

Cape May Court House, NJ
September 3, 2014
REGULAR MEETING
FLAG SALUTE
THIS MEETING IS BEING RECORDED:

I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

The Township Committee met on the above date at 6:00 PM at the Middle Township Municipal Building. Members present were Mayor Donohue, Deputy Mayor Lockwood, Committeemember Clark, Township Clerk Kimberly Krauss, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon and Municipal Solicitor Marcus Karavan. *Township Engineer Marc DeBlasio was absent.*

1. 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.)
No Public Comment
2. RESOLUTION 471-14 – 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. \$2,984,272.84
3. RESOLUTION 472-14 – APPROVING MINUTES FROM PREVIOUS MEETINGS – 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 following minutes are approved: Work Session 08/18/2014 and Regular Meeting 08/18/2014.
4. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of August and Zoning Official for the month of August.
5. ORDINANCE NO. 1481-14 - AN ORDINANCE AMENDING ORDINANCE 1465-14 AND 1479-14 OF THE TOWNSHIP OF MIDDLE, KNOWN AS CHAPTER 193, ARTICLE III, OF THE CODE OF THE TOWNSHIP OF MIDDLE, ENTITLED PROPERTY MAINTENANCE – CODE – Following second reading, hearing, and consideration for adoption, Ordinance 1481-14 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, the governing body of the Township of Middle that ORDINANCE 1465-14 & 1479-14, known as Chapter 193 of the Township Code of the of the Township of Middle, be and is hereby amended as follows:
SECTION 1: The following paragraph shall be added to the previously adopted Ordinance as section 193-31, et seq., which is hereby amended to include same:
§193-31 Penalties.
Any person or entity that shall violate section 193–19 shall be subject to a fine as follows:
1st offense: The violator shall, upon conviction, compensate the Township, as restitution, for all costs incurred in cleaning the premises. A lien shall issue against the premises in this regard until paid. Additionally, the violator shall be fined \$150.00.
2nd offense: The violator shall, upon conviction, compensate the Township, as restitution, for all costs incurred in cleaning the premises. A lien shall issue against the premises in this regard until paid. Additionally, the violator shall be fined \$250.
3rd and all subsequent offenses: The violator shall, upon conviction, compensate the Township, as restitution, for all costs incurred in cleaning the premises. A lien shall issue against the premises in this regard until paid. Additionally the violator shall be fined \$500.
Any person or entity that shall violate any other provision of this article shall, upon conviction, be subject to a fine not to exceed \$ 1,000 per occurrence. Each separate 24-hour period during which a violation continues shall be deemed to be a separate and distinct violation of this article.
SECTION 2: Any 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 or 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.
6. ORDINANCE NO. 1482-14 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY REGARDING REFUSE CONTAINERS / DUMPSTERS - Following second reading, hearing, and consideration for adoption, Ordinance 1482-14 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.
SECTION 1. Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Township of Middle and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION 2. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Middle, or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION 3. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Middle.

SECTION 4. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION 5. Enforcement:

This ordinance shall be enforced by the Township of Middle

SECTION 6. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed a fine up to \$500 per offense.

SECTION 7. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 8. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

SECTION 9: Any other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 10: Should any section, paragraph, sentence or 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.

7. **ORDINANCE NO. 1483-14 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY TO ESTABLISH PRIVATE STORM DRAIN INLET RETROFITTING** – Following second reading, hearing, and consideration for adoption, Ordinance 1483-14 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.

SECTION 1. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Middle so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION 2. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used

in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Middle or other public body, and is designed and used for collecting and conveying stormwater.

Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION 3. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

Already meets the design standard below to control passage of solid and floatable materials; or
Is retrofitted or replaced to meet the standard in Section 5 below prior to the completion of the project.

SECTION 4. Design Standard:

Storm drain inlets identified in the Section above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

This standard does not apply:

Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards; Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

A bar screen having a bar spacing of 0.5 inches.

Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars; or

Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION 5. Enforcement:

This ordinance shall be enforced by the Township of Middle.

SECTION 6. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed a fine up to \$500 per offense for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION 7. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 8. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

SECTION 9: Any other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 10: Should any section, paragraph, sentence or 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.

8. RESOLUTION 473-14 – RATIFY SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND BOROUGH OF AVALON – DREDGING SERVICES - 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 appropriate officials are hereby authorized and directed to sign said Shared Services Agreement between the Township of Middle and the Borough of Avalon for Dredging Services.
9. RESOLUTION 474-14 – AUTHORIZE CHANGE IN EMPLOYMENT STATUS – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle that the following employee is hereby designated to the employment status listed below:

NAME	DEPARTMENT	PREVIOUS STATUS	AMENDED STATUS	EFFECTIVE DATE	SALARY
Sharon Spencer	Recreation	Recreation Aide P/T	Recreation Aide F/T	08/25/2014	\$20,000.00
Cheryl Grier	Recreation	Recreation Aide P/T	Recreation Aide F/T	08/25/2014	\$18,720.00

10. RESOLUTION 475-14 – ESTABLISHING A GREEN TEAM FOR SUSTAINABLE JERSEY PROGRAM – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
WHEREAS, the Township Committee of the Township of Middle strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and
WHEREAS, the Township Committee of the Township of Middle wishes to build a model of government which benefits our residents now and far into the future with green community initiatives outlined in the Sustainable Jersey program, which are easy to replicate and affordable to implement; and
WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green Team; and
WHEREAS, the Township Committee of the Township of Middle wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first; and
WHEREAS, the following actions will be priorities for the Green Team as the Township moves to do their share to lessen the environmental impact of its operations: energy conservation; smart growth principals; protection of natural resources; smart growth principals of development; and community education.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle that we do hereby establish a Green Team consisting of all the members of the Middle Township Environmental Commission.
NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Middle that the following persons are hereby appointed to the Green Team for the remainder of 2014:
Vilma Pombo, Chairman
Rachel Shepherd
Jeffrey L. Schafer, CEM
Liz Simpkins
Lillian Armstrong
Betsy Haskins
Larissa Smith
Jimmy Collins, Alt #1
Dawn Stimmel, Sec.

11. RESOLUTION 476-14 – AMENDING RESOLUTION 460-14 – ACKNOWLEDGMENT 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 resignation listed below is hereby amended as follows:

NAME	DEPARTMENT/BOARD	POSITION	EFFECTIVE
Justin Cox	Recreation	Recreation Aide / Special Events Coordinator	08/20/2014

12. RESOLUTION 477-14 – SEWER ADJUSTMENT – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
WHEREAS, Block 94 Lot 73 located at 410 Goshen Road should have been connected to the sanitary sewer system upon completion of the job; and
WHEREAS, this property was billed from the 3rd quarter of 212 but was not actually connected to the sanitary sewer system until August 15, 2014; and
NOW, THEREFORE, \$1,189.91 should be adjusted from the prior bill.

13. RESOLUTION 478-14 – APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF THIRD AVENUE – PHASE 2 PROJECT – 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 Township Committee of the Township of Middle formally approves the grant application for the above stated project.
 BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application identified as ma – 2015-Middle Township -00012 to the New Jersey Department of Transportation on behalf of the Township of Middle.
 BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Middle and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

14. RESOLUTION 479-14 – 2014-2015 HOTEL/MOTEL LICENSE APPROVAL – 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 established a Hotel/Motel License in connection with Ordinance No. 1157-04; and
 WHEREAS, a Hotel/Motel shall be defined for purposes in connection with this ordinance/license as a type of building or combination of buildings within the same complex having 4 or more rooms available for sleeping and lodging to the public for a fee; and
 WHEREAS, prior to any person, operating a Hotel/Motel regulated by this ordinance, said person or entity must acquire an annual Hotel/Motel License from the Township Clerk by the 1st of July in each calendar year; and
 WHEREAS, prior to the issuance or renewal of any annual Hotel/Motel License, the applicant for such license shall have made the payment of delinquent property and sewer tax. The Township of Middle retains the right of revocation or suspension for non-payment of property taxes when three (3) or more consecutive quarters are delinquent; and
 WHEREAS, the annual license fee to operate a Hotel/Motel within the Township of Middle shall be \$1,000.00; and
 WHEREAS, said approval is contingent upon all applicable building, housing, health and safety codes and regulations as set forth by all appropriate local, county and state agencies, and as outlined in Chapter 222-22 of the Code of the Township of Middle; and
 WHEREAS, The Township of Middle shall have the right to inspect the licensed premises and the owner/applicant shall provide for the inspection of licensed facilities; and
 NOW, THEREFORE BE IT RESOLVED, that each of the following licenses be and are hereby authorized for the license year of 2014-2015:

LIC. #	APPLICANT	TRADENAME	LOCATION	SITES
5	Marion Monroe	Dutchman’s Motel	1077 Rte 47 S, Rio Grande	11

15. RESOLUTION 480-14 – AUTHORIZING THE DONATION OF SURPLUS VEHICLE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle wishes to donate the following vehicle to Goshen Fire Company, for use by Goshen Fire Police, and
 WHEREAS, the Fire Police assist the Middle Township Police Department in crash scenes throughout Middle Township, and are in need of a response vehicle, and
 WHEREAS, said vehicle would also include the already installed siren box, emergency lights and radio equipment, and
 WHEREAS, N.J.S.A 40A:12-21.1 permits the Township of Middle to donate the vehicle to the Goshen Fire Company for such purpose.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle that the donation of the following vehicle, for the purposes stated above, to the Goshen Fire Company, for use by the Goshen Fire Police, be and is hereby approved.
 2006 Ford Crown Victoria VIN #2FAFP71W96X102446

16. RESOLUTION 481-14 – AMENDING FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK & WALBERG ENGINEERS – FY2013 NJDOT LOCAL AID – BIKEWAY PROGRAM - BIKE PATH PHASE 4 (CONTRACT 2) – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
 WHEREAS, on January 4, 2012 Township Committee awarded Remington Vernick & Walberg Engineers a three year term as Township Engineer, and said contract was certified for 2014 as Resolution No. 33-14, and
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Remington, Vernick & Walberg Engineers shall provide engineering and construction observation services for the following: Remington, Vernick & Walberg Engineers – Bike Path Phase 4 (Contract 2)
 Not to Exceed \$5,000.00

17. RESOLUTION 482-14 – RELEASE OF PERFORMANCE BOND – TOMPKINS BUILDERS –
On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, \$33,141.00 is being held as a performance guarantee for Tompkins Builders for site improvements at Block 391.01 / 391.03, Lot(s) 2.03 / 11-15 & 62-66, 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,
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 \$33,141.00 is hereby released.
18. RESOLUTION 483-14 – AUTHORIZING MAYOR TO SIGN PERMIT – ARMY CORPS OF ENGINEERS – GRASSY SOUNDS SANITARY SEWER PROJECT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Mayor is hereby authorized to sign the Form 4345, part of the application for a NWP12 permit from the Army Corps of Engineers, for the Grassy Sounds Sanitary Sewer Project. FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents.
19. RESOLUTION 484-14 – AWARDING LICENSE AGREEMENT FOR SUPPLY OF JERSEY FRESH FRUIT AND PRODUCE FOR PURCHASE BY TOWNSHIP EMPLOYEES IN CONNECTION WITH THE TOWNSHIP’S HEALTH AND WELLNESS PROGRAM – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, the Mayor and Township Committee authorized the Township Clerk to prepare and advertise a Request for Qualifications and Proposals (“RFP”) for the supply of Jersey Fresh Fruit and Produce for purchase by Township employees in connection with the Health & Wellness Program that has implemented for Township employees; and
WHEREAS, the advertised date for receipt of proposals was August 28, 2014; and
WHEREAS, on August 28, 2014 the Township Clerk received one RFP and that was from Tony Castagna d/b/a “Tony Produce” of Petersburg, New Jersey; and
WHEREAS, the proposal that has been submitted has been reviewed by counsel who has opined that the vendor complied with the RFP Specifications; and
WHEREAS, the Mayor and Committee are satisfied that Tony Castagna d/b/a Tony Produce has the experience and ability to provide the services required;
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Middle and the County of Cape May and State of New Jersey as follows:
1) All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
2) A License Agreement for the supply of Jersey Fresh Fruit and Produce for purchase by Township employees is awarded to Tony Castagna, d/b/a Tony Produce. The License Agreement shall require the vendor to make such fruit and produce available by Township employees at least once per week at the Township Hall and at the Public Works Facility during such times as are established by the Township Administrator or her designee. The License Agreement shall extend through December 31, 2014 whereupon it automatically shall renew for a term of one year.
3) The Mayor and Township Clerk be and they hereby are authorized to sign the License Agreement with Tony Castagna d/b/a Tony Produce.
4) The Township Administrator and the Township Clerk be and they hereby are authorized to take such actions as are necessary and proper to effectuate the purpose and intent of this Resolution.
20. RESOLUTION 485-14 – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION – CANTERBURY RESIDENTIAL SUBDIVISION – TOMPKINS BUILDERS-
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 355.01 Lot 12, 13, otherwise known as 1121 & 1126 Route 9 South, and/or Canterbury Way Residential Subdivision
21. RESOLUTION 486-14 – 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
Dawson, Julia	2000 Rte 9 South	1048 // 2, 3	\$144.70
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Eller, Dana L.	211 W. Pacific Ave	325 // 5	\$155.11
Fewell, Rachel M.	423 Shunpike	322.01 // 59	\$179.43
Harbor Place Development LLC	1116 Stone Harbor Blvd	136 // 14	\$305.49
Bucsek, Jeffrey L. & Mahle, Deborah	671 Dias Creek Rd	164.02 // 15	\$169.02
SMC Properties, LLC	11 S. 10 th St.	413 // 13	\$179.43
Johnson, Danielle C.	307 3 rd Ave.	337 // 9	\$193.34
Dearing, Jacqueline	206 Vermont Ave	1483 // 8	\$169.02
Fashaw, Kimberly A.	106 N. 10 th Ave	1109 // 1	\$169.02
Murphy, Catherine M.F.	231 Indian Trail	475.01 // 3	\$169.02
Bickel, Raymond & Judy	117 Geneva Ave	425 // 7	\$182.94
Rynne, William F. & Christine V.F.	512 Cedar Ave	994 // 4	\$155.11
Chinn, Richard H. Jr. & Henrietta M.	1439 Burleigh Ave	1410.01 // 45	\$179.43

22. PUBLIC COMMENT:

Committeemember Clark:

- Attended Whitesboro Reunion – great day and weekend.
- Concerned Citizens for Whitesboro is looking forward to getting into school house.

Mayor Donohue:

- Echoed Committeemember Clark’s comments regarding the Whitesboro Reunion.
- Sentiments to passing of Glenn Ortman, Auditor
- Next meeting on September 15 being held at Rio Grande Fire Hall, will focus on issues of Rio Grande area.
- Ground Breaking at Ockie Wisting Complex at 1pm on September 12.
- Recognized Robert Mathews for efforts with community garden with children over the season, giving back to community and Ms. Vera’s food pantry.
- Rabies Clinic on September 27 from 2pm-3pm at Public Works garage.
- Gas project working on Romney Street on Friday.
- This past weekend on Route 9 & Route 47, vehicle display of temperatures for awareness on leaving children and pets in vehicle, presented by Dave Thompson of Lakeside Collision.
- Burke Motors donation of van to DAV

Committeemember Lockwood:

- Recognized Glenn Ortman, easy going person and dedicated worker.

Stan Doniger:

- Questioned \$6,000 emergency equipment bill payment.

Chief Leusner:

- Lights for outfitting new police vehicles, not just one vehicle.

Kimberly D. Krauss, Township Clerk

Motion to adjourn meeting – 6:23pm

1st: Committeemember Clark 2nd: Committeemember Lockwood

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