

Cape May Court House, NJ
October 19, 2015
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, and Municipal Solicitor Marcus Karavan. **Township Clerk Kimberly Krauss and Township Engineer Marc DeBlasio were absent.*

1. PRESENTATION BY MAYOR – OCTOBER EMPLOYEE OF THE MONTH – SGT. FRAN FIORE
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.)

Vilma Pombo:

Regarding Ordinance (Item 7), asked if intersection will be a 4-way stop

Mayor Donohue:

Confirmed 4-way stop, finalizing/codifying current intersection 4-way

3. RESOLUTION 456-15 – 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. \$515,772.81
4. RESOLUTION 457-15 – APPROVING PAYMENT FOR BILLS – BILL LIST B (ANZELONE/LC EQUIPMENT) – 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. \$794.00
5. RESOLUTION 458-15 – 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: Regular Meeting 10/05/2015.
6. REPORTS: The following departments have submitted their reports for the months indicated:
NONE
7. ORDINANCE 1513-15 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 236, SECTION 11, SCHEDULE VII (236-35), THEREOF, ENTITLED STOP SIGN INTERSECTIONS – Following second reading, hearing, and consideration for adoption, Ordinance 1513-15 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.

No Public Comment

BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey as follows:

SECTION 1. Section 236-11 (and furthermore schedule VII (236-35)) of the Code of the Township of Middle is hereby supplemented by the addition of the following:

INTERSECTION

STOP SIGN ON

Shellbay Avenue and Bayberry Drive

All Approaches

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 phase 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.

8. RESOLUTION 459-15 THROUGH 460-15 – CANCEL TAXES (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, a cancellation of taxes is due to Mr. Giordano, as he has been granted 100% disabled American Veteran status as of April 24, 2015 by the Cape May County Board of Taxation;

ACCT	BLOCK	LOT	OWNER/LOCATION	2015	2016
17307	1418	6	Giordano, Ernest M Property location: 12 Davis Rd	\$2,653.46	\$1,941.63

B. WHEREAS, a cancellation of taxes is due to Mr. Johnson, as he has been granted 100% disabled American Veteran status as of August 4, 2015 by the Cape May County Board of Taxation;

ACCT	BLOCK	LOT	OWNER/LOCATION	2015	2016
19115	385	1.08	Johnson, Eric Property location: 16 Sand Dollar Drive	\$2,169.82	\$2,675.18

9. RESOLUTION 461-15 THROUGH 462-15– REFUND OF TAXES (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, there are refunds due to Mr. Giordano who has been granted 100% disabled American Veteran Status as of April 24, 2015 by the Cape May County Board of Taxation;

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	2015
17307	1418	6	Giordano, Ernest M 12 Davis Road Rio Grande, NJ 08242 Property location: 12 Davis Rd	\$1,675.99

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 2015 taxes; and BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

B. WHEREAS, there are refunds due to Mr. Johnson who has been granted 100% disabled American Veteran Status as of August 4, 2015 by the Cape May County Board of Taxation;

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	2015
19115	3858	1.08	Johnson, Eric 16 Sand Dollar Drive Cape May Court House, NJ 08210 Property location: 16 Sand Dollar Drive	\$67.04

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 2015 taxes; and BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

10. RESOLUTION 463-15 – 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	POSITION	EFFECTIVE
James Loftus	Public Works	P/T Laborer 1	10/07/2015

11. RESOLUTION 464-15 – ACKNOWLEDGING RESIGNATION AND APPOINTMENT OF ECONOMIC DEVELOPMENT COUNCIL – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the following volunteer board member has resigned and it is the intent of the governing body to fill said vacancy:

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Middle, County of Cape May, State of New Jersey that the following board resignation is hereby acknowledged:

Member	Volunteer Board
Dawn Stimmel	Economic Development Council

BE IT FURTHER RESOLVED, that the following individual shall be appointed to the unexpired term of Dawn Stimmel to the terms and boards as indicated:

Member	Volunteer Board	Term Expiration
Denise Luczak	Economic Development Council	12/31/2015

12. RESOLUTION 465-15 – AUTHORIZING CREATION OF LIEN ON PROPERTY - On motion by Committeemember Clark seconded 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; and

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 imposes 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
Trout, Ellen M. C/O Douglass	215 South Railroad Avenue	1432 // 15	\$233.77
Palm, Joseph & Madeline L.	122 Lafayette Avenue	427 // 14	\$169.02
Cipollono, Gloria J.	6 Lola Lane	468 // 16	\$202.41
Gilliar, Michael D.	214 Hand Avenue	236 // 21	\$169.02
Khan, Abdul L.	207 Vermont Avenue	1493 // 4	\$202.41

13. RESOLUTION 466-15 – AUTHORIZING THE EXECUTION OF AGREEMENT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute the final settlement agreement, as reviewed and approved by counsel, between Marcus Phillips and the Township of Middle.

14. RESOLUTION 467-15 – APPOINTMENT – BOARD SECRETARY – RECREATION ADVISORY COUNCIL – 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 person be and are hereby appointed to the board/position for the term of office opposite their name:

NAME	BOARD	TERM EFFECTIVE	TERM EXPIRES	SALARY
Nancy McDevitt	Recreation Advisory Council	10/15/2015	12/31/2015	\$850.00

15. RESOLUTION 468-15 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – TAG CONSULTING GROUP- FIXED ASSET INVENTORY AND DATABASE SERVICE – 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 Agreement between TAG Consulting Group and the Township of Middle for inventory of fixed assets and the creation of a database as well as ongoing maintenance of the inventory, 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 this contract is contingent upon obtaining any and all requirements and approvals as set forth by the Atlantic County Joint Insurance Fund.

TAG Consulting Group
Fixed Asset Inventory and Database
\$4,000.00

16. RESOLUTION 469-15 – TRICK OR TREAT 2015 – 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 Trick or Treat will be held in the Township on Saturday, October 31, 2015 from 5:00pm until 8:00pm.

17. PUBLIC COMMENT:

Committeemember Clark:

- Attended 25th Annual Gala for Bishop McClerkon of Mount Olive Baptist, presented Proclamation on behalf of the Township*
- Harvest Festival 10/24 – lots of participants, hard work by Recreation Department*
- Special events for Recreation Department are being coordinated by new employee, Nancy McDevitt*
- Congratulations to Sgt. Fran Fiore*

Committeemember Lockwood:

- Congratulations to Sgt. Fran Fiore*
- Congratulations to Kimberly Krauss, welcomed new baby*
- Spoke of recent events at Senior Center*

Mayor Donohue:

- Congrats Kimberly Krauss on birth of daughter*
- 18th Annual Harvest Festival*
- Halloween Parade 10/28 at 7pm*
- Shredding Day 11/14 at 9am, Public Works*
- Medical Prescription Box in Police Department Lobby*
- Spay/Neuter Fund – still money available for 2015*
- Ockie Wisting discussion during Work Session, proposed plans available for review*
- Cape Express Agreement for Ockie Wisting being reviewed by Green Acres*
- Veterans Advisory Board will have table at Harvest Festival with information for veterans.*
- CMC Open Space Application approved for Avalon Manor Fishing Pier (\$400,000), waiting for approval for ADA Grant (\$200,000) which was also applied for.*

Vilma Pombo:

- Asked about State meeting for petition to amend center boundary hearing, asked for copy of plan.*

Committeemember Lockwood:

- Court House Center amendment regarding Kindle property. Opportunity through public process to make amendment which was originally overlooked.*

Connie Mahon:

- Kindle property is only property on agenda for meeting that Township is aware of. Plan available in Administration office for review.*

Ed Dillio:

- Asked if 4-way stop at Shellbay and Bayberry will be 4 stop signs or flashing light?*

Committeemember Lockwood:

- Four signs with appropriate striping.*

Mayor Donohue:

- May be beneficial to look into flashing light.*

Suzanne M. Stocker, Deputy Township Clerk

Motion to adjourn meeting – 6:30pm

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