Cape May Court House, NJ
October 20, 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, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon, Municipal Solicitor Marcus Karavan, and Township Engineer Marc DeBlasio.

1. PRESENTATION BY THE MAYOR – SEPTEMBER EMPLOYEE OF THE MONTH, LEE ANN RUSS

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.)*

3. RESOLUTION 540-14 – 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. $615,801.63

4. RESOLUTION 541-14 – APPROVING PAYMENT FOR BILLS – BILL LIST B (Anzelone Electric / LC Equipment, Inc.) – On motion by Committeemember Clark seconded by Mayor Donohue and passed on roll call, the following resolution was adopted. ***Committeemember Lockwood Abstain**
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. $562.00

5. RESOLUTION 542-14 – APPROVING PAYMENT FOR BILLS – BILL LIST C (Kelly Products) – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. ***Mayor Donohue Abstain**
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. $86.49

6. RESOLUTION 543-14 – 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 10/06/2014.

7. REPORTS: The following departments have submitted their reports for the months indicated: Zoning Official for the month of September; Township Clerk for the month of September; Tax Collector for the month of September; Sewer Collector for the month of September.

8. ORDINANCE NO. 1484-14 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND BY A PRIVATE SALE TO A CONTIGUOUS OWNER – Following second reading, hearing, and consideration for adoption, Ordinance 1484-14 was adopted on motion by Committeemember Clark seconded by Committeemember Lockwood 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, County of Cape May and State of New Jersey that it is necessary that Township owned land be sold by a private sale to a contiguous owner.
SECTION 1.
WHEREAS, New Jersey Statute 40A:12-13 provides the procedure for the sale of Township owned land, and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Township owned parcel provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and also provided that any such sale shall be for not less than the fair market value of the real property; and
WHEREAS, the Township owns a parcel of land identified as Block 1033, Lot 1, which parcel is less than the minimum size required for development under the zoning ordinance and which does not have any capital improvement upon it; and

WHEREAS, there is just one owner of contiguous property, namely Ruby Kakembo, who owns adjacent lots identified as Block 1033, Lot 2 and
WHEREAS, the Township assessment of the property is $2,000.00, and the Township Tax Assessor has stated in writing to the Township Committee that the total fair market value of the land is to be sold for $2,000.00; and
WHEREAS, Ruby Kakembo has offered to purchase the property for $2,000.00 and agree to execute a contract contingent upon this Ordinance being approved; and
WHEREAS, the statute also requires that the municipality file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of advertisements for the ordinance;
NOW, THEREFORE, BE IT ORDAINED,
1. The Township Committee of the Township of Middle shall sell real property identified as Block 1033, Lot 1 to Ruby Kakembo, for the sale price of $2,000.00 pursuant to the terms of Contract for Sale; and
2. That the Clerk or the Clerk's representative is to file the necessary affidavits with the Director of the Division of Local Government Services, and
3. The Mayor, Clerk, and any and all other Township Officials, are hereby authorized to sign those documents necessary to effectuate this transaction; and
4. Any and all costs associated with this transaction, including, but not limited to all legal fees incurred by the Township, advertising and postage, are to be paid by the Buyer.
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.

9. ORDINANCE NO. 1485-14 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE SUM OF $506,300 IN FUNDING FROM THE CAPITAL IMPROVEMENT FUND FOR THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENT PROJECTS – Following second reading, hearing, and consideration for adoption, Ordinance 1485-14 was adopted on motion by Committeemember Clark seconded by Committeemember Lockwood 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, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AS FOLLOWS:
Section 1. There is hereby appropriated the sum of $506,300 from the Capital Improvement Fund of the Township of Middle, County of Cape May, New Jersey ("Township") for the following:
A) $333,100 Public Works Equipment (Attached)
B) $92,000 Police Equipment (Attached)
C) $31,200 Rescue Squad SUV
D) $50,000 Record Archival Birth/Death/Minutes – Clerk
Section 2. It is hereby determined and stated that the improvements set forth in Section 1 are each a general capital improvement and not a current expense.
Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.
Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.
Section 5. This ordinance shall take effect after final adoption and publication as required by law.

10. ORDINANCE NO. 1487-14 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, Ordinance No. 1487-14 passed first reading. Second reading, public hearing and consideration for adoption will be held on 11/17/2014 at 6:00 p.m.
BE IT ORDAINED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey as follows:
SECTION 1. The positions listed in the attached schedule are hereby created.
SECTION 2. The salary ranges specified in the attached schedule are hereby adopted for each and every position listed therein. In those cases where only one rate or figure appears in said schedule, said rate or figure shall be the maximum rate of figure applicable to said position. In those cases where a maximum and minimum salary are hereby established for a position, the exact salary to be paid to the holder of said position shall be as determined from time to time by resolution of the Township Committee.
SECTION 3. The duties to be performed by each person holding any position listed in said schedule shall be those duties as outlined in Job Description of New Jersey Civil Service Department.
SECTION 4. In addition to the salaries set forth in said schedule, those employees who have held full time positions for a minimum of five years, as hereinafter defined, shall be entitled to additional compensation as set forth in this section, based upon current salary. The additional compensation to which the employee is entitled on January 1 of any year shall be the additional

compensation for the entire year. In determining years of service on January 1 of any year, for the purpose of this Ordinance only, no credit shall be given for less than six full months of service in any year, and credit for a full year shall be given for any year in which the employee served for six full months or more.

Years of Service (Percent of Annual Salary)	*Additional Compensation*
5 years or more	*2%*
10 years or more	*4%*
15 years or more	*6%*
20 years or more	*8%*
25 years or more	*10%*

Section 4 shall only apply to Township Employees hired before December 31, 1994.
SECTION 5. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.
SECTION 6. This Ordinance shall become effective, retroactive to January 1, 2014 immediately upon final passage and publication according to law.

Coordinator of the Disposition of Public Assets	*$1.00*	*$2,000.00*
Senior Mechanic	*$18,720.00*	*$52,000.00*

11. RESOLUTION 544-14 – ACKNOWLEDGEMENT OF RESIGNATION – 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 the following resignation listed below, is acknowledged.

NAME	*DEPARTMENT/BOARD*	*POSITION*	*EFFECTIVE*
J. Greg Neill	*Construction*	*Fire Protection Sub-Code Official*	*10/31/2014*
Joseph Russo	*Public Safety*	*EMT P/T*	*10/09/2014*

12. RESOLUTION 545-14 – APPOINTMENTS – PART-TIME – NEW HIRES - 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, 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*
Thomas Nolan	*Public Safety*	*EMT P/T*	*$10.60 ph*	*10/20/2014*

13. RESOLUTION 546-14 – SALARY AMENDMENT – 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, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that the salary for the following employee is hereby amended as follows:

NAME	*DEPARTMENT*	*TITLE*	*SALARY*	*EFFECTIVE*
Walter Belles, Jr.	*Public Works*	*Senior Mechanic*	*$42,000.00*	*10/20/2014*

14. RESOLUTION 547-14 – AUTHORIZING APPOINTMENT AND STIPEND – COORDINATOR OF DISPOSITION OF PUBLIC ASSETS – 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 is hereby appointed to the following position opposite their name:

NAME	*DEPARTMENT*	*TITLE*	*STIPEND*	*EFFECTIVE*
Walter Belles, Jr.	*Public Works*	*Coordinator of Disposition of Public Assets*	*$2,000.00*	*10/20/2014*

15. RESOLUTION 548-14 – APPROVE RETURN FROM LEAVE OF ABSENCE – 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 leave of absence for Robert Jackson will be ending and authorization to return to work on 10/10/2014 has been approved.

16. RESOLUTION 549-14 – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION – CMC CORRECTIONAL FACILITY – 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 115.01 Lot 2, otherwise known as 125 Crest Haven Road.

17. RESOLUTION 550-14 – ACCEPTANCE OF ROAD INTO MAINTENANCE SYSTEM – 6TH STREET, SUNSET BAY ESTATES – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, the improvements located at Block 391.01/391.03 Lot(s) 2.03/ 11-15, 62-66, otherwise known as 6th Street in Sunset Bay Estates, are complete; and
WHEREAS, the Township has released the performance bond for said project, as approved via Resolution 482-14, and does hereby also accept the maintenance bond as required.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the road known as 6th Street, in Sunset Bay Estates, be and hereby is accepted into the Township road system for continuous maintenance.

18. RESOLUTION 551-14 through 552-14 – APPROVAL FOR PAYMENT TERMINAL LEAVE (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, Justin Cox has resigned with an effective date of August 20, 2014; 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; 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.
Justin Cox

Vacation	*62*	*hours*	*12.5*	*775*
Personal	*14*	*hours*	*12.5*	*175*
Less overpayment			*-424.97*	
Total Due			*525.03*	

B. WHEREAS, Mario Zaccaria has retired with an effective date of September 29, 2014; and
WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated sick, 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; 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.
Mario Zaccaria

Sick	*40.25*	*hours*	*26.40*	*1,062.60*
Vacation	*32.75*	*hours*	*26.40*	*864.60*
				$1,927.20

19. RESOLUTION 553-14 – APPROVE NJ DCA REQUIRED CY 2014 / SFY 2015 BEST PRACTICE INVENTORY PROGRAM AND CERTIFY OCCURRENCE OF PUBLIC MEETING - On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
WHEREAS, the State's Fiscal Year 2015 Appropriations Act (P.L. 2011, c.85) requires the Division of Local Government Services ("Division") to determine how much of each municipality's final 5% allocation of CMPTRA and ETR aid will be disbursed based on the results of a Best Practices Inventory ("Inventory") to be completed by each municipality, and
WHEREAS, the Inventory encourages municipalities to embrace practices that promote financial accountability and transparency, and
WHEREAS, one requirement of said Act is that the governing body consider the Inventory at a public meeting, a copy of which has been attached to and is made part of this resolution, and
WHEREAS, all members of the governing body have received and have familiarized themselves with said Inventory.
NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, hereby states that
1. The appropriate parties are hereby authorized to sign the "Best Practices" Worksheet and Certification Form, certifying as to the accuracy of the information provided in the CY 2014 / SFY 2015 Best Practices Inventory.
2. That the Township Clerk is hereby authorized to sign the document as required, certifying that the CY 2014 / SFY 2015 Best Practice Inventory was discussed publicly at the Township Committee Work Session Meeting held October 20, 2014.

20. RESOLUTION 554-14 – AUTHORIZING RATIFICATION OF SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND, INDEMNITY AND TRUST AGREEMENT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, the governing bodies of various local units of government, as defined in N.J.A.C. 11:15-3.2, have collectively formed a Joint Insurance Fund as such an entity is authorized and described in N.J.S.A. 40:10-36 et. Seq. and the administrative regulations promulgated pursuant thereto, and
WHEREAS, the Township of Middle has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the appropriate officials are hereby authorized to sign the Southern New Jersey Regional Employee Benefits Fund Indemnity and Trust Agreement.
BE IT FURTHER RESOLVED, that such membership to commence on January 1, 2015 and end on December 31, 2017.

21. RESOLUTION 555-14 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – GRR CONSULTING SERVICES, LLC. – OPERATIONAL SPECIALIST – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle has a need to enter into an agreement with GRR Consulting Services, LLC. for Operational Specialist services, as a non-fair and open contract pursuant to the provisions under the Pay to Play regulations; and
WHEREAS, the Township of Middle will be entering into an agreement with GRR Consulting Services, LLC., where the total amount of the proposal provided will have a total value that will exceed $17,500; and
WHEREAS, GRR Consulting Services, LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that said entity has not made any reportable contributions to a political or candidate committee in the Township of Middle in the previous one year, and that the contract will prohibit the Lomax Consulting Group from making any reportable contributions through the term of the contract.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that authorization is hereby granted to enter into an agreement with said contractor and that the appropriate officials are hereby authorized to sign any and all document in connection therewith.
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
GRR Consulting Services, LLC. – Operational Specialist – Not to exceed $24,500.00

22. RESOLUTION 556-14 – REAFFIRMING REQUEST FOR DESIGNATION OF BUS STOPS WITHIN THE TOWNSHIP OF MIDDLE - 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 adopted Resolution 565-11, and also Resolution 70-14, designating bus stops along Moore Road in Middle Township, and
WHEREAS, NJ DOT has stated that beginning January 2014 NJ Transit buses will be traveling in the northbound direction of said road and would like to designate two stops opposite the southbound stops.
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 locations are requested to be designated as bus stops:
1. Along Moore Road, northbound, on the easterly side thereof at:
a. Cape May County Technical & Vocational School Drive – far side beginning at the northerly curb line of the entrance to the Cape May County Technical & Vocational School and extending 100 feet northerly therefrom.
b. Crest Haven Nursing & Rehabilitation Drive – far side beginning at the northerly curb line of the entrance to the Crest Haven Nursing & Rehabilitation and extending 100 feet northerly therefrom.
BE IT FURTHER RESOLVED, that the Township Committee of the Township of Middle will enforce the Traffic Regulation Order governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.
FURTHER RESOLVED, that this resolution shall take effect upon approval of the Commissioner of Transportation as provided by law.

23. RESOLUTION 557-14 – RELEASE PERFORMANCE BOND – DEARBORN LAND INVESTMENT, LLC. – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, $321,689.40, plus interest, is being held as a performance guarantee for Dearborn Land Investment, LLC. for site improvements at Block 355.02, Lot(s) 1, more specifically lot 1.02, otherwise known as 6 Indian Trail, and
WHEREAS, the Township Engineer for the project has conducted his inspection and certified that all improvements have been completed; and
WHEREAS, the Land Use Administrator for the Township of Middle has recommended that the performance bond be released; and
WHEREAS, the Land Use Law of the State of New Jersey (NJS 40:55D-1 et. seq.) requires such a release upon recommendation by the Township Engineer; and
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of $321,689.40, as well as any available interest, is hereby released.

24. RESOLUTION 558-14 – TABULATION COMMITTEE – JANITORIAL SERVICES – 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 Friday, November 21, 2014 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: JANITORIAL SERVICES

25. RESOLUTION 559-14 – RATIFY LEASE AGREEMENT – CAPE EXPRESS SOCCER – 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, State of New Jersey that the agreement between Cape Express Soccer and the Township of Middle, for usage of the Georgianna and Clarence Sports Complex for a term effective January 1, 2014 through December 21, 2014, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

26. RESOLUTION 560-14 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeemember Clark seconded by Committeemember Lockwood 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, N.J.S.A.40:48-2.14 authorizes the municipality the right to place a lien against such dwelling or lands to provide for the cost of removing brush, weeds debris, etc., and
WHEREAS, the Township of Middle has adopted Ordinance No. 316-76 known as Article I of Chapter 193 of the Code of the Township of Middle "Property Maintenance", and
WHEREAS, the Township of Middle has noticed the following property owners 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*
Turner, James	*87 Indian Trail*	*475.03 // 37*	*$169.02*
Mc Carraher, Mary C.	*120 Lafayette Avenue*	*427 // 15*	*$182.94*
Mc Clintock, Roy J. & Kimberly A.	*12 N 8th Avenue*	*1120 // 2*	*$229.02*
H Frazier, Michael A. & Veronica D.	*703 Gibbs Street*	*902 // 10*	*$196.85*
Franchetta, David L.	*106 S 8th Street*	*417 // 6*	*$169.02*
Lockerman, Keith & Alexis	*1451 Burleigh Avenue*	*1410.01 // 51*	*$182.94*
Hernandez, Jorge & Zeresh	*1800 RTE 9 S*	*1031 // 1*	*$286.72*
King, Robert S. & Rosalie E.	*124 Indian Trail*	*208 // 4*	*$320.11*
Bucsek, Jeffrey L. & Mahle, Deborah	*671 Dias Creek Road*	*164.02 // 15*	*$342.38*
Harbor Place Development LLC	*1116 Stone Harbor Blvd.*	*136 // 14*	*$398.04*
Ahlum, Robert L.	*789 Stone Harbor Blvd.*	*313 // 92*	*$2,500.00*
Libby Trustee, Elizabeth M.	*14 3rd Avenue*	*329.01 // 21*	*$169.02*
Mc Cray, Lorraine	*5 Wayne Avenue*	*56.06 // 3*	*$196.85*
Ivens Jr, Thomas F.	*4 Linden Circle*	*1472 // 13*	*$182.94*

27. PUBLIC COMMENT:

Marc DeBlasio, Engineer Report:

REMINGTON & VERNICK ENGINEERS AND AFFILIATES

EDWARD VERNICK, PE, CME, President
CRAIG E. REMINGTON, PLS, PP, Vice President

EXECUTIVE VICE PRESIDENTS
Michael D. Vena, PE, PP, CME Commissioner
Edward J. Walberg, PE, PP, CME
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME

DIRECTOR OF OPERATIONS
CORPORATE SECRETARY
Bradley A. McGough, BA, MPA

SENIOR ASSOCIATES
John J. Cantwell, PE, PP, CME
Alan DiBernardo, PE, PP, CME
Frank J. Gerasy, Jr., PE, PP, CME
Michael J. Hilt, PE, CFM, CME
Dennis K. Yoder, PE, PP, CMI, LEED
Charles E. Adamson, PLS, ACT
Kim Wendell Gibbs, PE, CME
Marc DeBlasio, PE, PP, CME
Michael J. Fitzpatrick, PE, CME
Christopher J. Rizzo, PE, CME
Kenneth C. Reeder, PE, CME
Gregory J. Sullivan, PE, PP, CME
Richard B. Cosmando, PE, CME, BCEE

Remington & Vernick Engineers
232 Kings Highway East
Haddonfield, NJ 08033
(856) 795-9595
(856) 795-1882 (fax)

Remington, Vernick & Vena Engineers
9 Allen Street
Toms River, NJ 08753
(732) 286-9220
(732) 505-9416 (fax)

3 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
(732) 591-9670
(732) 591-2815 (fax)

Remington, Vernick & Walberg Engineers
840 North Main Street
Manahawkin, NJ 08050
(609) 597-7119
(609) 597-7276 (fax)

4507 New Jersey Avenue
Wildwood City, NJ 08260
(609) 522-5100
(609) 522-5313 (fax)

Remington, Vernick & Beach Engineers
827 Fayette Street
Conshohocken, PA 19428
(610) 941-9960
(610) 940-1181 (fax)

1000 Church Hill Road, Suite 230
Pittsburgh, PA 15205
(412) 263-2255
(412) 263-2210 (fax)

Univ. Office Plaza, Bellevue Building
202 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212
(302) 266-0208 (fax)

Remington, Vernick & Arango Engineers
The Presidential Center
Lincoln Building, Suite 600
136 Main Street
Hackensack, NJ 08601
(856) 303-1245
(856) 303-1249 (fax)

300 Harrison Avenue, 3rd Floor
Secaucus, NJ 07094
(201) 624-2137
(201) 624-2138 (fax)

ENGINEERING STATUS REPORT
MIDDLE TOWNSHIP

October 20, 2014

Prepared For:
TOWNSHIP COMMITTEE

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

GRANT APPLICATIONS

FY2015 NJDCA Small Cities Program

- The Township is applying for grant funding to provide for stormwater management improvements along Ridge Road. Our office is currently working with Anne Garrison and Mark Blauer to meet the September, 2014 submission deadline.

FY2015 NJDOT Local Aid Program

- The Township has submitted the following grant application:
  - Municipal Aid – Roadway: Third Street Phase 2 – Vermont Avenue to Linden lane.

CAPITAL IMPROVEMENTS

FY 2013 NJDOT Bike Path – Phase 4

- The project is 100% complete.
- A change order reduction in the amount of $22,832.64 was submitted to the Township.
- A proposal for "Bike Path Phase 4 – Contract 2" was submitted to the Township.

Stagecoach Road Improvements

- The bid opening occurred on July 15, 2014 and the apparent low bidder is South State, Inc. in the amount of $311,774.10.
- A preconstruction meeting was held on August 7, 2014.
- The project is 90% complete.
- Punchlist items are being addressed.
- Pavement markings to be installed.

Page 1 of 4

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FEMA Reconstruction of Benny's Landing Road and Beach Avenue

- The bid opening occurred on July 30, 2014.
- The contract was awarded R.A. Walters & Son, Inc.
- A preconstruction meeting was held on August 14, 2014.
- The contractor is scheduled to begin work on September 15, 2014.
- A LURP Form and Form 4345 for a NJDEP Zane Letter and a Army Corps of Engineers NWP3 Permit were submitted to the Township for signatures.
- An NJDEP Permit Fee in the amount of $300.00 was requested.
- The bulkhead on South Beach Avenue is 90% installed.

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 Note Harvey Associates to finalize the Joint Permit Package.
- Permit Package was submitted to NJDEP on 6/27/14 and deemed administratively complete on 7/9/14.
- On 8/8/14, our office, along with representatives of the Grassy Sound Homeowners Association and Van Note Harvey, met on site, with a representative of the Army Corp of Engineers regarding the permitting of the project, notably, the 'after-the-fact' issues the homeowners association is attempting to have approved. Based upon this meeting, applications to ACOE are being revised to allow for Middle Township to take the lead on the overall project and a separate application for the 'after-the-fact' items will be submitted by Van Note Harvey.
- On 9/22/14, a resubmission of the ACOE permit package was sent to the Army Corps, indicating a single applicant rather than 2 co-applicants.
- On 9/29/14, letters were issued to Middle Township representatives and property owners indicating a 30-day public comment period for the permit package sent to NJDEP would begin on 10/1/14.

FY 2014 NJDOT Reconstruction of Third Avenue

- We have completed the survey and base mapping. The project is entering the design phase and construction is scheduled for this Fall.
- The project is scheduled to be advertised on August 27, 2014.
- The bid opening is scheduled for September 10, 2014.
- The contract was awarded to South State, Inc.
- Notice to Proceed was issued October 2, 2014.
- Work is to begin on October 27, 2014.

FY 2014 NJDOT Bike Path Phase 5

- We have completed the survey and base mapping. The project is entering the design phase and construction is scheduled for this Fall.

FY 2014 NJDCA Small Cities Program – ADA Improvements Phase 2

- Our project kick-off meeting was held on Thursday, July 24, 2014.
- The bid documents are approximately 50% complete.

Page 2 of 4

Robert 'Ockie' 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 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 Lomax 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/boardwalk.
- A verification Letter of Interpretation Application for the Freshwater Wetlands was submitted to NJDEP on 8/22/13 and approved on 3/24/14.
- Our office is coordinating the permitting of various aspects of the plan with Lomax Consulting.
- A package prepared by Lomax Consulting Group was submitted to NJDEP for a jurisdictional determination on 8/13/14.
- Our office assisted Anne Garrison, Economic Development, in revising the application to the Cape May County Open Space Board relating to the fishing pier/boardwalk to be submitted on 8/15/14.
- A groundbreaking ceremony was held on September 12, 2014.
- Plans for the Jurisdictional Determination have been revised and resubmitted to NJDEP.

2014 Road Program

- Survey and base mapping are complete and the design process has begun.
- All adjacent and affected property owners have been notified by certified mail.

N.J.S.H. Route 9 Sidewalk Project

- The project was advertised on October 15, 2014.
- The bid opening is scheduled for October 29, 2014.

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.

Page 3 of 4

GIS Mapping

- Digitizing the existing as-built maps is progressing and on-going, the storm sewer system is progressing as the first utility to be followed by the Sanitary System. The Storm is approximately 100% complete and the Sanitary System is approximately 25% complete based on the existing information at this time. We are on schedule proceeding with the remaining areas from there.
- At the request of Connie Mahon, Adm., we are working with the gas company on field located as-builts, to also be incorporated into the GIS system that Connie would like to see on the plans. Chris Eaton and Kevin Zelinsky are coordinating how this utility information will be field collected and provided.
- A progress meeting is scheduled for the week of 10/27/14, with the office of Rob Flynn, Public Works Director, to review/address mapping questions with Rob Flynn and staff as well as schedule field visits where needed in order to keep the project moving forward timely and in the right direction.
- At the request of Connie Mahon, Adm., a presentation of the GIS utility mapping system for Middle Township is scheduled for the 10/20/2014 township meeting at 4:00PM. Steve Volpe and I will prepare and present both hard copy hand outs as well as a demonstration of the GIS system for the Township.

Page 4 of 4

Committeemember Clark:

-Thanked Gregg Neill for service with Township
-Wished Joe Russo Good Luck
-Congratulations to Walt Belles
-Congratulations to Vilma Pombo, Volunteer of the Year for Middle Township
-Congratulations to Clarence Davies, 25 years being Volunteer in Middle Township

Committeemember Lockwood:

-Enjoyed Volunteer Dinner on Friday evening
-Congratulations to Lee Ann Russ, appreciates her hard work
-Thankful for railroad crossing on Indian Trail being fixed
-Congratulations to Walt Belles

Mayor Donohue:

-Recognized Walt Belled and his money saving ideas for the Township
-Congratulations to Lee Ann Russ
-Harvest Festival scheduled for October 25
-Press Release – Top Dog Contest, winning dog will be featured in Animal Advisory Board literature and will receive free license for 2015
-Volunteer Board Dinner was a great event
-Recognized Vilma Pombo as Volunteer of the Year for Middle Township

Lillian Wayne:

Registered for alarm system, was late in paying yearly fee and receives harassing calls daily from alarm billing company regarding the $25 late fee. Second time paying late, late fee was waived the first time, believes $25 is an excessive late fee.

Chief Leusner:

Asked for Ms. Wayne's contact information to pass along to Lt. Nelson

Vilma Pombo:

Asked about getting a bus stop placed on the west end of Indian Trail (Route 47 area)

Mayor Donohue:

In the process of getting bus stops at Moore Road and Orbit Drive

Committeemember Lockwood:

Does not recall any requests for a bus stop for the west end of Indian Trail Road

Mayor Donohue:

Recommendations would go to Traffic Advisory Committee for review

Rosie Jefferson:

-Believes that Public Works employees deserve a higher starting salary, many are verbally praised for their work, but thinks they deserve a praise in the form of a salary increase.
-Spoke of recent issues with Township phone lines, made comments regarding Committeemember Lockwood overseeing the finance department and never noticing the fees until Mayor Donohue began overseeing the department this year. Believes money saved from phones lines could be used to increase Public Work salaries.

Mr. Sebastiani:

-Bulkhead on Carter Road, Pierce's Point, was installed incorrectly, boards were installed the wrong way. Project was done by Township about 4-5 years ago and is causing flooding on the street.

Vilma Pombo:

Dollar Store planting trees in buffer zone, wrong type of trees are being planted. Spoke with landscaper who agreed, should be native trees instead of arbor trees, but was following his contract. Provided Committee with a list of native trees which would be more sufficient for the project.

Committeemember Lockwood:

Will look at plan to review reforestation and make sure they are in compliance with the plans.

Bette McGurk:

Asked about status of development going off of Golf Club Road, received calls from concerned residents in that area that no notifications were received regarding the development project.

Committeemember Lockwood:

Project was rescheduled from Planning Board until November.

Rosie Jefferson:

Asked about Ordinance regarding Yard Sales. Certain number per year? License required? Concerned about specific property in Rio Grande between Shop Rite and Marlyn Manor which has very frequent yard sales, nearly every weekend.

Committeemember Lockwood:

Two per year plus free yard sale weekend once a year. Permit obtained through Construction Office.

Mayor Donohue:

Will have the property looked into for compliance.

_____

Suzanne M. Stocker, Deputy Township Clerk

Motion to adjourn meeting – 6:40pm

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