

Cape May Court House, NJ
November 2, 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, Municipal Solicitor Marcus Karavan. ***Township Clerk Kimberly Krauss and Township Engineer Marc DeBlasio were 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.)

Stan Doniger:

Questioned new code enforcement trainee position.

Mayor Donohue:

Will be third components to department, working with public works but under the direction of zoning officer/code enforcement officer. In-house title will be Code Enforcement Assistant.

2. RESOLUTION 470-15 – 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. \$4,558,862.01
3. RESOLUTION 471-15 – 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. \$205.00
4. RESOLUTION 472-15 – 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: Work Session 10/19/2015 and Regular Meeting 10/19/2015.
5. REPORTS: The following departments have submitted their reports for the months indicated:
Construction for the month of October.
6. ORDINANCE 1514-15 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1514-15 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.
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 immediately upon final passage and publication according to law.

Code Enforcement Officer Trainee P/T \$12.00 to \$20.00 ph

7. ORDINANCE 1515-15 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 74, SECTION 3, VETERAN’S ADVISORY BOARD (MEMBERSHIP; APPOINTMENT; COMPENSATION) – Following second reading, hearing, and consideration for adoption, Ordinance 1515-15 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.

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. Chapter 74, Section 3 of the Code of the Township of Middle is hereby amended as follows:

- A. This Board shall consist of ten members and two alternate members, whereas the chairperson shall be appointed by the Mayor, and said Board shall be made up of a balanced mix of active military, veterans and concerned Township citizens.
- B. The initial appointees to the Board shall serve terms as follows:

Member Term	
4 regular members	Three-year term
3 regular members	Two-year term
3 regular members	One-year term
2 alternate members	One-year term
- C. Thereafter, all subsequent or reappointed members shall serve a term of three years commencing January 1.
- D. The Veterans Advisory Board shall utilize such secretary as may be appointed by the Township Committee and shall utilize the services of the Township Solicitor for all legal matters. The members of the Veterans Advisory Board shall serve without compensation.

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. ORDINANCE 1516-15 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND BY A PRIVATE SALE TO A CONTIGUOUS OWNER – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, Ordinance No.1516-15 passed first reading. Second reading, public hearing and consideration for adoption will be held on December 7, 2015 at 6:00 p.m.

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 616, 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 Bobby Harrison, who owns adjacent lots identified as Block 616, Lot 1; and

WHEREAS, the township assessment of the property is \$16,000.00, 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 \$16,000.00; and

WHEREAS, Bobby Harrison, has offered to purchase the property for \$16,000.00 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 616, Lot 1, to Bobby Harrison for the sale price of \$16,000.00 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, Township's legal costs, the Township's engineering costs including any costs incurred for procuring a letter of interpretation, all closing costs and recording fees, advertising and postage, are to be paid by the Buyer. Buyer shall post an escrow, prior to the execution of this agreement in the amount of \$10,000.00, which monies shall be held by the Township.

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. RESOLUTION 473-15 - ESTABLISHING: 1. FAIR AND OPEN PROCESS FOR CONTRACTS
2. CRITERIA TO BE CONSIDERED IN AWARDING CONTRACTS; AND 3. POSITIONS FOR WHICH PROPOSALS SHALL BE SOLICITED – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 19:44A-20.4 et. seq. requires that contracts with a value exceeding \$17,500 be awarded pursuant to a "fair and open" or "non-fair and open" process; and

WHEREAS, the Township Committee feel the best interests of the residents of Middle Township would be best served by the Township requesting proposals and qualifications, and considering and awarding contracts by use of a Fair and Open process; and

WHEREAS, the Township Committee desires to establish the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the criteria for the consideration of proposals and qualifications, and the award of contracts submitted in accordance with the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the positions which for the year 2016 shall be subject to the Fair and Open Process and also where stated below additional criteria for certain position; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that:

1. THE FAIR AND OPEN PROCESS

A. The Township Committee of the Township of Middle has determined that the following procedure constitutes a fair and open process and shall be the manner in which requests for proposals and qualifications are sought, accepted, and awarded:

1. A request for proposals and qualifications shall be publicly advertised on the Township of Middle's internet website beginning on November 4, 2015 and continuing on the website through November 30, 2015. Said request will also be advertised in the Cape May County Herald Newspaper on November 11, 2015.
2. The Township shall accept proposals until 1:00 o'clock on November 30, 2015.
3. Proposals shall be in a sealed envelope addressed to:
Kimberly D. Krauss
Township Clerk - Township of Middle
33 Mechanic Street
Cape May Court House, NJ 08210

The envelope shall also state the name of the person or entity submitting the proposal and the position for which the proposal is submitted.

4. The envelope shall contain one original and two copies of the proposal.
5. The proposal shall include (**this is mandatory**) at a minimum, a statement of the following:
 - A. Qualifications and Experience of person or entity specifically with regard to the position sought
 - B. Scope of Services proposed to be provided
 - C. Contact Information, including name, address, phone number, email address
 - D. Fee Proposal including a "**Not To Exceed**" Amount
 - E. Office Staffing Plan and Resources
 - F. Location of Office from which services shall be provided
 - G. References
 - H. Potential Conflicts
 - I. The Applicant should provide a proposal which includes a statement of licensing, others

in his/her office who will provide services, a fee schedule which lists names, titles and fees for each person and for each of these services, and any other information deemed of importance by the Applicant.

6. On November 30, 2015 at 1:00pm, the Township Clerk or representative shall open each of the proposals and shall announce the proposals received by name, and a short summary of the proposal and qualifications.
7. The proposals shall be submitted to Township Committee for consideration at its reorganization meeting, at which time Township Committee may award a contract by approving a resolution, or, it may choose to award at the next regularly scheduled Township Committee meeting. If a majority votes to seek interviews, interviews may be held between Township Committee and the person or entity that submitted proposals. Township Committee may send proposals to Township Board's or Agency's for consideration and approval as is appropriate.

2. CRITERIA BY WHICH REQUESTS FOR PROPOSALS AND QUALIFICATIONS SHALL BE EVALUATED

A. The Township of Middle hereby discloses in writing that all of the submissions in response to the Request for Proposals and Qualifications submitted through the fair and open process described above, will be evaluated by the Township Committee of the Township of Middle and awarded or rejected on the basis of the following criteria. Proposals will be evaluated by the Township Committee of the Township of Middle on the basis of the most advantageous, price and other factors considered. The evaluation will consider:

1. Experience and reputation in the field
2. Knowledge of the Township of Middle and the subject matter to be addressed under the contract
3. Availability to accommodate any required meetings of the agency
4. Compensation proposal
5. Other factors if demonstrated to be in the best interest of the Township of Middle

B. The following criteria, found under the competitive contracting rules at N.J.A.C. 5:34-4.2, if determined to be of assistance, may also be considered by Township Committee. These criteria are not intended to be limiting or all-inclusive, and they may be adapted or supplemented in order to meet the Township Committee's needs. No criteria will unfairly or illegally discriminate or exclude otherwise capable vendors.

I. Technical criteria:

- a. Proposed methodology:
 - i. Does the vendor's proposal demonstrate a clear understanding of the scope of work and related objectives?
 - ii. Is the vendor's proposal complete and responsive to the specific RFP requirements?
 - iii. Has the past performance of the vendor's proposed methodology been documented?
 - iv. Does the vendor's proposal use innovative technology and techniques?
 - v. Are sound environmental practices such as recycling, energy efficiency, and waste reduction used?

II. Management criteria:

- a. Project management:
 - i. How well does the proposed scheduling timeline meet the agency's needs?
 - ii. Is there a project management plan?
- b. History and experience in performing the work:
 - i. Does the vendor document a record of reliability of timely delivery and on-time and on-budget implementation?
 - ii. Does the vendor demonstrate a track record of service as evidenced by on-time, on-budget, and contract compliance performance?
 - iii. Does the vendor document industry or program experience?
 - iv. Does the vendor have a record of moral integrity?
- c. Availability of personnel, facilities, equipment and other resources:
 - i. To what extent does the vendor rely on in-house resources vs. contracted resources?
 - ii. Are the availability of in-house and contract resources documented?
- d. Qualification and experience of personnel:
 - i. Documentation of experience in performing similar work by employees and when appropriate, sub-contractors?

- ii. Does the vendor make use of business capabilities or initiatives that involve women, the disadvantaged, small and/or minority owned business establishments?
- iii. Does the vendor demonstrate cultural sensitivity in hiring and training staff?

III. Cost criteria:

- a. Cost of goods to be provided or services to be performed:
 - i. Relative cost: How does the cost compare to other similar proposals?
 - ii. Full explanation: Is the price and its component charges, fees, etc., adequately explained or documented?
- b. Assurances of performance:
 - i. If required, are suitable bonds, warranties, or guarantees provided?
 - ii. Does the proposal include quality control and assurance programs?
- c. Vendor's financial stability and strength:
 - i. Does the vendor have sufficient financial resources to meet its obligations?

3. REQUEST FOR PROPOSALS AND QUALIFICATIONS ARE SOUGHT FOR THE FOLLOWING POSITIONS

- A. Municipal Solicitor - Legal Advisor to the Township Committee and Administrative Staff. Includes all litigation, draft and review ordinances, resolutions, and any and all other matters regarding the Township's legal issues. Also solicitor to Cable Television Advisory Board, Economic Development Council, and Sewer and Water Department. Township Committee meets twice a month in the evening; there are frequent daytime meetings. Cable Advisory Board meets quarterly. The Solicitor is required to be in Township Hall at least one day a week to meet with department heads and employees. The Solicitor is expected to be immediately available to Township Committee members and the Administrator; at least one full time staff member is to be assigned to do Township work. Minimum qualifications are at least five years experience in some governmental capacity.
- B. Labor Solicitor - Legal Advisor to the Township Committee and Administrative Staff on labor law issues, including civil service issues, disciplinary matters, hiring and firing of employees, and negotiating contracts.
- C. Municipal Auditor - The auditor performs annual audit of Township Finances, assists with preparation of annual budget, and is always immediately available to discuss compliance with the Township Administrator and CFO.
- D. Municipal Prosecutor - Prosecutes in the Township's municipal Court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.
- E. Municipal Public Defender - Represents defendants who qualify for public defender in municipal court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.
- F. Zoning Board of Adjustment Solicitor - Attorney representing the Zoning Board of Adjustment. The Zoning Board meets one evening a month.
- G. Planning Board Solicitor - Attorney representing the Planning Board. The Planning Board meets two evenings a month.
- H. Rent Leveling Board Solicitor - Attorney represents the Rent Leveling Board. The Rent Leveling Board meets quarterly.
- I. Economic Development and Grant Administrator Consultants - provide administrative services for economic development board, home rehabilitation program for low income homeowners, evaluation services for loan program to businesses, and assist in applications for grants involving the same.
- J. Grant Application and Housing Rehabilitation Consultant - completes applications and makes efforts to obtain grants particularly Housing Rehabilitation Grants.
- K. Grant, Utility, and Legislative Consultant - completes grant applications and advises Township Committee on utility and legislative issues impacting the Township.
- L. Bond Counsel - Legal Advisor to the Township Committee and Administrative Staff on issues regarding bond financing. Includes compliance with any and all necessary laws, state and federal, in the marketing and selling of the Township's bonds of any sort, including bond anticipation notes. Minimum qualifications are at least five years experience in the municipal bonding field, and that the person have the demonstrated experience and capacity for marketing and selling municipal bonds.
- M. COAH Counsel - Legal advisor to the Township's Committee and Administrative Staff on issues regarding its obligations mandated by The Council on Affordable Housing and assorted state statutes and regulations. Minimum qualifications are at least five years experience in the COAH field.
- N. Risk Management Consultant - The consultant shall assist the Municipality in identifying its insurable exposures and to recommend professional methods to reduce, assume, or transfer the risk loss. Shall assist the Municipality in understanding and selecting the various coverage's available from the Atlantic County Municipal Joint Insurance Fund, review with the Municipality any additional coverage's that the Consultant feels should be carried but are not available from the Fund and subject to the Municipality's authorization place such coverage outside the fund. Shall further assist in the preparation of applications, statements of values and similar documents requested by the Fund, review the municipalities' assessment as prepared by the Fund and assist the municipalities' preparation of its annual insurance budget. Review the loss and engineering reports and generally assist the safety committee in its loss containment

objectives. Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjuster. And any other services as required

- O. Planning Consultant - Provide professional planning services and advise the Township Committee, Planning and Zoning Boards, on the master plan, housing plan, zoning and land use matters, plan endorsement, environmental studies, and other related planning services that may be deemed necessary to the Township.
- P. Ethics Board Attorney - Legal Advisor to the Middle Township Ethics Board as needed on a case to case basis.
- Q. Planning Board Engineer – Engineer to the Planning Board. Required to have planner certification as well as P.E.. May be required to spend at least one day a week in Township Hall meeting with residents regarding planning issues. Planning Board meets twice a month, during the evening hours. The Engineer is expected to be immediately available to the Board Attorneys, Zoning Board Officer, Board Members and Zoning and Planning Office. Minimum qualifications are at least five years' experience in some governmental capacity. Required to have sufficient staff to meet Township's demands.
- R. Zoning Board Engineer - Engineer to the Zoning Board. Required to have planner certification as well as P.E. May be required to spend at least one day a week in Township Hall meeting with residents regarding zoning issues. Zoning Board meets once a month, during the evening hours. The Engineer is expected to be immediately available to the Board Attorneys, Zoning Board Officer, Board Members and Zoning and Planning Office. Minimum qualifications are at least five years' experience in some governmental capacity. Required to have sufficient staff to meet Township's demands.
- S. Ethics Board Attorney - Legal Advisor to the Middle Township Ethics Board as needed on a case to case basis.

10. RESOLUTION 474-15 - 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; 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 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
Carty, Richard J. and Kimberly A.	112 David Road	1417 // 4	\$314.55
Hansen, Harold J. and Ida C.	16 Woodland Road	51 // 55	\$196.85
Kaced, Rahab and Membarka	211 Vermont Avenue	1493 // 6	\$169.02
Spaulding, Islane W.	44 W. Shellbay Avenue	329.03 // 31	\$169.02
Butler, Cheryl B.	430 Shunpike Road	325 // 13	\$169.02

11. RESOLUTION 475-15 – TAX SALE CERTIFICATE PREMIUM – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, pursuant to N.J.S.A. 54:5.1, if a tax sale certificate has a premium and is foreclosed by a lienholder the premium becomes part of the foreclosure and is turned over to the C.F.O. of the Municipality; and

WHEREAS, Section 13 requires that if a tax sale certificate has not been redeemed at the end of five years, the premium payment is then paid over to the Treasurer of the Municipality and the premium becomes part of the general municipal revenue for that year; and

WHEREAS, the certificate listed below was foreclosed by the lienholder and now the premium will become part of the general fund.

TAX SALE PREMIUM

ACCOUNT	BLOCK	LOT	CERT#	LIENHOLDER	AMOUNT
3190	164.02	15	2014-7371	Ebury	\$4,000.00

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that a check in the amount of \$4,000.00 be accepted by the Chief Financial Officer from the Collector's lien redemption account.

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

12. RESOLUTION 476-15 – AUTHORIZING THE WAIVING OF VENDOR FEES FOR HARVEST FESTIVAL – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, the following organizations are either charitable or non-profit; WHEREAS, the fees for the following vendors are hereby waived for the 2015 Harvest Festival:
- Middle Township Animal Advisory Board
Middle Township Environmental Commission
Middle Township Veterans Advisory Board
Middle Township CERT and Emergency Management
Middle Township Youth Wrestling
Middle Township Public Schools
Middle Township Chamber of Commerce
Middle Township Youth Football
Toys for Tots
Freedom Fighters
13. RESOLUTION 477-15 - RELEASE OF TRUST ACCOUNTS – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid, and WHEREAS, the applicants are entitled to a refund of this money. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts, as listed on the attached sheets, shall be released.
14. RESOLUTION 478-15 - APPROVE CHANGE ORDER NO. 3 (FINAL) – 2014 ROAD PROGRAM – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, 2014 Road Program Project was awarded March 2, 2015 via Resolution No. 124-15 to Jerry & Son Excavating, Inc. NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the attached Change Order #3 for the project awarded to Jerry & Son Excavating, Inc. be and is hereby approved in the credit amount of \$8,194.45.
15. RESOLUTION 479-15 - AUTHORIZING TOWNSHIP TO EXCEED 60-DAY BID LIMITATION – COLLECTION OF MUNICIPAL COURT FEES AND TRAFFIC FINES – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, it was deemed necessary and desirable to solicit for bids for Collection of Municipal Court Fees and Traffic Fines; and WHEREAS, the Township received bids on December August 12, 2015 at 1:00pm for said project, and WHEREAS, NJSA 40A:11-24 delegates the time table for making awards and returning deposits, and WHEREAS, statute states that the contracting unit shall award or reject the contract in no case more than 60 days after receipt, except that the bidders who consent thereto at the request of the contracting unit, be held for consideration for such longer period as agreed, and WHEREAS, all bid security, except the security of the three apparent lowest responsible bidders, shall be returned, unless otherwise requested by the bidder, and WHEREAS, the Township of Middle does hereby wish to exceed said time frame for an additional sixty (60) days, and WHEREAS, the Township will request written consent from the three lowest bidders, if applicable, to retain all bid documents for an additional 60 days or until an award is made. NOW THEREFORE BE IT RESOLVED, by the Township of Middle, County of Cape May, State of New Jersey, that the Township of Middle is hereby authorize to extend the award time for the above referenced project for sixty (60) additional days.
16. RESOLUTION 480-15 - SUPPORTING THE DESIGNATION OF BUS STOPS – 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 received a letter from the State of New Jersey, Department of Transportation, recommending the placement of several NJ Transit Bus Stops; and WHEREAS, the Township Committee of the Township of Middle, along with the Middle Township Traffic Committee, has reviewed the request and agrees with the establishment of bus stops as indicated above; and 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 hereby requested as a designated bus stops:
- Along Route US 9, northbound, on the easterly side at:
- A. Main Street- (far side) (NJ Transit ID# 16575)
Beginning at the northerly curb line of Main Street and extending 100 feet northerly therefrom.
- B. Joffre Avenue – (near side) (NJ Transit ID# 16576)
Beginning at the southerly curb line of Joffre Avenue and extending 105 feet southerly therefrom.
- C. Between Joffre Avenue and Oyster Road - (mid-block) (NJ Transit ID# UNKNOWN)
Beginning at a point 2635 feet north of the northerly curb line of Joffre Avenue and extending 135 feet northerly therefrom.
- D. Atlantic Avenue - (far side) (NJ Transit ID # 16577)

Beginning at the northerly curb line of Atlantic Avenue and extending 100 feet northerly therefrom.

E. Mechanic Street – (far side) (NJ Transit ID # 16578)
Beginning at the northerly curb line of Mechanic Street and extending 100 feet northerly therefrom.

F. Ormond Road – (near side) (NJ Transit ID # UNKNOWN)
Beginning at the southerly curb line of Ormond Road and extending 105 feet southerly therefrom.

G. Between Stone Harbor Boulevard (CR 657) and Orbit Drive– (mid-block) (NJ Transit ID #16579)
Beginning a point 180 feet north of the northerly curb line of Stone Harbor Boulevard and extending 135 feet northerly therefrom.

H. Between Orbit Drive and Easy Street – (mid-block) (NJ Transit ID # 16580)
Beginning at a point 1360 feet north of the northerly curb line of Orbit Drive and extending 135 feet northerly therefrom.

I. Fox Run Road – (near side) (NJ Transit ID # 16581)
Beginning at the southerly curb line of Fox Run Road and extending 105 feet southerly therefrom.
Along Route US 9, southbound, on the westerly side at:

A. Between Easy Street and Orbit Drive- (mid-block) (NJ Transit ID# 16569)
Beginning at a point 2153 feet south of the prolongation of the southerly curb line of Easy Street and extending 135 feet southerly therefrom.

B. Between Market Street/Orbit Drive and Court House/S Dennis Road (CR 657) - (mid-block) (NJ Transit ID# 16570)
Beginning at a point 75 feet south of the southerly curb line of Market Street/Orbit Drive and extending 135 feet southerly therefrom.

C. Ormond Road - (near side) (NJ Transit ID# 30342)
Beginning at the prolongation of the northerly curb line of Ormond Road and extending 105 feet northerly therefrom.

D. Mechanic Street (CR 615) - (near side) (NJ Transit ID# 16571)
Beginning at the northerly curb line of Mechanic Street (CR 615) and extending 105 feet northerly therefrom.

E. Atlantic Avenue - (near side) (NJ Transit ID# 16572)
Beginning at the northerly curb line of Atlantic Avenue and extending 105 feet northerly therefrom.

F. Between Oyster Road and Indian Trail Road (CR 618) - (mid-block) (NJ Transit ID# UNKNOWN)
Beginning at a point 1550 feet south of the southerly curb line of Oyster Road and extending 135 feet southerly therefrom.

G. Between Indian Trail Road (CR-618) and E. Lena Street - (mid-block) (NJ Transit ID# 16573)
Beginning at a point 340 feet south of the southerly curb line of Indian Trail Road (CR 618) and extending 135 feet southerly therefrom.

H. Main Street - (near side) (NJ Transit ID# 16574)
Beginning at the northerly curb line of Main Street and extending 105 feet northerly therefrom.

BE IT FURTHER RESOLVED, that per the “Repealer Clause”, the Township of Middle concurs that any approved bus stop locations or traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED, that if authorized by NJ Transit and NJ Department of Transportation, the Township Committee of the Township of Middle will enforce the Traffic Regulation Order governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

17. RESOLUTION 481-15 - ACKNOWLEDGEMENT OF TERMINATION - 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 termination listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
William Chrzanowski	Public Safety	PS Telecommunications Operator P/T	10/26/2015

18. RESOLUTION 482-15 - REFUND OF SEWER RENT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, a refund is due as a result of pre-payments made in error by homeowner for sewer rent.

ACCOUNT	BLOCK	LOT	OWNER / LOCATION	AMOUNT
18615	1432	6 C0055	Stipa, Eugene & Patricia 1405 Tidewater Ave Rio Grande, NJ 08242	\$420.00

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 check in the above noted amount payable to the above mentioned party, as a refund of sewer rent; and
BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

19. RESOLUTION 483-15 – CANCEL TAXES – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, cancellation of taxes is due to Mr. Purugganan, as he has been granted 100% disabled American Veteran status as of September 29, 2015 by the Cape May County Board of Taxation.

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	2015	2016
1441	50	54	Purugganan, Adolfo C Jr Property location: 9 Bucks Ave	\$846.25	\$1,677.20

20. RESOLUTION 484-15 – REFUND OF TAXES – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, a refund due to the homeowner as a result of deductions being granted that created an overpayment for 2015.

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	2015
6403	409	6	Tobin, Shirley A 16 S 5 th Street Del Haven, NJ 08251	\$250.00

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.

21. RESOLUTION 485-15 – INSERTION OF SPECIAL ITEM OF REVENUE – NO NET LOSS REFORESTATION GRANT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount. NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2015 in the sum of:

No Net Loss Reforestation Grant \$382,500.00

BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:

No Net Loss Reforestation Grant \$382,500.00

22. RESOLUTION 486-15 – INSERTION OF SPECIAL ITEM OF REVENUE – 2015 STATE BODY ARMOR REPLACEMENT FUND – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount. NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2015 in the sum of:

2015 State Body Armor Replacement Fund \$4,625.51

BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:

2015 State Body Armor Replacement Fund \$4,625.51

23. RESOLUTION 487-15 - APPOINTMENTS – VOLUNTEER BOARD – VETERANS ADVISORY BOARD – 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 individuals are hereby appointed to the Middle Township Veterans Advisory Board for the term of office opposite their name:

NAME	POSITION	TERM EXPIRES
Nicholas Anzelone	Member	12/31/2015

24. RESOLUTION 488-15 – ADOPTING A PURCHASING MANUAL TO ESTABLISH THE PURCHASING POLICY AND PROCEDURES FOR 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 Qualified Purchasing Agent has developed a Purchasing Manual to establish the purchasing policy and procedures for the Township of Middle; and

WHEREAS, the adoption of such a Purchasing Manual will help to assure the Township's purchasing policy and procedures are in compliance with Local Public Contract Law (N.J.S.A. 40A:11 et. seq.); and

WHEREAS, the Qualified Purchasing Agent recommends that the Middle Township Council adopt the

Purchasing Manual to implement the purchasing policy and procedures to assure compliance and improve efficiency for the Township; and

WHEREAS, the Qualified Purchasing Agent recommends that the Purchasing Manual be distributed to all Department Heads with a directive that the policy and procedures contained therein are to be followed for all purchases of and/or for the Township of Middle; and

WHEREAS, the Chief Finance Officer and Township Administrator agree with the Qualified Purchasing Agent recommendations; and

NOW, THEREFORE BE IT RESOLVED that the Committee of the Township of Middle hereby adopts

a Purchasing Manual which contains the purchasing policy and procedures for the Township of Middle and that said Purchasing Manual shall be distributed to all Department Heads with a directive that the procedures contained therein are to be followed for all purchases of and/or for the Township of Middle.

25. RESOLUTION 489-15 – RESOLUTION TO INCREASE PUBLIC BIDDING THRESHOLD – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the public bidding threshold for Municipal Contracting Units is adjusted every five years by the State Governor in conjunction with the Department of Treasury; and

WHEREAS, the Township of Middle “Township” desires to take advantage of the increased bid threshold to expeditiously purchase goods and services which ultimately saves the Township time and money; and

WHEREAS, pursuant to the provisions of the Local Public Contracts Laws N.J.S.A. 40A:11-3, as authorized by the New Jersey State Treasurer, effective July 1, 2015 the Township can increase its Public Bidding threshold from \$17,500.00 to \$40,000.00 if the Township has a Qualified Purchasing Agent; and

WHEREAS, through resolution, Joshua Niemann is designated a Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq. and N.J.S.A. 40A:11-3; and

NOW, THEREFORE BE IT RESOLVED, by the Committee of the Township of Middle, in the County of Cape May, in the State of New Jersey hereby increases its public bidding threshold to \$40,000.00.

26. RESOLUTION 490-15 - 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
Kimberly Enteado	Finance	Account Clerk P/T T/A	Account Clerk F/T	11/02/2015	\$34,000.00

27. RESOLUTION 491-15 - ESTABLISHING A SPECIAL ASSESSMENT BOARD – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary to outline appointments in connection with a Special Assessment Board for the Sterback Harbor Dredging Project in Middle Township;

WHEREAS, the Special Assessment Board shall consist of three members to be appointed by the Township Committee; and

WHEREAS, the members of said board shall be appointed by the Township Committee of the Township of Middle; and

WHEREAS, the terms of said members shall be as follows:

- (1) All appointees shall be appointed for a one-year terms, expiring on December 31st of each year;

NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey, that the following members are hereby appointed to serve on the Special Assessment Board:

MEMBER	TERM EXPIRES
Lee Ann Russ, Tax Assessor	12/31/2016
John Clifford, Chief Financial Officer	12/31/2016
Michael Clark, Committeeman	12/31/2016

28. RESOLUTION 492-15 – APPOINTMENTS – 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
Joni Frangieh	Public Safety	Special Class II Police Officer	\$10.50ph	110/3/2015

29. PUBLIC COMMENT:

Committeemember Clark:

- Spoke of great turnout at Harvest Festival. Great work done by all departments.
- Election Day 11/3, encouraged residents to take the time to vote

Committeemember Lockwood:

- Echoed Committeemember Clark's comments about Harvest Festival
- Volunteer Board Appreciation Dinner on 10/30, recognized Peter Lomax as Volunteer of the Year
- Congratulations to Nick Anzelone on appointment to Veteran's Advisory Board
- Public Works carpool update, credit to John Clifford for help with tracking expenses per Public Works vehicle. All reporting done "in house", helps morale of employees and safety of employees. Also mentioned GPS system in new Public Works carpool vehicles.
- Route 9 paving, final paving not done yet
- "Traffic calming" concerns with parkway project
- Analysis of professional fees done by finance department, cut \$330,000 of engineering and legal fees in last several years.

Mayor Donohue:

- Echoed Harvest Festival comments
- Recognized Dave Benson of Middle Township Gazette on coverage of Township events
- Recognized Nancy McDevitt for jobs well done with recreation special events
- Grassy Sounds house has been removed from water
- Middle Township Environmental Commission annual clean up event being held on 11/8, pre-registration on website. Rain date will be 11/14.
- Recognized Nick Anzelone, young veteran recently out of service – will be serving on Veterans Advisory Board
- Thanked volunteers, recognized Peter Lomax as Volunteer of the Year
- Increase of bid threshold – thanked John Clifford and Josh Neimann for creation of new manual
- Echoed Committeemember Clark's comment about Election Day, encouraged residents to vote

Lillian Wayne, Whitesboro:

- Spoke of low limbs on trees on West Wiley Street between Fishborn and Gibbs
- Asked about accurate times to put our trash before trash day, suggested press release in newspaper with information for residents

Committeemember Lockwood:

- Mentioned recently acquired machinery in Public Works used to cut back brush.

Mayor Donohue:

- Will look at trees and consider trash advertisement.

Stan Doniger:

- Thanked Committee for explanation on bidding.
- Questioned salary for Class II Officers, believes it should be higher if they are carrying a weapon.

Mayor Donohue:

- Spoke of Class II training, agrees that salary should be higher

Chief Leusner:

- Salary is competitive with other municipalities, budget discussions to possibly increase.

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