

Cape May Court House, NJ
March 15, 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 Absent.

1. RESOLUTION NO. 97-10 – DESIGNATING MARCH AS “WOMEN’S HISTORY MONTH” –
On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and
WHEREAS, American women have played and continue to play a critical economical, cultural and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and
WHEREAS, American women have played a unique role throughout the history of the nation by providing the majority of the volunteer labor force of the Nation; and
WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic and cultural institutions of our Nation; and
WHEREAS, American women of every race, class and ethnic background served as early leaders in the forefront of every major progressive social change movement; and
WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, especially the peace movement, which create a more fair and just society for all; and
WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued in the literature, teaching and study of American History; so
NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, State of New Jersey, County of Cape May that March be designated as “Women’s History Month” and we ask the residents of Middle Township to join us in paying tribute to the generations of women whose commitment to nature and the planet have proved invaluable to society.
2. PRESENTATION BY MAYOR – WOMEN’S HISTORY MONTH
3. 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.)
Vilma Pombo – asked about Agenda Item 21 and whether or not it was on the February 17th meeting.
Tracey Taverner - explained
4. RESOLUTION NO. 98-10 – 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.	\$ 915,283.87
Dedicated Trust	\$12,449.67
5. REPORTS: The following departments have submitted their reports for the months indicated: Construction Official for the month of February; Municipal Clerk for the month of February, Zoning Official for the month of February, Tax Collector for the month of February; Municipal Court for the month of February; Treasurer for the month of February;
6. NOTICE: PUBLIC HEARING AND CONSIDERATION OF ADOPTION FOR ORDINANCE NO’S 1339-10; 1340-10 AND 1341-10 WILL BE HELD 4/5/2010 AT 6:00PM
7. PUBLIC HEARING: MIDDLE TOWNSHIP FIRE DISTRICT #4 DEFEATED BUDGET
Mayor DeLanzo outlined proposed resolution

William Seitz – thinks capital appropriations should be voted upon and be taken out of the budget.

John Flem – asked for definition of “Capital” item.

Robert Cusick – explained why he voted no for proposed budget.

Don Seitz – No cap on capital? How much money can they continue to gather? 2009 increase about \$9,000.00 because state said they could go 4%. This year state said no and now they have \$70,000.00 is surplus. Indicated that he supports firefighters but financial part is out of control.

Mayor DeLanzo confirmed with Mr. Mallett about of reduction proposed.

R. Cusick – asked where is it is stated in budget items requested.

Mallett – indicated that he along with Committeemember Lockwood had a meeting with commissioners and went over items requested in line item.

Rose Hearon – line item regarding pumper stays same each year... roughly \$22-23,000.00 each year.

Travis Marshall – budget turned down as a slap on no more spending.

David Ennis – asked about redistricting fire districts and having Court House Fire take over. Suggested substation for 2 trucks. Goshen doesn’t have funding for new fire hall. Court House is growing... Goshen is not. Budget very grey.

Mallett explained line items in budget.

Paul Eckstrom – indicated budget prior to revaluation was lower. Reevaluation made budget double. They have been operating successfully for years.

Hearon – Doesn’t think budget ever doubled. Has gone up slightly each year but 2008-2009 budget was the only big jump based on Cap that the auditors placed. Had to allocate money for cost of elections.

Pickering – asked Rose if there was a plan for capital.

Hearon – No. Set aside just in case. Up to February 2009 had hardly any participation from the public in firehouse until proposed new fire house. 4% cap is what made jump. Thinks 11,000 reduction is too much. Will need new truck in 2011.

W. Seitz – if the fire district needs new equipment then go out to bond.

Don Seitz – understanding plea but they must understand taxpayers plea.

Committee voted on resolution as follows below.

- 8. RESOLUTION 99-10 – REGARDING THE 2010 GOSHEN VOLUNTEER FIRE COMPANY STATION 74 BUDGET – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

- 9. RESOLUTION NO. 100-10 THROUGH 101-10 – CANCELLATION OF TAXES (ITEMS A THROUGH B) – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

74-10 CANCELLATION OF TAXES AS PROPERTY IS EXEMPT

ACCT #	BLOCK	LOT	NAME/LOCATION	2010 1 st ½
17233	127	7	Township of Middle Property location: 470 Rte 9 N (pump station)	1135.13

Property deeded to The Township of Middle from Strock, Greenbaum & Schwartz.

75-10 CANCELLATION OF TAXES

100% Disabled Veteran as of January 11, 2010

ACCT #	BLOCK	LOT	NAME/LOCATION	2010 1 st 1/2
3436	167.01	115	Conover, James F Property Location: 176 Rte 47 S	2106.41

- 10. RESOLUTION 102-10 – REFUND OF TAXES – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

Where As, Property was deeded to The Township of Middle on December 2, 2009 and recorded in book 3404 on page 414 on January 5, 2010 and

Where As, the former owner has paid the 1st quarter of 2010 in the amount of \$567.57 on February 2nd, 2010 and the property is exempt as of 1/1/2010

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
17233	127	7	Former owner: Strock , Greenbaum & Schwartz	567.57	

11. RESOLUTION NO. 103-10 – ACKNOWLEDGEMENT OF TERMINATION – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

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

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Brenda Camp	Public Safety	PS Telecommunications Operator P/T	03/08/2010
Vincent A. Watkins	Public Works	Equipment Operator	02/16/2010

12. RESOLUTION NO. 104-10 –RATIFY JOINT INSURANCE FUND SAFETY CONTRACT – 2010 – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, in compliance with the rules of the Atlantic County JIF, it is necessary to sign a Safety Incentive Program Contract for FY2010

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Joint Insurance Fund Safety Contract, be and is hereby ratified.

BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said contract.

13. RESOLUTION 105-10, 106-10, 107-10 – APPROVE CHANGE ORDER – WHITESBORO/EDGEWOOD PHASE I SANITARY SEWER PROJECT (ITEMS A THROUGH C) – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

(A) 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 the modified design of the jack and bore and sanitary sewer crossing at Dunbar Street.

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 Perna Finnigan Inc. be and is hereby approved for a **credit** in the amount of \$3,202.00.

(B) 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 extended casing pipe installation at the Main Avenue jack and bore.

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 Perna Finnigan Inc. be and is hereby approved in the amount of \$9,388.00.

(C) 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 needed in order to avoid a 10 inch diameter high pressure gas main, a 16 inch diameter water main, miscellaneous storm water pipelines and an existing luncheonette within the Route 9 right of way.

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 #5 for the project awarded to Perna Finnigan Inc. be and is hereby approved in the amount of \$25,920.00.

14. RESOLUTION NO. 108-10 – CLOSED SESSION – PENDING LITIGATION (RAVITZ V. MIDDLE) (MIDDLE V. ALBRECHT & HEUN); CONTRACT NEGOTIATIONS (SALE OR PURCHASE OF LAND) – On motion by Committeemember Lockwood seconded by Mayor DeLanzo 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)(MIDDLE V. ALBRECHT AND HEUN)

2.) The general nature of the subject matter to be discussed is as follows: PENDING LITIGATION (RAVITZ V. MIDDLE)(MIDDLE V. ALBRECHT AND HEUN)

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.

15. RESOLUTION NO. 109-10 – APPROVE CHANGE ORDER NO. 1 – RECONSTRUCTION OF ROMNEY PLACE – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, Asphalt Paving Systems Inc. was selected for the Reconstruction of Romney Place Project, 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 #1 for the project awarded to Asphalt Paving Systems Inc. be and is hereby approved in the amount of \$110.70.

16. RESOLUTION NO. 110-10 – RELEASE OF TRUST ACCOUNTS – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid, and
 WHEREAS, the applicants are entitled to a refund of this money,
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts as listed on the attached sheets shall be released.

17. RESOLUTION NO. 111-10 – APPROVE LEAVE OF ABSENCE – DARRYL PARKER – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the Leave of Absence without pay for Darryl Parker, be approved for approximately five (5) weeks effective February 22, 2010.

18. RESOLUTION NO. 112-10 – AUTHORIZING THE DONATION OF A SURPLUS POLICE CAR – 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 donate various vehicles to Volunteer Fire Companies within the township, and
 WHEREAS, Title 40A, Chapter 12, Section 1-K permits the Township of Middle to donate a police car to an organization do to the fact that they are Incorporated as non-profit.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle that the donation of a police vehicles to the following organizations is hereby approved:

Make/Model	VIN	Donation to:
1999 Ford Crown Vic Police Interceptor	VIN # 2FAFP71W8XX142731	Middle Twp. Fire Dist. 2 Rio Grande Fire Co.
2001 Ford Crown Vic Police Interceptor	VIN # 2FAFP71WX1X163717	Middle Twp. Fire Dist. 3 Green Creek Fire Co.

19. RESOLUTION NO. 113-10; 114-10 – SOCIAL AFFAIRS PERMIT – THE WETLANDS INSTITUTE (ITEMS A THROUGH B) – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 (A) WHEREAS, the Wetlands Institute has applied for approval to sell alcoholic beverages at an event to be held at 1075 Stone Harbor Blvd, on July 17, 2010 from 6:00 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.
 (B) WHEREAS, the Wetlands Institute has applied for approval to sell alcoholic beverages at an event to be held at 1075 Stone Harbor Blvd, on September 17, 2010 from 6:00 p.m. to 10:00 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.

20. RESOLUTION NO. 115-10 – RELEASE OF PERFORMANCE BOND – STREET OPENING – CLAUDIO PAWLUS/HOPE’S PLUMBING – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, \$5,000.00 is being held as a performance guarantee for Hope’s Plumbing/ Claudio Pawlus for the street opening located at 5 Williams Street, and
 WHEREAS, Administrative Director of Public Works has conducted his inspection and determined that all improvements have been completed, and
 WHEREAS, it has been recommended that the performance guarantee for the above stated project be released.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the above reference opening has been inspected and approved and the performance bond shall be released.

21. RESOLUTION NO. 116-10; 117-10 – APPROVE APPLICATION FOR RAFFLE LICENSE – MAKE A WISH FOUNDATION OF NEW JERSEY (ITEMS A THROUGH B)– On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
 90-10 WHEREAS, the Make a Wish Foundation of New Jersey has applied to Legalized Games of Chance Control Commission for a raffle license, and
 WHEREAS, the location will be at 985 Rte 47 South, Rio Grande, otherwise known as Menz Restaurant, has been approved by the Middle Township Committee as an Amusement Game Zone, and
 WHEREAS, Make a Wish Foundation will be holding on-premise 50/50 raffle,
 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 Raffle Night May 6, 2010 at the location of 985 Rte 47 South, Rio Grande, otherwise known as Menz Restaurant, is hereby approved.
 91-10 WHEREAS, the Make a Wish Foundation of New Jersey has applied to Legalized Games of Chance Control Commission for a raffle license, and
 WHEREAS, the location will be at 985 Rte 47 South, Rio Grande, otherwise known as Menz Restaurant, has been approved by the Middle Township Committee as an Amusement Game Zone, and
 WHEREAS, Make a Wish Foundation will be holding off-premise merchandise raffle,
 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 Raffle Night May 6, 2010 at the location of 985 Rte 47 South, Rio Grande, otherwise known as Menz Restaurant, is hereby approved.

22. RESOLUTION NO. 118-10 – EMERGENCY TEMPORARY BUDGET AMENDMENT – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, an emergent condition has arisen and no adequate provision has been made in the 2010 temporary appropriations for the aforesaid purpose; and NJSA 40A:4-20 provides for the creation of an emergency appropriation for the purpose above mentioned, and
 WHEREAS, the total emergency temporary resolutions adopted pursuant to the provisions of Chapter 96 PL 1951 (NJSA 40A:4-20) including this resolution total \$394,000.00
 NOW THEREFORE BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-20

1. An emergency temporary appropriation be and the same is hereby made in the amount of \$75,000.00. That said emergency temporary appropriation shall be funded by the adoption of an Appropriation Ordinance prior to the adoption of the 2010 budget under the title of:

Acquisition and Repair of Snow Removal Vehicles

2. That one certified copy of this resolution be filed with the Director of Local Government Services.

23. RESOLUTION 119-10 – AUTHORIZING MAYOR TO SIGN PERMIT – ATLANTIC CITY ELECTRIC – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, due to the last snow storm various electric poles were damaged along North Wildwood Blvd into the Grassy Sound area of Middle Township, and
 WHEREAS, Atlantic City Electric will now have to make repairs to at least ten (10) poles via helicopter.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that permission is hereby granted to the mayor to sign said helicopter applicators permit allowing the right to land said helicopter in the case of emergency or as needed by Atlantic City Electric along the area of North Wildwood Blvd and the Grassy Sound area of Middle Township, and

24. RESOLUTION 120-10 – TABULATION COMMITTEE – SHELLBAY, SHUNPIKE, GOSHEN ROAD AND CREST HAVEN ROAD SANITARY SEWER PROJECT – 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, Sewer Director Kathy Meers and a representative from Hatch Mott MacDonald, be and hereby are appointed to tabulate the bids to be taken on Tuesday, April 27, 2010 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:

SHELLBAY, SHUNPIKE, GOSHEN ROAD AND CREST HAVEN ROAD SANITARY SEWER PROJECT

25. RESOLUTION 121-10 – APPROVE RETURN OF DONATED TIME FOR FELLOW EMPLOYEE – 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, that the following time is hereby returned to the following Middle Township employees, who donated time to fellow employee Robert Eagan, for the total donated time was not used.

EMPLOYEE NAME	TYPE OF DAY	TIME DONATED
Muriel Anderson	Sick	5.5 hours
Virginia Sweitzer	Sick	12 hours
Diane Shinn	Vacation	12 hours
William Candell	Sick	68 hours
Scott Klecz	Sick	8 hours

26. RESOLUTION NO. -122-10 – TRANSFER OF FUNDS – RESERVES – On motion by Committeemember Lockwood seconded by Mayor DeLanzo 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:

Police S&W	\$50,000	Public Works OE
9-01-25-240-240-111		9-01-26-290-291-267

27. RESOLUTION NO. 123-10 – AUTHORIZING EMERGENCY CONTRACT – 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 declared an emergency in the township due to snow accumulation, and

WHEREAS, the Township of Middle needed to bring in outside contractors to assist with the snow removal, and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, Cape May County, State of New Jersey contracts are hereby authorized under NJSA 10A:11-6 to the Contractors listed below:

As the Chief Financial Officer of the Township of Middle, I acknowledge the sum of not to exceed \$9,000.00 has been authorized for the following service or items: snow removal. It is further certified that sufficient funds are available from the following appropriation or ordinance to cover this contract: 0-01-26-290-291-299.

PO#: 21000654. CHEW BROTHERS

28. RESOLUTION NO. 124-10 – ACKNOWLEDGEMENT OF RESIGNATION/ CANCELLATION OF NON-FAIR AND OPEN CONTRACT – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

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

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Mary Bittner	Municipal Court	Municipal Prosecutor	03/20/2010

29. RESOLUTION NO. 125-10 – APPOINTMENT – MUNICIPAL PROSECUTOR – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution

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 the following individual is hereby appointed to the position opposite their name at the following salary:

NAME	TITLE	SALARY	EFF. DATE
Marianne Ragusa	Municipal Prosecutor	\$26,500.00	03/20/2010

30. RESOLUTION NO. 126-10 - AUTHORIZING ADMINISTRATOR TO SIGN AGREEMENT FOR THE MIDDLE TOWNSHIP GOSHEN SPORTS COMPLEX TOILET ROOMS. ELECTRICAL WORK AND PLUMBING WORK – 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 been awarded a loan from the New Jersey Department of Environmental Protection, Green Acres Program for the Goshen Sports Complex Toilet Rooms – Electrical Work and Plumbing Work; so

NOW, THEREFORE BE IT RESOLVED that the governing body of the Township of Middle, County of Cape May, State of New Jersey, authorize Mark Mallett, Business Administrator, to sign said agreements.

31. RESOLUTION NO. 127-10 – REGARDING THE RATIFICATION OF THE MEMORANDUM OF AGREEMENT FOR THE SUCCESSOR COLLECTIVE BARGAINING AGREEMENT FOR PUBLIC WORKS EMPLOYEES – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

WHEREAS, the collective bargaining agreement between the Township of Middle and Local 676 of the International Brotherhood of Teamsters representing the Public Works employees expired on December 31, 2009; and

WHEREAS, the representatives for both parties have met on several occasions to negotiate a successor agreement; and

WHEREAS, the Township Committee has reviewed the matter carefully and has been actively involved in the development of proposals to the Union during negotiations; and

WHEREAS, the Township Negotiating Team has reached and recommends a tentative agreement memorialized by the Memorandum of Understanding (attached hereto); and

WHEREAS, the Union ratified the terms of the Memorandum of Understanding by a majority vote of its membership on March 4, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, Cape May County, New Jersey, that the Memorandum of Understanding is hereby approved; and

BE IT FURTHER RESOLVED that the Township Administrator is authorized and directed to execute the successor collective bargaining agreement consistent with the Memorandum of Understanding.

32. PUBLIC COMMENT:

Committeemember Lockwood looked into term limits. Not within our power. State legislation would have to change. Asked public to make sure they fill out census and return.

Mayor DeLanzo this evening was great exercise with community and is very proud.

Fran Grant – wants to know what the plan is regarding Ella Avenue with flooding. How is it going to be resolved. 2ft of dirt removed and never replaced. No drainage in the area and now huge holes. Not getting any better... very concerned.

Orlando – has reviewed issue. Public Works and fire department have been pumping water. Additional drainage will have to be put in place. Will have to be part of capital expenses for this year.

Bonnie Sermeda – spoke of Galloping Way flooding. Grateful for all attempts by township but what can the township get from the state for more funding. Is there any paperwork that needs to be filled out? Any emergency funding?

Paul Fritsch – a temporary pump was placed at low spot. There is no place for the water to go since it was already there.

Ken Lang – is there any way to get temporary pump for a couple of days?

Marie Macatee – Shed has been ruined. Thinks pumping on Galloping Way is causing her flooding and water to go up.

Ruthann Doyle – indicated that she is underwater on Secluded Hollow.

Paul Barnin – thinks Shannon Oaks needs a conveyance system.

Antonie Smoka – Can we continue pumping into develop behind us (Conifer)?

Bonnie Sermeda – Trees uprooted on Galloping Way.

Joanne Maserella – asked about permits at the Gathering.

William Wade – thanked public works for pumping but indicated that it's now worse. Is there a plan for their neighborhood? Asked if high water table can contaminate well?

Betty McGurk reiterated facts and concerns about cell tower and asked the status of the bid.

Mrs. Oxley – wanted to thank the Public Works Department and especially Jimmy Collins for all their dedication to Shannon Oaks with the drainage problem.

There being no further business the meeting was adjourned at 9:30pm.
Committee went into executive session.

Kimberly Tomkinson, Twp. Clerk