

Cape May Court House, NJ  
May 27, 2010 9:00am  
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 May 24, 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 Township Clerk Kimberly Tomkinson.

1. ORDINANCE NO. 1362-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO PURCHASE OR CONDEMN EASEMENTS FOR SEWER PROJECT – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, Ordinance No 1362-10 passed first reading. Second reading, public hearing and consideration for adoption will be held on 06/25/2010 at 6:00 p.m.  
WHEREAS, The Township of Middle is in the process of constructing Phase I of what is commonly referred to as the Whitesboro sewer project; and  
WHEREAS, despite its best attempts, it has not been able to purchase easements on two properties; and  
WHEREAS, while the Township Committee urges the Director of the Sewer Department and the Municipal Solicitor to continue to negotiate with property owners for the purchase of the easements, it finds that it is in the public interest to use eminent domain to obtain the easement;  
NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey, as follows:  
SECTION 1  
1. It is in the public interest and will support the general health and welfare to install the sanitary sewer system in the Whitesboro section of the Township of Middle.  
2. Easements are needed over the following properties as identified on the current Township tax map, but have not yet been obtained:  

| Block | Lot      | Property Owner   |
|-------|----------|--|
| 1040  | 1 & 2    | Audry Green and Shirley Green  |
| 1047  | 2, 3 & 5 | John C. Richardson, Esther Thobbs,<br>Dorothy Wilson, Roberta Lovett,<br>Jean Richardson, Donald Ray Richardson, Larry Dennis Richardson, Joyce Anne Richardson and<br>Patricia Richardson |

  
3. The easement on each property shall consist of a 10 foot wide permanent easement, and a 15 foot wide temporary easement for use during construction.  
4. The Township Solicitor is authorized to file a condemnation action to obtain the easements.  
5. The Director of the Sewer Department and the Township Solicitor are to continue to make every effort to purchase the easements and have authority to negotiate the terms of the purchase, including price, which price shall be confirmed by Township Committee by Resolution.  
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 phrase 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.
2. RESOLUTION NO. 216-10 – CLOSED SESSION – UNION NEGOTIATIONS (PBA UNION) – On motion by Committeemember Doughty seconded by Committeemember Lockwood 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: UNION NEGOTIATIONS (PBA UNION)  
2.) The general nature of the subject matter to be discussed is as follows: UNION NEGOTIATIONS (PBA UNION)

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.

3. RESOLUTION NO. 217-10 – EMERGENCY TEMPORARY BUDGET AMENDMENT – On motion by Committeemember Doughty seconded by Committeemember Lockwood 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 \$9,125,345.00

NOW THEREFORE BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with NJSA 40A:4-20

See Attached

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

4. DISCUSSION – DEBRIS REMOVAL

Mark Mallett and Vince Orlando discussed proposed solutions, as well as cost associated, to the overwhelming amount of branches and debris to be picked up due to recent storms (see proposal)



ESTIMATE FOR BRANCH/DEBRIS REMOVAL  
TOWNSHIP OF MIDDLE  
CAPE MAY COUNTY, NJ  
MAY 13, 2010

Project Description

The recent storm events have inundated the municipality with tree and branch debris. The Public Works Department has been working diligently to remove this material; however, to date, approximately 12% (800 Tons) of debris has been removed from the streets of the community. After reviewing many alternatives, it is recommended that additional part-time personnel and rental equipment be used to accomplish this task. It has been estimated that, with the addition of six (6) part-time employees with the appropriate commercial driver's license and the rental of six (6) large dump trucks, the removal process can be completed within 12 weeks.

I. Part Time Employees

|  |   |                 |
|--|---|-----------------|
| • 6 employees @ \$12.00/hr. x 32 hrs./wk | = | \$2,304.00/week |
| • + 8% Taxes                             | = | \$2,488.32/week |
| • 12 weeks x \$2,488.32/week             | = | \$29,859.84     |

Use: \$30,000.00

II. Equipment Rental

|                                    |   |             |
|------------------------------------|---|-------------|
| • 6 trucks x \$1,000.00/truck/week | = | \$6,000.00  |
| • \$6,000.00 x 12 weeks            | = | \$72,000.00 |

III. Potential Overtime for Key Employees

Due to the extensive amount of time needed for branch removal, certain key employees may be required to work overtime to complete the project.

|                      |   |             |
|----------------------|---|-------------|
| • Estimated Overtime | = | \$25,000.00 |
|----------------------|---|-------------|

IV. Disposal Fees

|                            |   |              |
|----------------------------|---|--------------|
| • 4,000 tons x \$25.00/ton | = | \$100,000.00 |
|----------------------------|---|--------------|

V. Miscellaneous Costs

|                                  |   |             |
|----------------------------------|---|-------------|
| • Fuel, flags, cones, vest, etc. | = | \$15,000.00 |
|----------------------------------|---|-------------|

TOTAL: \$242,000.00

Prepared by:  5/13/10  
VINCENT C. ORLANDO, P.E., P.P., L.L.A., C.M.E.

Final\Middle\General\Storm Debris May 2010

Cambridge Professional Offices  
5 Cambridge Drive, Ocean View, New Jersey 08230  
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Committeemember Doughty discussed rising collection of branches over 3 year period. (See review)

5. 2010 BUDGET DISCUSSION – Discussed above

6. PUBLIC COMMENT:

Chief Leusner discussed COPS grant and 298 million allocated. Stated that if received will fund officers for up to 3 years.

Committee went into executive session. Mayor DeLanzo exits room. 9:45am. No official action was taken.

\_\_\_\_\_  
Kimberly Tomkinson, Municipal Clerk