

Cape May Court House, NJ
May 3, 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 Doughty, Committeemember Lockwood, Township Business Administrator Mark Mallett, Township Clerk Kimberly Tomkinson, Municipal Solicitor James Pickering, and Township Engineer Vincent Orlando.

1. ***TABLED - RESOLUTION – PROMOTE – POLICE –** On motion by seconded by and passed on roll call, the following resolution was adopted.
BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following employees in the Middle Township Police Department are hereby promoted to the titles opposite their name at the following salaries:

Name	Title	Salary	Eff. Date
James Loftus	Police Sergeant	\$97,903.00	05/03/2010

2. SWEARING IN OF OFFICER - ***TABLED**
3. PRESENTATION – HOUSING ADVISORY BOARD – AFFORDABLE HOUSING
Bob Noel, Chairman of Housing Advisory Board gave brief update and introduced Board Members.
- Catherine Lorentz and Tom Rossi spoke about affordable housing units that the Housing Advisory Board is suggesting for Sumnar Street in Whitesboro. This would be on property donated by the Township. This property was chosen because of access to sewer, water and transportation. This site would fit 3 – 2 unit buildings, which would be 2 story, 2 bedroom units under 1,000 square feet.*
- Jerry Vazquez from TRIAD spoke about money needed for project and how project should operate.*
4. 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.)
GARY GOLL: Questioned time limit on Ordinance #1353-10 about Burglar Alarms and Fees. Wanted to know if there was a time limit where it would be reset . Did not know that alarms needed to be registered.
- JIM PICKERING: Reset time is within the one year period.*
- CHIEF LEUSNER: Alarms are required to be registered. There are safeguards built in to protect people when false alarms go off, such as when we have bad weather, high winds, etc.*
- BOB NOEL: In regards to Ordinance #1352-10 pertaining to shopping carts, why can’t public works pick up carts and take them back to the stores and then send out a bill for the fine?*
- JIM PICKERING: We have State Statutes that specifically say what we can and cannot do in regards to shopping carts.*

5. RESOLUTION NO. 165-10B – APPROVING PAYMENT FOR BILLS – BILL LIST A – On motion by Mayor DeLanzo 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. | \$ 4,053,036.65 |
|---------------|-----------------|
6. RESOLUTION NO. 166-10 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Mayor DeLanzo 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 minutes from the Township Committee meetings held 1/5/10; 1/25/10; 2/1/10; 2/17/10; 3/1/10; 3/15/10; 3/30; 4/5/10; 4/19/10 as well as the work sessions held 1/20/10; 2/17/10; 3/15/10; 4/19/10 are hereby approved.

7. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of April; Tax Collector for the month of April; Zoning Official for the month of April
8. ORDINANCE NO. 1342-10 – AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF AVALON LLC TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF MIDDLE, NEW JERSEY – Following second reading, hearing, and consideration for adoption, Ordinance 1342-10 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
9. ORDINANCE NO. 1343-10 – AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF WILDWOOD LLC TO CONSTRUCT, CONNECT AND OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF MIDDLE, NEW JERSEY – Following second reading, hearing, and consideration for adoption, Ordinance 1343-10 was adopted on motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
10. ORDINANCE NO. 1346-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 104 OF THE TOWNSHIP CODE REGARDING CAMPGROUND LICENSE FEES – Following second reading, hearing, and consideration for adoption, Ordinance 1346-10 was adopted on motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
11. ORDINANCE NO. 1347-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 84 OF THE TOWNSHIP CODE REGARDING LIQUOR LICENSE FEES – Following second reading, hearing, and consideration for adoption, Ordinance 1347-10 was adopted on motion by DL Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call. Complete Ordinance is on file in the Clerk’s Office. Mayor DeLanzo Abstained
12. ORDINANCE NO. 1348-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 108 OF THE TOWNSHIP CODE REGARDING BOUNCED CHECK FEES – Following second reading, hearing, and consideration for adoption, Ordinance 1348-10 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
13. ORDINANCE NO. 1349-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 210 OF THE TOWNSHIP CODE REGARDING TEMPORARY SIGN PERMIT FEES AND FINES – Following second reading, hearing, and consideration for adoption, Ordinance 1349-10 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
14. ORDINANCE NO. 1350-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 209 OF THE TOWNSHIP CODE REGARDING SIDEWALK SALE FEES – Following second reading, hearing, and consideration for adoption, Ordinance 1350-10 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
15. ORDINANCE NO. 1351-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 154 OF THE TOWNSHIP CODE REGARDING GARAGE AND YARD SALE FEES – Following second reading, hearing, and consideration for adoption, Ordinance 1351-10 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
16. ORDINANCE NO. 1352-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 208 OF THE TOWNSHIP CODE REGARDING SHOPPING CARTS – Following second reading, hearing, and consideration for adoption, Ordinance 1352-10 was adopted on motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
17. ORDINANCE NO. 1353-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 137 OF THE TOWNSHIP CODE REGARDING BURGLAR ALARMS AND FEES – Following second reading, hearing, and consideration for adoption, Ordinance 1353-10 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.

18. ORDINANCE NO. 1354-10 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 222-TAXATION, OF THE TOWNSHIP CODE REGARDING HOTEL/MOTEL LICENSE FEES AND TAX COLLECTOR FEES – Following second reading, hearing, and consideration for adoption, Ordinance 1354-10 was adopted on motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.

19. RESOLUTION NO. 167-10 THR 168-10 – REFUND OF TAXES (ITEMS A THROUGH B) – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

(A) 167-10 Refund due to overpayment by Mortgage Company

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
2419	118.03	18	Wachter, John F Jr & Perri L 34 Meadow View Lane	1989.23	

Refund Payable and sent to:
BAC Tax Services Corporation
1757 Tapo Canyon Road
Simi Valley, CA 93063

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2010 taxes.

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

(B) 168-10 Refund due to overpayment by Mortgage Company

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
4989	264	23	Trimble, George R B Jr & Elizabeth 17 Reagans Run	1,030.39	

Refund Payable and sent to:
Lereta Attn: Central Refunds
1123 Park View Dr.
Covina, CA 91724

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2010 taxes.

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

20. RESOLUTION NO. 169-10 – APPOINTMENTS – PART TIME - NEW HIRE – EMT – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY
EFFECTIVE			

Yvette Zambrano	Public Safety EMS	EMT P/T	\$10.60 ph*	05/03/2010
William Belles IV	Public Safety EMS	EMT P/T	\$10.60 ph*	05/03/2010
Samantha Kelly	Public Safety EMS	EMT P/T	\$10.60ph*	05/03/2010
Glenn McNenny	Public Safety EMS	EMT P/T	\$10.60ph*	05/03/2010
Jake Loefflad	Public Safety EMS	EMT P/T	\$10.60ph*	05/03/2010
Jonathan Schwartz	Public Safety EMS	EMT P/T	\$10.60ph*	05/03/2010

* \$11.60 after 6 months

21. RESOLUTION NO. 170-10 – RATIFY LEASE AGREEMENT – MIDDLE TOWNSHIP BASEBALL ASSOCIATION – On motion by Committeemember Doughty seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.

BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Middle Township Baseball Association and the Township of Middle for lease of Baseball Snack Stand from April 19, 2010 through June 5, 2010, be and is hereby ratified.

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

22. RESOLUTION NO. 171-10 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Mayor DeLanzo seconded by Committeemember Doughty 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
Luis Acevedo	Sewer Department	Laborer	04/30/2010

23. RESOLUTION NO. 172-10 – APPROVAL FOR PAYMENT TERMINAL LEAVE – LUIS ACEVEDO – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, Luis Acevedo has resigned with an effective date of April 30th, 2010, and
 WHEREAS, it is the policy of Middle Township to compensate resigning employees for accumulated vacation, compensation, 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,
 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.
 Luis Acevedo

Easter	1 day	90.68	90.68
Vacation	17 days	90.68	1,541.56
Comp	47 hours	11.34	532.98

2,165.22

24. RESOLUTION NO. 173-10 – TABULATION COMMITTEE – BURGLAR AND FIRE ALARM ADMINISTRATION SERVICES – On motion by Mayor DeLanzo seconded by Committeemember Lockwood 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 as well as a representative from the Middle Township Police Department, be and hereby are appointed to tabulate the bids to be taken on Wednesday May 26, 2010 at 1:00 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

BURGLAR AND FIRE ALARM ADMINISTRATION SERVICES

25. RESOLUTION NO. 174-10 – AWARD OF BID – LEASE OF REAL PROPERTY OWNED BY THE TOWNSHIP OF MIDDLE MUNICIPAL MONOPOLE COMMUNICATIONS TOWER MUNICIPAL BUILDING – 33 MECHANIC STREET – On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
 WHEREAS, it has been deemed necessary and desirable to solicit bids for the leasing of real property owned by the Township of Middle, known as the monopole communications tower at the Municipal Building, 33 Mechanic Street, and
 WHEREAS, sealed bids were received on Tuesday, March 9, 2010 at 10:00 AM, and
 WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications.
 NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Contract for the leasing of real property owned by the Township of Middle, known as the monopole communications tower at the Municipal Building, 33 Mechanic Street for a bid amount as indicated below:
 \$1,500.00 / month or \$18,000.00 annually with a 3% rental increase increment. The initial term is for five years that may be extended at Metro PCS’s option for four additional five year periods.
 FURTHER RESOLVED, that this award is conditioned upon submission of Treasurer’s Certification of availability of funds.

26. ***TABLED** RESOLUTION – ESTABLISHING CHANGE FUNDS FOR VARIOUS TOWNSHIP DEPARTMENTS – AMENDED – On motion by seconded by and passed on roll call, the following resolution was adopted.
 Whereas, the Township Committee of the Township of Middle, the governing body thereof, authorizes the establishment of Change Funds for various departments within the town,
 Now therefore be it resolved, the following departments are hereby authorized and permitted to establish change funds in the respective amounts:

Department	Officer	Amount
Tax Collector	Sandra Beasley	\$400.00
Construction	Donald Arndt	\$150.00
Vital Statistics	Bonita Millard	\$ 50.00
Municipal Court	Cynthia Lutes	\$100.00
Dog Licensing	Dawn Stimmel	\$ 50.00
Recreation	Charles McDonnell	\$ 25.00
Recreation – MLK	Charles McDonnell	\$150.00
Police	Christopher Leusner	\$ 25.00
Zoning	David May	<u>\$100.00</u>
Total		\$1,050.00

Further resolved, that said funds shall be used by such offices to maintain a cash box.

27. RESOLUTION NO. 175-10 – AWARD OF BID – RECONSTRUCTION OF BENNETT ROAD – CHARLES MARANDINO, LLC. – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, it has been deemed necessary and desirable to solicit bids for the reconstruction of Bennett Road, and
WHEREAS, sealed bids were received on Tuesday March 30, 2010 at 1:00 PM, and
WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications.
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for the reconstruction of Bennett Road, for a bid amount as indicated below, be awarded as indicated:
Charles Marandino, LLC – Reconstruction of Bennett Road - \$79,732.75
FURTHER RESOLVED, that this award is conditioned upon submission of Treasurer's Certification of availability of funds.
28. RESOLUTION NO. 176-10 – SOCIAL AFFAIRS PERMIT – MIDDLE TOWNSHIP VOLUNTEER FIRE COMPANY NO. 1 – On motion by Committeemember Doughty seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, Middle Township Volunteer Fire Co. #1 has applied for approval to sell alcoholic beverages at an event to be held at the parking lot adjacent to the new fire house, 112 B Hand Avenue, CMCH, on June 5, 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.
29. RESOLUTION NO. 177-10 – RELEASE OF PERFORMANCE BOND – HOMES BY HANDSON LLC. –On motion by Committeemember Lockwood seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted.
WHEREAS, \$129,826.80 is being held as a Performance Guarantee for Homes By Handson LLC / Justin Catando for site improvements at Block 94, Lot(s) 52 located on Goshen Road, and
WHEREAS, the Zoning Officer for the Township of Middle has recommended that the performance bond (Irrevocable Letter of Credit) be released and replaced with a cash bond, and
WHEREAS, the Irrevocable Letter of Credit with Bank of America is being traded for cash bond in the amount of \$129,826.80.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the performance bond as indicated above has been replaced with a cash bond in the amount of \$129,826.80.
30. RESOLUTION NO. 178-10 THR 179-10 – REDUCTION OF PERFORMANCE BOND (ITEMS A THROUGH B) – On motion by Committeemember Lockwood seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
(A) 178-10 WHEREAS, \$539,718.00 is being held as a performance guarantee for The Lighthouse Church for site improvements at Block 385, Lot 2, also known as Route 9 South, Burleigh, and
WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$377,802.70 have been completed, and
WHEREAS, the Zoning Official has recommended that the performance guarantee for the above stated project be reduced to \$161,915.30.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Irrevocable Standby Letter of Credit be and is hereby reduced to \$161,915.30.
(B) 179-10 WHEREAS, \$45,184.80 is being held as a performance guarantee for TJ Main Street for site improvements at Block 257, Lot 7, also known as 2 S. Main Street, CMCH, and
WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$17,040.00 have been completed, and
WHEREAS, the Zoning Official has recommended that the performance guarantee for the above stated project be reduced to \$28,144.80.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the cash bond be and is hereby reduced to \$28,144.80.
31. RESOLUTION NO. 180-10 – AMENDING RESOLUTION 394-09 – APPROVING PAYMENT FOR BILL LIST A – On motion by Committeemember Doughty seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, on September 21, 2009 the Township Committee approved a resolution to pay bills, and
WHEREAS, the figures for payment on the resolution were inadvertently transposed and should have been reversed to read as follows:
- | | |
|-----------------|----------------|
| Current Acct. | \$2,336,288.37 |
| Dedicated Trust | \$3,887.49 |
- NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the Resolution No. 394-09 is amended as indicated above.

32. RESOLUTION NO. 181-10 – SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 24 THROUGH JUNE 6, 2010 – On motion by Mayor DeLanzo seconded by Committeemember Doughty and passed on roll call, the following resolution was adopted. WHEREAS, there was 586 motor vehicle fatalities in New Jersey in 2009, and WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt, and WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash, and WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000, and WHEREAS, the State of New Jersey will participate in the nationwide Click it or Ticket seat belt mobilization from May 24- June 6, 2010 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education, and WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 92.67% to 100%, and WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways. NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey hereby declares support for the Click It or Ticket seat belt mobilization both locally and nationally from May 24 – June 6, 2010 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

33. RESOLUTION NO. 182-10 THR 183-10 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – SJTP (ITEMS A THROUGH B) – On motion by Committeemember Doughty seconded by Mayor DeLanzo and passed on roll call, the following resolution was adopted. 182-10 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between SJTP and the Township of Middle for Server Maintenance Support be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.

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

FURTHER RESOLVED, that the term of this contract shall be from May 1, 2010 through April 30, 2011

SJTP – Server Maintenance Support - \$8,400.00

183-10 BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between SJTP and the Township of Middle for Support Services be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.

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

FURTHER RESOLVED, that the term of this contract shall be from May 1, 2010 through April 30, 2011

SJTP – Server Maintenance Support – Not to exceed \$2,160.00

34. RESOLUTION NO. 184-10 – CLOSED SESSION – PENDING LITIGATION (RAVITZ V. MIDDLE) AND UNION NEGOTIATIONS (PBA UNION) – On motion by Mayor DeLanzo 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: PENDING LITIGATION (RAVITZ V. MIDDLE) AND UNION NEGOTIATIONS (PBA UNION)
- 2.) The general nature of the subject matter to be discussed is as follows: PENDING LITIGATION (RAVITZ V. MIDDLE) AND 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.

35. ****TABLE** - BUDGET PRESENTATION – MARK MALLET

36. PUBLIC COMMENT:

Committee?

MARK MALLET: Has it in his office.

JOANNE MASCELLA: Has anyone heard any more about Beazer project.

JOE MAFFAI: No, but will check it out.

STEVE O'CONNER: What is status of visioning meetings held around the Township last year ?

BOB NOEL: The Committee has taken as many ideas as we could and built them into the Master Plan document, which is just about done.

STEVE O'CONNER: Is Master Plan being presented to the Planning Board?

BOB NOEL: Yes

JIM PICKERING: Late June should be the public hearing on this.

STEVE O'CONNER: Is the firehouse now fully functional?

MARK MALLET: It is 95% done, in process of wrapping up now.

STEVE O'CONNER: Any plan for landscaping around the building, right now a lot of weeds.

MARK MALLET: Will be reconfiguring the entrance to Town Hall to make it wider, adding additional parking spaces.

STEVE O'CONNER: Is the committee comfortable with the safety regulations with the cell phone tower?

MARK MALLET: Yes

LILLIAN WHITE: Still has pond in her yard and it is getting worse. Can anyone help her, needs some kind of drainage system. When will Wiley Street get sewer and water?

JIM PICKERING: Will check with Kathy Meers on sewer.

NATE DOUGHTY: Will get someone out regarding the standing water situation.

VILMA POMBO: Has anyone done anything about removing yellow curbing off of Boyd Street to allow for more parking.

JIM PICKERING: Vince Orlando is checking into this.

VILMA POMBO: Does Middle have money in budget for lobbying?

JIM PICKERING: Used to have, but have not had money for that for past couple of years. Had Marlowe and Company out of Washington, DC and they did pretty well for us.

NATE DOUGHTY: Have not budgeted for last couple of years because it would not have paid off.

GARY GOFF: Is there a schedule for branch pick up? When is English Way going to be done?

NATE DOUGHTY: We are down to 3 people doing branches, but we are making headway. Township purchased a chipper to help. People can drop off branches at the public works if they have a truck and would like to do that.

GARY GOFF: What about mosquito control, any plans for that.

JIM PICKERING: Residents will have to call the county for that.

PAUL BARNARD: What are Township's plans for drainage, are we still being considered? Also, when the hydrants are being flushed, maybe they could drain out towards front of development.

NATE DOUGHTY: Hydrants flushing would be done by Wildwood Water. Would need to contact them.

DAN LOCKWOOD: We have increased the capital in the budget for easing of drainage problems.

SUSAN DELANZO: Funds should be available sometime in August.

JOANNE OXLEY: Hope we have a plan that will help Shannon Oaks.

FRAN GRANT: County repaved Goshen Road, has anyone tried coordinating with them for Ella Avenue?

JOE MAFFAI: Vince has been talking with the County.

PAUL BARNARD: Is there anything that can be done about residents that keep construction equipment in their front yard...is that allowed.

DAN LOCKWOOD: In certain zones there are no ordinances prohibiting that.

NATE DOUGHTY: That is something we should look into.

8:10 PM Public Comment ended – went into Executive Session

Meeting Adjourned at 9:16 PM

Dawn Stimmel, Deputy Clerk