12,500.00

(B) WHEREAS, on January 4, 2012 Township Committee awarded Remington Vernick & Walberg Engineers a three year term as Township Engineer, and said contract was certified for 2014 as Resolution No. 33-14, and
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Remington, Vernick & Walberg Engineers shall provide engineering and construction observation services for the following:
 Remington, Vernick & Walberg Engineers – Engineering and Construction Observation Services FY 2014 NJ DOT Local Aid – Bike Path Phase 5- Not to Exceed \$39,000.00

9. RESOLUTION 331-14 – ACKNOWLEDGEMENT OF TERMINATION – On motion by Committeemember Clark seconded by Mayor Donohue 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
Stephen Stagg	Recreation	Recreation Aide P/T	05/26/2014

10. RESOLUTION 332-14 – AUTHORIZING REFUND OF ESCROW MONIES – 9TH AVENUE / CRECCA JASMINE BUILDING SYSTEMS – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.

WHEREAS, the developer, Jasmine Building Systems, has agreed to forfeit the remainder of the Performance Guarantee as per Resolution 483-09, and
 WHEREAS, the Township of Middle collected said monies and interest accumulated from the escrow account, approximately \$166,290.28 as per Resolution 606-13, and
 WHEREAS, the Township of Middle wishes to refund the excess balance collected of \$42,167.51 to Crecca/Jasmine Building c/o Perskie Mairone Brog & Baylinson, PC, Cornerstone Commerce Center, 1201 New Road, Suite 204, Linwood, NJ 08221
 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 balance of \$42,167.51 be released.

11. RESOLUTION 333-14 – REDUCTION OF PERFORMANCE BOND – ROS-LEN INC. – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, \$390,238.20 is being held as a performance guarantee of Ros-Len Inc. for Block 385 Lot 1, otherwise known as Sand Dollar Estates, Route 9 South, and
 WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$286,958.40 have been completed, and
 WHEREAS, it has been further recommended that the performance guarantee for the above stated project be reduced to \$103,279.80.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the surety bond be and is hereby reduced to \$103,279.80.

12. RESOLUTION 334-14– APPOINTMENTS – VOLUNTEER BOARD – MIDDLE TOWNSHIP ETHICS BOARD – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, The Township of Middle has a volunteer board known as the Middle Township Ethics Board, as outlined by Chapter 17 of the Township Code, and

WHEREAS, it is necessary to appoint and/or reappoint members via Resolution.

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 individuals are hereby appointed to the Middle Township Ethics Board for the term of office opposite their name:

NAME	POSITION	TERM EXPIRES	SALARY
Ralph Johnson	Member	12/31/2018	n/a
Michael Hajek	Member	12/31/2017*	n/a
Barbara Ludlam Eufrazio	Member	12/31/2018	n/a
Suzanne Stocker	Secretary	12/31/2014	\$850.00

* Filling unexpired term of office for Richard Rixey

13. RESOLUTION 335-14 – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION – BLOCK 1523 LOT 3 – CONIFER VILLAGE OF RIO GRANDE – On motion by Committeemember Clark 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 the Mayor is hereby authorized to sign the Treatment Works Approval Permit Application, Statement of Consent, and any and all permit applications in connection therewith for Block 1523 Lot 3, otherwise known as Conifer Village of Rio Grande.

14. RESOLUTION 336-14 – SEWER ADJUSTMENT –On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted. WHEREAS, the property listed below should have been connected to the sanitary sewer system by July 1, 2012; and

WHEREAS, the owner of this property provided a signed affidavit dated June 3, 2014 indicating that the sewer has now been connected, but has not been properly inspected. The sewer bill has been adjusted accordingly.

ACCOUNT	BLOCK	LOT	ASSESSED OWNER	AMOUNT ADJUSTED
17437	342	16	Makowski, Mark A & Kathleen Property location: 322 1 st Avenue	\$1,073.34

15. RESOLUTION 337-14 – INACTIVE SEWER STATUS – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. The following property has attained inactive sewer status in accordance with the Township of Middle Code 204-32; Application, 204-33; Documentation, 204-34; Certificate of Eligibility, and 204-35; Fee.

ACCOUNT	BLOCK	LOT	OWNER / LOCATION
11519	926	3	Williams, Melvin W. Sr Property location: 115 Raleigh Ave

The Municipal fee for this is \$308.00 per year.

16. RESOLUTION 338-14 – AUTHORIZING MAYOR TO SIGN SOIL EROSION AND SEDIMENT CONTROL APPLICATION – PHASE 4 BIKE PATH – On motion by Committeemember Clark 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 the Mayor is hereby authorized to sign the Soil Erosion & Sediment Control Application, and any and all relative documentation in connection with Phase 4 of the Bike Path Project.

17. RESOLUTION 339-14 – TABULATION COMMITTEE – ROADWAY IMPROVEMENTS TO STAGECOACH ROAD PROJECT – On motion by Committeemember Clark seconded by Committeemember Lockwood 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 Township Administrator Constance Mahon, Township Clerk Kimberly Krauss, Chief Finance Officer Tracey Taverner, be and hereby are appointed to tabulate the bids to be taken on Tuesday, July 15, 2014 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:

ROADWAY IMPROVEMENTS TO STAGECOACH ROAD PROJECT

18. RESOLUTION 340-14 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeemember Clark seconded by Mayor Donohue 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 resignations listed below, are acknowledged.

EMPLOYEE/ MEMBER	DEPARTMENT / BOARD	POSITION	EFFECTIVE
Barbara Montgomery	Municipal Court	Keyboarding Clerk 1 / Deputy Municipal Court Administrator	06/05/2014
Barbara Montgomery	Cable TV Advisory Board	Secretary	06/05/2014
James McGill	Ethics Board	Chairman	12/31/2013

19. RESOLUTION 341-14 – EMERGENCY APPROPRIATION – BACKHOE REPAIR – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, a condition has arisen with respect to the Public Works backhoe being inoperable and no adequate provision was made in the 2014 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$12,000.00 and three percent of the total operations in the budget for the year 2014 is \$670,269.96

WHEREAS, the foregoing appropriation, together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2014,

NOW THEREFORE BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for Backhoe Repair in the amount of \$12,000.00

2. That said emergency appropriation shall be provided for in full in the 2015 budget. And is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED, that a copy of this Resolution be published in the Herald Times as required by law.

20. RESOLUTION 342-14 – AUTHORIZING THIRD AMENDMENT TO AGREEMENT – BENECARD PRESCRIPTION PLAN – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle (GROUP) is currently in a contract with Benecard Prescription Benefit Program for employee prescription plans, and

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 contract with Benecard Prescription Benefit Program/ RX Alliance, as approved June 17, 2013 via Resolution 335-13 is hereby amended.

FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all paperwork in connection therewith.

21. RESOLUTION 343-14 – AUTHORIZING AND ACKNOWLEDGING RENEWAL OF CONTRACT WITH BENECARD FOR EMPLOYEE PRESCRIPTION PLAN 2014-2015 – On motion by Committeemember Clark 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, County of Cape May and State of New Jersey, that the renewal contract with Benecard Prescription Benefit Program/ RX Alliance, for a twelve month period, effective July 1, 2014 through June 30, 2015, is hereby authorized and acknowledged.

FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all paperwork in connection therewith.

22. RESOLUTION 344-14– APPROVAL OF ADDITIONAL DRIVER PERMITS – TRANSIENT MERCHANT – A&T ICE, LLC. – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the following Company has applied to the Township of Middle for a license to operate an Ice Cream Truck(s) within the confines of the Township of Middle; and

WHEREAS, the company now wishes to add an additional driver under said license; and WHEREAS, this company is in good standing with the Township of Middle and has followed all of the rules and regulations as set forth; and

WHEREAS, all regulations and applications have been met and further review by the Police Department and show no reason why permits may not be issued.

NOW, THEREFORE BE IT RESOLVED, that each of the following permits are hereby approved to be added as follows:

DRIVER	PERMIT TYPE	EFFECTIVE
Zak Curran	1. Child Safe Vendor Permit 2. Motorized Vendor Driver Permit	06/16/2014

FURTHER RESOLVED, that any license issued pursuant to the terms in accordance with the Code of the Township of Middle shall expire midnight of the 31st day of December of the year in which is issued unless sooner surrendered, suspended or revoked.

23. RESOLUTION 345-14 – ACKNOWLEDGEMENT OF DISCONTINUATION OF TEMPORARY APPOINTMENT – On motion by Committeemember Lockwood seconded by Committeemember Clark 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 discontinuation of temporary appointment listed below, is acknowledged.

NAME	DEPARTMENT	POSITION	EFFECTIVE
Charles Marriner	Public Works	Laborer 1 P/T T/A	06/02/2014

24. RESOLUTION 346-14 – AMENDING FEES FOR MIDDLE TOWNSHIP RECREATION DEPARTMENT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, it is in the best interest of the Township of Middle to establish a structured fee schedule for the recreational programs; and
 WHEREAS, various changes to the already established fee schedule have been deemed necessary; and
 WHEREAS, said fees should be established via resolution.
 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 changes to the fee schedule for the recreation department are hereby authorized:

PROGRAM	FEE
“Core for Days” Fitness Class	\$5.00 per class

BE IT FURTHER RESOLVED, that fees associated with the above referenced programs are non-refundable.

25. RESOLUTION 347-14 – RENEWAL OF ALCOHOLIC BEVERAGE LICENSE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, certain licensees have filed for renewal of their Alcoholic Beverage License for one (1) year beginning July 1, 2014, and
 WHEREAS, the said applications are in due and proper form with the fee of \$720.00 for each Plenary Retail Consumption License and Retail Distribution License; \$188.00 for each Club License and with no objection filed with all \$200.00 State Filing Fees received and forwarded, NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Club License to: Wildwood Golf & Country Club 0506-31-006-004
 BE IT FURTHER RESOLVED, that these licenses be signed, sealed and delivered by the Clerk of the Township of Middle in accordance with the rules and regulations of the State Department of Alcoholic Beverage Control and appropriate Ordinances of the Township of Middle.

26. RESOLUTION 348-14– AUTHORIZING STREET OPENING PERMIT WAIVER – On motion by Committeemember Clark seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, Local Ordinance Section 215-15D does not allow for any road opening permit for any road that has been constructed or reconstructed for a period of five years after the completion of said construction or reconstruction except by resolution of the governing body, and
 WHEREAS, the owner of Block 965 Lot 4 has requested a waiver to said moratorium and is claiming a hardship in connection therewith.
 NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, hereby finds:
1. That an exception to the 5 year moratorium is appropriate in this circumstance; and
 2. That the Public Works Superintendent is hereby directed to issue a road opening permit for Block 965, Lot 4 for the purpose of installing sewer, pending the submission of an application, correct fees and bonding associated therewith.
 3. This waiver is contingent upon use of infrared technology only, and said property owner shall contact the Public Works Superintendent regarding particulars on this procedure prior to moving forward.

27. RESOLUTION 349-14 – AUTHORIZING CHANGE IN EMPLOYEE STATUS – On motion by Committeemember Clark 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 that the following employee is hereby designated to the employment status listed below:

NAME	DEPARTMENT	PREVIOUS STATUS	AMENDED STATUS	SALARY	EFFECTIVE DATE
Eddie Allen	Public Works	Laborer 1 P/T	Laborer 1 F/T	\$20,120.00	07/01/2014

28. RESOLUTION 350-14 – SALARY ADJUSTMENT – On motion by Committeemember Lockwood seconded by Committeemember Clark 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 salary be amended to the amount opposite their name:

NAME	DEPARTMENT	TITLE	BASE SALARY	EFFECTIVE
Sandra Beasley	Tax Collection	Tax Collector	\$64,816.00	06/16/2014
Joyce Weber	Tax Collection	Asst. Municipal Tax Collector	\$37,199.00	06/16/2014

29. RESOLUTION 351-14, 352-14 – INSERTION OF SPECIAL ITEM OF REVENUE – (ITEMS A THROUGH B) – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
- (A) *WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and*
WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount.
NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2014 in the sum of: 2014 Employee Health & Wellness Initiative Private Grant \$325.00 BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption: 2014 Employee Health & Wellness Initiative Private Grant \$325.00
- (B) *WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and*
WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount.
NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2014 in the sum of:
- | | | |
|--------------------------|--------------|-------------------|
| <i>Bike Path Phase 5</i> | <i>-- \$</i> | <i>360,000.00</i> |
|--------------------------|--------------|-------------------|
- BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:*
- | | | |
|--------------------------|--------------|-------------------|
| <i>Bike Path Phase 5</i> | <i>-- \$</i> | <i>360,000.00</i> |
|--------------------------|--------------|-------------------|
30. RESOLUTION 353-14 – REQUESTING DESIGNATION OF BUS STOP ON US HIGHWAY ROUTE 9 (SOUTHBOUND), BETWEEN EASY STREET AND ORBIT DRIVE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
- WHEREAS, the Township of Middle has received a letter from the State of New Jersey, Department of Transportation, recommending the placement of a NJ Transit Bus Stop on US Highway Route 9 (southbound) between Easy Street and Orbit Drive, in Middle Township, and*
WHEREAS, the Township Committee of the Township of Middle, along with the Middle Township Traffic Committee, has reviewed the request and agrees with the establishment of a bus stop as indicated above.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that pursuant to N.J.S.A. 39-4-8(e) the following described location is hereby requested as a designated bus stop:
US Highway Route 9 (southbound) between Easy Street and Orbit Drive
BE IT FURTHER RESOLVED, that if authorized by NJ Transit, the Township Committee of the Township of Middle will enforce the Traffic Regulation Order governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public
31. RESOLUTION 354-14 – AUTHORIZE APPLICATION – US DEPARTMENT OF JUSTICE / OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) - COPS HIRING PROGRAM – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
- NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, the governing body thereof, does hereby authorize the application to the US Department of Justice, Office of Community Oriented Policing Services for the COPS Hiring Program (CHP).*
FURTHER RESOLVED, that Police Chief Christopher Leusner is named as the Contact Person and that the appropriate officials are hereby authorized to sign said documents.
32. RESOLUTION 355-14 – SOCIAL AFFAIRS PERMIT – CHIP MILLER CHARITABLE FOUNDATION – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
- WHEREAS, the Chip Miller Charitable Foundation has applied for approval to sell alcoholic beverages at an event to be held at 905 Route 9 North, CMCH (otherwise known as Stone Harbor Country Club), on July 17, 2014 from 12:00 p.m. to 9:00 p.m., and*
WHEREAS, they have provided proper documentation to the Township of Middle,
NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.
33. RESOLUTION 356-14 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeemember Lockwood seconded by Committeemember Clark 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, the Township of Middle has adopted Chapter 193 of the Code of the Township of Middle "Property Maintenance", and
 WHEREAS, the premises listed below contained a structure that was unsafe and a danger to the public, and
 WHEREAS, the Township of Middle has noticed the following property owner 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	PROPERTY LOCATION	BLOCK // LOT	AMOUNT
Federal National Mortgage Association	312 Linden Lane, Rio Grande	1467/19	\$7,300.00*

*Together with interest as provided by law.

34. RESOLUTION 357-14 – APPROVAL FOR PAYMENT TERMINAL LEAVE – VIRGINIA SWEITZER – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, Virginia Sweitzer has retired with an effective date of June 1, 2014; and
 WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated vacation, compensation, sick, 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; and
 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:

Virginia Sweitzer				
Vacation	0	Hours	\$14.61	
Sick	688.25	Hours	\$14.61	\$10,055.33
Owed				\$10,055.33

35. RESOLUTION 358-14 through 359-14 – APPOINTMENTS (ITEMS A THROUGH B) – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

(A) WHEREAS, there are various terms of office that have expired; and
 WHEREAS, the governing body of the Township of Middle would like to reappoint said positions; and
 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 named persons be and hereby are appointed or reappointed to fill the following offices/terms:

POSITION / DEPARTMENT	TERM	NAME	TERM EXPIRES
Crossing Guard / Public Safety	1 year	John (Jack) Beers	06/30/2015
Crossing Guard / Public Safety	1 year	Kathleen Mazzio	06/30/2015
Crossing Guard / Public Safety	1 year	William (Scott) Webster	06/30/2015
Crossing Guard / Public Safety	1 year	Al Singer	06/30/2015
Crossing Guard / Public Safety	1 year	Walt Kowal	06/30/2015
Crossing Guard / Public Safety	1 year	Clay Simmons	06/30/2015
Crossing Guard / Public Safety	1 year	William Vergantino	06/30/2015
Crossing Guard / Public Safety	1 year	Joseph Sykes	06/30/2015

(B) 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 positions at the salaries opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Louis Sicilia	Public Safety	PS Telecommunications Operator P/T	\$10.49 ph	06/16/2014

36. PUBLIC COMMENT:

Marc DeBlasio, Engineer Report:



EDWARD VERNICK, PE, CME, President
CRAIG F. REMINGTON, PLS, PE, Vice President
EXECUTIVE VICE PRESIDENTS
Michael D. Basso, PE, PE-COE, Senior COE
Edward J. Hedberg, PE, PE-COE
Thomas F. Beach, PE, CME
Robert S. Strapp, PE, CME

DIRECTOR OF OPERATIONS
CORPORATE SECRETARY
SENIOR ASSOCIATES
Senior Associates list including: Alan D. Egan, PE, PE-COE, Alan D. Egan, PE, PE-COE, David R. Saha, PE, PE-COE, etc.

ENGINEERING STATUS REPORT
MIDDLE TOWNSHIP

June 16, 2014

Prepared For: TOWNSHIP COMMITTEE
Prepared By: MARC DEBLASIO, P.E., P.P., C.M.E.
Township Engineer

GRANT APPLICATIONS

FY2014 NJDOT State Aid Program

- The Township has been notified that the following grant applications have been approved:
Municipal Aid - Roadway: Third Avenue - \$174,000.00
Municipal Aid - Bikeway: Bike Path Phase 5 - \$350,000.00

New Jersey Office of Clean Energy - Direct Install Program

- Public Works Facility: Eligible to receive a \$55,384.96 grant with a \$23,736.42 match. The yearly estimated savings is \$11,756.38.

CAPITAL IMPROVEMENTS

Whitesboro Roadway Improvements - Phase 3B

- The bid opening occurred on October 11, 2013 and the apparent low bidder is Atzowk Paving Company, Inc. in the amount of \$316,600.00.
The main paving is complete and driveway aprons are complete.
Contractor is presently performing edge of roadway restoration and punchlist items.

FY 2013 NJDOT Bike Path - Phase 4

- The bid opening occurred on April 16, 2014, and the apparent low bidder was Kline Construction Company, Inc. in the amount of \$198,020.00.
The project is 95% complete, the Contractor is awaiting delivery of bollards and remaining work is due to be completed the week of 6/16/14.

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Stagecoach Road Improvements

- The project design is complete and the project is scheduled for public advertisement on June 25, 2014.
The bid opening is scheduled for July 15, 2014 at 10:00 A.M.

FEMA Reconstruction of Benn's Landing Road and Beach Avenue

- The design phase is complete.

USDA Rural Development Sanitary Sewer Application - Grassy Sound

- Our office has begun coordinating the design and permitting package.
Survey for the project is completed and the design is approximately 75% complete.
Our office is working with Van Nola Harvey Associates to finalize the Joint Permit Package.

Robert 'Ookie' Wisting Recreation Complex

- Cape Express Soccer Organization has proposed to complete what remains unfinished, additional work and maintenance of the facility.
Our office has generated a conceptual plan to show additional recreation activities at the complex based upon Cape Express' plan of development.
A conceptual plan was presented to the public at an Open Space and Recreation Meeting held on January 22, 2013 for public comment.
An application to extend the Freshwater Wetlands Letter of Interpretation was submitted to NJDEP. NJDEP informed our office that an extension would not be granted. Our office will prepare a new Letter of Interpretation in conjunction with Lomas Consulting.
A conceptual plan was sent to Elizabeth Terenik for inclusion in her submittal to Cape May County.
The Township was awarded \$582,000.00 grant from Cape May County.
The Township has applied to Cape May County for additional funding for a fishing pier/biorow.
A verification Letter of Interpretation Application for the Freshwater Wetlands was submitted to NJDEP on 6/22/13 and is under review. NJDEP has performed their field visit and has requested additional information. Surveyor has completed updating the plan and re-submittal will take place the week of 2/17/14.

GENERAL ENGINEERING PROJECTS

HMGP (Hazard Mitigation Grant Program)

- The Township was selected to receive a grant amount of \$142,080.00 for the purchase and installation of emergency generators.
A spending plan has been prepared in conjunction with the Township's Economic Development Office and was submitted on 12/16/13.

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GIS Mapping

-All available resource mapping documents have been collected, inventoried and scanned into our system, including existing GIS resource data from State, County and local agencies. Completed on 3/17/2014.

-All collected original hard copy and digital documents/information were returned on April 1, 2014, to the office of Rob Flynn, Public Works Director.

-Digitizing the existing as-built maps is progressing and on-going, and we completed the storm sewer system in the Marilyn Manor Drainage Study area on 4/28/2014. The remaining storm sewer system is progressing as the first utility to be followed by the Sanitary. The Storm is approximately 33% complete based on the existing information at this time. We are on schedule proceeding with the remaining areas from there, and Ryan McCowan, of our Wildwood Office, has held edits from the Marilyn Manor Drainage Study to be incorporated into the GIS mapping.

-A progress meeting was scheduled for 4/28/2014 with the office of Rob Flynn, Public Works Director, however, was cancelled due to an emergency and needs to be rescheduled. Anticipate scheduling a progress meeting to review/address mapping questions with Rob Flynn's office the week of 6/16/2014, per Rob's schedule and availability.

Marilyn Manor Storm Sewer Drainage Study

- The drainage study is completed, has been reviewed by the Township and will be finalized by June 18, 2014.

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Committeemember Clark:

- Congratulations to Christina, glad to see was nomination and recognized.
-Approved rumble strip in center of Route 47, discussed in meeting with Senator VanDrew
-Light at Route 47 and Fulling Mill Road to be turned on mid-July, state had to revise to make ADA compliant

Committeemember Lockwood:

- Farewell to Ginny Sweitzer

Mayor Donohue:

- Farewell to Ginny, best luck in retirement
-Recognized Lt. Adams for graduating FBL National Academy
-Hiring plan for police, hopes to hire 4 in 2014 and 2 more in early 2015
-Demolition projects, tedious process, recognized Deputy Mayor for work done with these properties
-Spoke of past weekend events at Goshen Complex
-Recognized Rob Flynn and Public Works crew for work at recreation fields
-New Workout program at Goshen Complex, 2 nights a week
-Employee Golf Tournament hosted by the Health and Wellness Committee
-Marilyn Miller, Recreation Administrator Certification
-Marc DeBlasio, promotion to Executive Vice President at Remington, Vernick & Walberg
-Frank McDermott passing, mentioned hard work and service to community.

Bill Mixon:

Spoke of neighboring properties on Dias Creek Road which are vacant and unsafe, asked about status of these properties being demolished (specifically 671 Dias Creek Road). Believes neighborhoods within Township are falling apart and nothing is being done about it.

Committeemember Lockwood:

Spoke of process and departments that are involved in unsafe structures and code enforcement.

Mayor Donohue:

Understands frustrations, trying to work on issues at hand.

Carol Mixon:

Spoke of 4 abandoned houses within 2/10 of a mile, feels unsafe living there with grandchildren

Connie Mahon:

Received text from Sal DiSimone, property on Dias Creek Road has been deemed unsafe and will be going through bidding process to be demolished.

Sam Kelly:

-Thanked Mayor on how he moved forward with skatepark Ordinance

-Bike Path looks great

-CMC Library steps and sidewalk are unsafe and are unsightly, believes this is a disgrace to be in the heart of the community.

Mayor Donohue:

Will follow up with Freeholder Thornton regarding Library

Stan Doniger:

Conifer Village – flooding in roadway, process for being fixed?

Marc DeBlasio:

Applicant would hire professional engineers to design and go before Planning Board

Julius Sebastiani, Pierce's Point:

Mentioned dead trees on Pierce's Point road, believes they are a hazard to vehicles driving by

Rosie Jefferson:

-115 Raleigh Avenue, abandoned property, windows open on house – asked to be boarded up

-Oak Avenue property – junk yard/used car lot, eye sore in fall when trees cannot hide the property.

-CCW at Whitesboro School, Homework Club cannot meet there because of kitchen. Believes that Robert Matthews should be appointed as liaison between Township and CCW.

Conversation pursued between Committee and members of the public regarding politics.

Kimberly D. Krauss, Township Clerk

Motion to adjourn meeting – 7:20pm

1st: Committeemember Clark 2nd: Committeemember Lockwood

Pass on Roll Call: Committeemember Clark, Committeemember Lockwood, Mayor Donohue

Minutes prepared by Suzanne M. Stocker, Deputy Township Clerk