

Cape May Court House, NJ
December 7, 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, and Township Engineer Marc DeBlasio. **Township Clerk Kimberly Krauss was absent.**

1. PUBLIC HEARING – ROBERT “OCKIE” WISTING RECREATION COMPLEX – PROPOSED CHANGE OF USE
*Connie Mahon –
Provided synopsis of proposed change of use and reason for change of use.*
*Vilma Pombo, Swainton –
Expressed opposition to change of use, discussed environmental concerns.*
*Mayor Donohue –
Provided details on proposed use of available fields for sporting uses, rather than having to schedule use of school fields.*
*Vilma Pombo –
Questioned irrigation at complex and condition of existing well on property.*
*Mayor Donohue –
Discussed the current irrigation infrastructure and use of well on property.*
*Bette McGirk, Cape May Court House –
Asked about number of parking spaces at complex for five fields.*
*Connie Mahon –
Addition of approximately 49 parking spaces.*
*Mayor Donohue –
Indicated that there will be a total of about 100 parking spaces.*
*Josh Nemeth –
Asked about plans for planting trees on property.*
*Committeemember Lockwood –
Spoke of the “No Net Loss” project going on in Middle Township with reforestation in connection with the parkway project. Program will also allow and provide for the planting of trees at the complex. Spoke of staggered double row of trees to provide for wind breaks as opposed to shade tree areas, although shade trees have also been considered. Welcomed any additional ideas or suggestion from the public.*
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.)
*John Clifford, CFO for the Township –
Asked Committee to consider amount of work which would need to be done if they decided to change financial institutions (in regards to RFP for Banking Services)*

*Stan Doniger –
Asked about the selling of the surplus police motorcycle.*
*Captain Edwards –
Third motorcycle in fleet, not needed, older (2001) model.*
3. RESOLUTION 504-15 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – 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. \$3,597,046.17
4. RESOLUTION 505-15 – APPROVING PAYMENT FOR BILLS – BILL LIST B (Anzelone) – 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. \$182.00
5. RESOLUTION 506-15 – 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 Meeting 11/16/2015, BOH 11/16/2015, and Regular Meeting 11/16/2015.

6. **REPORTS:** The following departments have submitted their reports for the months indicated: Construction for the month of November 2015, Zoning for the month of November 2015, Sewer for the month of November 2015, and Tax Collector for the month of November 2015.
7. **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** – Following second reading, hearing, and consideration for adoption, Ordinance 1516-15 was adopted on motion by _____ seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
BE IT ORDAINED by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey that it is necessary that Township owned land be sold by a private sale to a contiguous owner.
SECTION 1.
WHEREAS, New Jersey Statute 40A:12-13 provides the procedure for the sale of Township owned land, and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Township owned parcel provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and also provided that any such sale shall be for not less than the fair market value of the real property; and
WHEREAS, the Township owns a parcel of land identified as Block 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.
8. **RESOLUTION 507-15 – INSERTION OF A SPECIAL ITEM OF REVENUE – DRIVE SOBER OR GET PULLED OVER YEAR END CRACKDOWN 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:
2015 Drive Sober or Get Pulled Over Year End Crackdown Grant \$5,000.00
BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:
2015 Drive Sober or Get Pulled Over Year End Crackdown Grant \$5,000.00

9. RESOLUTION 508-15 – 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
Valentina Railic	Municipal Court	Keyboarding Clerk 1 F/T	\$22,000.00	11/30/2015
Calvin Macwan	Public Safety	Special Class II Police Officer	\$8.38ph	12/3/2015
Salvatore DeSimone*	Construction	Construction Official / Director of Inspections	\$10,000.00	11/21/2015
Michael Watkins	Public Works	Laborer 1 P/T T/A	\$9.00ph	12/14/2015

*Hired from Certification List OL151340

10. RESOLUTION 509-15 – 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 Markee	Public Works	Laborer 1 F/T	9/15/2015
Danielle LoSasso	Municipal Court	Keyboarding Clerk 1	11/20/2015

11. RESOLUTION 510-15 – 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.

12. RESOLUTION 511-15 THROUGH 512-15 – 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, a refund is due, as a result of overpayment by the Mortgage Company;

ACCT	BLOCK	LOT	OWNER/LOCATION	2015
17307	1418	6	Giordano, Ernest M Property location: 12 Davis Rd	\$977.47

Please make check payable and send to:

Lereta Real Estate Tax Service
1123 S Parkview Drive
Covina, CA 91724

NOW THEREFORE 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 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, a refund is due, as a result of overpayment by the Mortgage Company.

ACCT	BLOCK	LOT	OWNER/LOCATION	2015
15424	13.02	37	Leach, Brian J & Tara J Property location: 11 Bay Acres Drive	\$1,643.05
16781	48	54	Mc Cart, Jeffrey A & Tami M Property location: 7 Lacivita Drive	\$1,275.74
1441	50	54	Purugganan, Adolfo C Jr & Linda M Property location: 9 Bucks Ave	\$846.25
1961	96.02	23	Harvey, Charles F III & Carol Property location: 372 Ch So Dennis Rd	\$1,677.99
4328	214	4	Pett, Donna L Property location: 5 Winding Way	\$1,112.88
6303	399	5	Marzan, Ryan R & Sheila D Property location: 12 N 12 th St	\$616.65
14651	1472	20	Stiltner, Kirby Sr & Sandra Property location: 307 N 3 rd St	\$670.89

18904	226.04	10.02	Juni-Remy, Ramela Property location: 8 Romney Place East	\$552.05
12973	1113	3	Aquilino, Kimberly Property location: N 2 nd Ave	\$86.76

Please make check payable and send to:

Corelogic Real Estate Tax Service
P.O. Box 961250
Fort Worth, TX 76161

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

13. RESOLUTION 513-15 THROUGH 514-15 – AUTHORIZE MAYOR TO EXECUTE DISCHARGE OF MORTGAGE (ITEMS A THROUGH B) – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
(A) 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 mortgage loan for Elvira T. Kalish in the amount of Seven Thousand Nine Hundred (\$7,900.00) Dollars is hereby authorized to be discharged.
BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.
(B) 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 mortgage loan for Elvira T. Kalish in the amount of Nine Hundred (\$900.00) Dollars is hereby authorized to be discharged.
BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.
14. RESOLUTION 515-15 – AUTHORIZING APPLICATION – MUNICIPAL ALLIANCE GRANT FY2016-17 – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.
WHEREAS, The Township Committee of the Township of Middle, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,
WHEREAS, the Township of Middle Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,
WHEREAS, the Township of Middle Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Cape May;
NOW, THEREFORE, BE IT RESOLVED by the Township of Middle, County of Cape May, State of New Jersey hereby recognizes the following:
1. The Township of Middle Committee does hereby authorize submission of a strategic plan for the Middle Township Municipal Alliance grant for fiscal year 2017 (July 1, 2016 to June 30, 2017) in the amount of:

DEDR	\$12,642
Cash Match	\$ 3,161
In-Kind	\$ 9,481
 2. The Township of Middle Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
15. RESOLUTION 516-15 – 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 (PROFESSIONAL SERVICES) – On motion by Committeemember Lockwood seconded by Mayor Donohue 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 December 8, 2015 and continuing on the website through December 29, 2015. Said request will also be advertised in the Cape May County Herald Newspaper on December 16, 2015.
2. The Township shall accept proposals until 1:00 o'clock on December 29, 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 December 29, 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.

16. ****TABLED**** RESOLUTION 517-15 – 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 (SPECIAL PROJECT ENGINEER) – On motion by _____ seconded by _____ 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 December 8, 2015 and continuing on the website through December 29, 2015. Said request will also be advertised in the Cape May County Herald Newspaper on December 16, 2015.
2. The Township shall accept proposals until 1:00 o’clock on December 29, 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 December 29, 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. **Special Project Engineer** From time to time the Township of Middle has the need for engineering services in connection with various municipal projects that Township Committee designates as special projects for which the engineering services are to be performed by an engineer other than the regularly appointed Township Engineer. For such special projects the engineer shall perform services that include, but are not necessarily limited to, the following;

- a. Prepare feasibility studies as requested by the Township;
- b. Perform all necessary field work and prepare drawings and surveys for Township capital improvement projects;

- c. Prepare plans in sufficient detail to illustrate the work to be performed for subject projects;
- d. Prepare plans and specifications in a form as required for public bidding and in such detail as is required to describe the work to be performed by the contractor for such projects as designated by the Township.
- e. Assist the Township or its representatives in the preparation of the necessary applications and/or permit forms as required by the nature of the work for submission to the proper agencies of government having jurisdiction over the work. The Special Projects Engineer shall not be responsible for any failure on the part of governmental agencies to issue permits, delay issuance of permit, or conditions imposed on permits by such governmental agency.
- f. Assist the Township in the receiving, analyzing and tabulation of bids received with recommendations by the Special Projects Engineer to the Township or its authorized representative.
- g. Compile sets of contracts for Township projects; obtain performance bond and contract signatures from contractor; forward contracts to Township for approval and following approval by Township forward contracts to contractor along with proceed order.
- h. Furnish observation of work as to progress and general quality; however, the Special Projects Engineer is not responsible for supervising the Township's contractors or commenting on, overseeing, or providing the means and methods of their work, including job site safety and the Special Projects Engineer is not responsible for the failure of Township's contractors to properly perform their work.
- i. Review and approve or disapprove shop drawings prepared by contractors or manufacturer, but only for the limited purpose of checking for the design concept expressed in the drawings and specifications. Such review by Special Projects Engineer is not conducted for the purpose of determining the accuracy and completeness of other details, such as dimensions and quantities. The Special Projects Engineer's review shall not constitute approval of safety precautions or of construction means, methods, techniques, sequences or procedures.
- j. Report on contractor's request for change orders and proposals to Township, submit the Special Projects Engineer's recommendation as to whether or not Township should approve said change order, and prepare change orders as approved.
- k. Prepare and submit monthly certificates for interim payments according to contract items as work progresses and prepare and submit a final certificate upon, said certificate to state that, to the best of the Special Projects Engineer's knowledge, based upon the observations made, the contractor has performed in accordance with the plans, specifications and change orders.
- l. Furnish full time resident inspection of the work, if authorized by the Township, consisting of: (1) reporting on and making recommendations relating to the progress of the work and noting to Township any observed defects, deficiencies and unnecessary delays in the work of the contractor (without in any way guaranteeing such work) and (2) approving of materials and equipment furnished.
- m. Furnish copies of plans and specifications as follows:
 - One set for Township during bidding;
 - Three sets to Township for preparing contracts;
 - Two sets to State and/or Federal Agencies for approvalsAll other copies as required by Township or contractors shall be furnished at cost of reproduction to those requesting additional copies.
- n. Attend Township meetings when contractor's proposals are to be accepted.
- o. Perform other planning services for the benefit of the Township upon authorization, such as the following: hydrographic surveys; property surveys; easement surveys and descriptions; assisting the Township in connection with adjudication, litigation or negotiation; preparation of forms required by various agencies of government for permits or for grants or loans; preparation of "as built" drawings upon completion of a project from data furnished by contractor; preparation of maps; review of site plans and subdivision plans; attending meetings as requested by Township; making drawings from field measurements of existing construction when required for planning additions, or alterations thereto; additional services due to significant changes in general scope of the project or its design, including but not limited to, changes to size, complexity or character of construction; revising previously approved studies, reports, design documents, and drawings or specifications during or after design phase; preparing documents for alternate bids requested by the Township for work which is not executed; preparing detailed renderings; exhibits, or scale models for the project; investigations involving study of operation, maintenance and overhead expenses, and the preparation of rate schedules, earning and expense

statements, feasibility studies, appraisals and evaluations; additional or extended services during construction made necessary by work damaged by fire or other cause during construction, prolongation of the construction contract time by more than 25%, acceleration of the work schedule involving services and normal working hours, and contract default due to contractor delinquency or insolvency; assistance or instruction in the start-up and continued operation of equipment or devices and the preparation of manuals of operation and maintenance.

The contractor shall possess all required State of New Jersey licenses or certifications.

The Special Projects Engineer shall be a duly licensed professional engineer by the State of New Jersey in accordance with the provisions of N.J.S.A. 45:14A-1, et. seq., and any administrative regulations promulgated thereunder.

The resumes or curricula vitae of all individuals who will perform services under the contract on behalf of the Township of Middle shall be submitted with the prospective contractor's proposal.

The prospective contractor's proposal shall clearly set forth the proposed financial compensation to be paid to the contractor under the contract.

A proposed contract shall be submitted with the contractor's proposal.

Committee discussed the reason for this type of position and if it would be beneficial to the Township and its residents. Committee mentioned the possibility of a "Request for Qualifications" rather than a "Request for Proposal". Agreed to "table" Resolution and discuss at a future Work Session meeting.

17. RESOLUTION 518-15 – SEWER ADJUSTMENT – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
WHEREAS, Block 1464.01, Lot 4 assessed to Middle Township Fire District #2 located at 1116 Rte 47 South in Rio Grande was billed in error for 2015 as this is vacant ground;
NOW, THEREFORE, BE IT RESOLVED, that the sewer bill for 2015 will be decreased by 1 commercial unit in the amount of \$640.00.

18. RESOLUTION 519-15– AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACT – LOMAX CONSULTING GROUP – ENVIRONMENTAL CONSULTING SERVICES – NO NET LOSS REFORESTATION – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle has a need to enter into an agreement with Lomax Consulting Group for environmental consulting services, as a non-fair and open contract pursuant to the provisions under the Pay to Play regulations; and
WHEREAS, the Township of Middle will be entering into an agreement with Lomax Consulting for services, where the total amount of the proposals provided will have a total value that will exceed \$17,500; and
WHEREAS, Lomax Consulting Group has completed and submitted a Business Entity Disclosure Certification which certifies that said entity has not made any reportable contributions to a political or candidate committee in the Township of Middle in the previous one year, and that the contract will prohibit the Lomax Consulting Group from making any reportable contributions through the term of the contract.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that authorization is hereby granted to enter into an agreement with said contractor and that the appropriate officials are hereby authorized to sign any and all document in connection therewith.
BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

19. RESOLUTION 520-15 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – LOMAX CONSULTING GROUP – ENVIRONMENTAL CONSULTING SERVICES – COMMUNITY FORESTRY MANAGEMENT PLAN – 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 Agreement between Lomax Consulting Group and the Township of Middle for environmental consulting services for the Community Forestry Management Plan, 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.

Lomax Consulting Group
Environmental Consulting Services
Community Forestry Management Plan
\$4,775.00

20. RESOLUTION 521-15 - APPOINTMENT – 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	POSITION	TERM EXPIRES
Lisa Mericle*	Recreation Advisory Council	Member	12/31/2017

*filling unexpired term of vacant position

21. RESOLUTION 522-15– 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 Keith Woodrow and the Township of Middle.
22. RESOLUTION 523-15 – AUTHORIZING MAYOR TO SIGN AGREEMENT AUTHORIZING TEMPORARY DISCHARGE TO SANITARY SEWER BETWEEN THE TOWNSHIP OF MIDDLE AND ATLANTIC CITY ELECTRIC COMPANY – On motion by Mayor Donohue seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to sign the Agreement Authorizing Temporary Discharge to Sanitary Sewer between the Township of Middle and Atlantic City Electric Company.
Connie Mahon –
Discussed upcoming upgrade to Atlantic City Electric infrastructure and need for dewatering to install new infrastructure. Escrow money has been received by Atlantic City Electric to cover costs from MUA for project. Negotiated special rate with MUA for the project. Project is environmentally safe and will have daily monitoring.
23. RESOLUTION 524-15 – AUTHORIZING MAYOR TO SIGN PERMIT – NJDEP COASTAL AND FLOOD HAZARD PROGRAM PERMIT APPLICATIONS – AVALON MANOR FISHING PIER, OLD AVALON BOULEVARD RIGHT-OF-WAY – 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 USACE ENG FORM 4345 and DLUR form, as it related to the NJDEP Coastal and Flood Hazard Program Permit Application for the Avalon Manor Fishing Pier – Old Avalon Boulevard Right-of-Way.
FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents.
24. RESOLUTION 525-15 – AWARD OF BID – JANITORIAL SERVICES – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
WHEREAS, it has been deemed necessary and desirable to solicit bids for Janitorial Services for various township buildings; and
WHEREAS, sealed bids were received on November 9, 2015 at 11:00am; and
WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for Janitorial Services be and hereby is awarded to:
B&E Service, Inc. - \$23,880.00 – 1 year contract*
FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds.
*Contract period shall be for a period of twelve months, with two (2) twelve month extensions at the discretion of the Township Committee.
25. RESOLUTION 526-15 – APPROVE CHANGE ORDER NO. 1 (FINAL) – NJSH ROUTE 9 SIDEWALK INSTALLATION PROJECT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, NJSH Route 9 Sidewalk Installation project was awarded November 3, 2014 via Resolution No. 564-14 to Charles Marandino, LLC in the amount of \$167,959.70.
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 #1 – Final, for the project awarded to Charles Marandino, LLC be and is hereby approved in the credit amount of \$9,147.50.
26. RESOLUTION 527-15 – TRANSFER OF FUNDS – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, it is legal and lawful to make budget transfers on and after the first day of November in any budget year; and
NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that the following transfers of budget appropriations be made in the budget of Middle Township for the year 2015:

From:		
-------	--	--

Police S&W	5-01-25-240-240-100	\$41,000.00
Totals		\$41,000.00
To:		
Police OE	5-01-25-240-240-200	\$41,000.00
Totals		\$41,000.00

27. RESOLUTION 528-15 THROUGH 531-15 – AUTHORIZING PURCHASE UNDER STATE CONTRACT (ITEMS A THROUGH D) – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.

(A) WHEREAS, there is a need to purchase one (1) police vehicle; and
WHEREAS, through the State Contract Purchasing System, Contract #T-2776 / A88728, this vehicle is available; and
WHEREAS, the total amount for one standard vehicle is \$26,388.00, and funds are available as evidenced by the Chief Financial Officer's Certification; and
WHEREAS, the vehicles being purchased by authorization of this resolution is a 2016 Ford Utility Interceptors; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Middle, State of New Jersey, County of Cape May that the Police Department is hereby authorized to purchase one (1) of the aforementioned vehicles at a cost of \$26,388.00 per vehicle.

FURTHER RESOLVED, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:

Winner Ford
250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034

(B) WHEREAS, there is a need to purchase one Stainless Steel Dump Body for use in the Public Works department; and

WHEREAS, through the State Contract Purchasing System, Contract #T-2108 – Contract #89272, these items are available; and

WHEREAS, the total amount of the purchase for one Stainless Steel Dump Body is \$13,651.25, and funds are available as evidenced by the Chief Financial Officer's Certification; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Middle, State of New Jersey, County of Cape May that the appropriate officials are hereby authorized to purchase one Stainless Steel Dump Body as indicated above.

FURTHER RESOLVED, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:

HA DEHART & SON

(C) WHEREAS, there is a need to purchase twelve (12) Monadnock Peacekeeper II shields for use by the Township of Middle Police Department; and

WHEREAS, through the State Contract Purchasing System, Contract #T-0106– Contract #82102, these items are available; and

WHEREAS, the total amount of the purchase for twelve (12) Monadnock Peacekeeper II shields is \$1,831.20 (\$152.60 each), and funds are available as evidenced by the Chief Financial Officer's Certification; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Middle, State of New Jersey, County of Cape May that the appropriate officials are hereby authorized to purchase twelve (12) Monadnock Peacekeeper II shields as indicated above.

FURTHER RESOLVED, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:

Atlantic Tactical, Inc.

(D) WHEREAS, there is a need to purchase thirty (30) Protech face shields for use by the Township of Middle Police Department; and

WHEREAS, through the State Contract Purchasing System, Contract #T-0106– Contract #82102, these items are available; and

WHEREAS, the total amount of the purchase for thirty (30) Protech face shields is \$1,593.00 (\$53.10 each), and funds are available as evidenced by the Chief Financial Officer's Certification; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Middle, State of New Jersey, County of Cape May that the appropriate officials are hereby authorized to purchase thirty (30) Protech face shields as indicated above.

FURTHER RESOLVED, that the Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:

Atlantic Tactical, Inc.

28. RESOLUTION 532-15 – APPROVAL FOR PAYMENT CASH OUT SICK LEAVE –

VARIOUS EMPLOYEES – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the Township allows the cash out of accumulated sick time by employees who meet the guidelines set forth in the personnel policy manual; and

WHEREAS, the personnel office has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time;

NOW THEREFORE BE IT RESOLVED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employees in the amount referenced below.

NAME	HOURS	HOURLY RATE	TOTAL COST
Adams, William	60	\$55.31	\$3,030.25
Becker, Debbie	35	\$28.80	\$1,085.26
Burke, Nancy	40	\$13.86	\$596.69
Camp, Chris	40	\$30.02	\$1,292.73
D'Alonzo, James	60	\$46.80	\$2,720.66
Edwards, John	60	\$58.42	\$3,200.27
Fiore, Francis	16	\$50.38	\$735.99
Fowle, Merrill	40	\$15.74	\$677.82
Garrison, Anne	28	\$26.71	\$805.02
Graham, Jennifer	36	\$25.98	\$1,006.73
Higginbottom, Mark	60	\$50.38	\$2,759.94
Johnson, Phillip	60	\$46.80	\$2,720.66
Kalish, Vera	35	\$28.78	\$1,102.09
Karstens, Kendra	28	\$20.18	\$608.21
Klec, Raymond	40	\$15.96	\$687.12
Larkin, Leonard	60	\$35.99	\$2,091.94
Leusner, Christopher	60	\$64.26	\$3,520.33
Lindholm, Martin	60	\$34.40	\$1,999.66
Linz, Brittany	35	\$19.23	\$724.57
Linz, Michael	40	\$24.23	\$1,043.52
Mahon, Constance	21	\$63.74	\$1,440.87
Martin, Jr., Kenneth	60	\$46.80	\$2,720.66
Martino, Matthew	60	\$35.99	\$2,091.94
Matthews, Robert	40	\$22.86	\$984.54
May, David	35	\$29.38	\$1,106.95
McClure, Allan	60	\$46.80	\$2,720.66
McDevitt, Sean	40	\$27.39	\$1,179.43
Miller, Marilyn	40	\$16.81	\$723.70
Nelson, Don	60	\$55.31	\$3,215.44
Niemann, Joshua	28	\$17.02	\$513.09
Norton, John	60	\$42.34	\$2,461.07
Novsak, Steven	60	\$45.51	\$2,645.63
Osmundsen, Douglass	60	\$50.38	\$2,759.94
Russ, Lee Ann	28	\$43.86	\$1,322.11
Stimmel, Dawn	35	\$26.17	\$986.20
Stocker, Clint	24	\$50.38	\$1,103.98
Stocker, Suzanne	35	\$22.36	\$842.51
Super, Tracey	60	\$39.16	\$2,276.50
Sweitzer, Jason	60	\$46.80	\$2,720.66

*total cost is inclusive of payroll tax expenses in addition to hourly rates x hours.

29. RESOLUTION 533-15 – APPROVAL FOR PAYMENT TERMINAL LEAVE – WILLIAM MARKEE - On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, William Markee was terminated with an effective date of September 15, 2015; and
WHEREAS, it is the policy of Middle Township to compensate terminated employees for accumulated vacation, compensation, and personal time; and
WHEREAS, the Human Resources Department has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time; and
NOW THEREFORE BE IT RESOLVED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employee in the amount referenced below:
William Markee
17.5 Hours Vacation Time
2.5 Hours Personal Time
Total: \$226.00 (inclusive of payroll tax expense)
30. RESOLUTION 534-15 – AUTHORIZING GRANT APPLICATION – CAPE MAY COUNTY OPEN SPACE PROGRAM – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle desires to apply for and obtain a grant from CAPE MAY COUNTY OPEN SPACE PROGRAM for approximately \$350,000.00 for improvements to the Reeds Beach/Bidwell Jetty waterfront recreation area.
NOW THEREFORE BE IT RESOLVED, that the Township of Middle does hereby authorize the application for such a grant, and
BE IT FURTHER RESOLVED, that the Township of Middle hereby recognizes and accepts that the organization may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from said organization, does further authorize the execution of any such grant agreement; and also, further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and CAPE MAY COUNTY OPEN SPACE PROGRAM.
BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary on connection therewith:

31. RESOLUTION 535-15 – SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2015 YEAR END HOLIDAY CRACKDOWN – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, impaired drivers on our nation’s roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and
 WHEREAS, 27% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and
 WHEREAS, an enforcement crackdown is planned to combat impaired driving; and
 WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and
 WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over Year End Holiday Crackdown; and
 WHEREAS, the project will involve increased impaired driving enforcement from December 11, 2015 through January 1, 2016; and
 WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;
 NOW, THEREFORE, BE IT RESOLVED, that Township Committee of the Township of Middle declares its support for the Drive Sober or Get Pulled Over 2015 Year End Holiday Crackdown from December 11, 2015 through January 1, 2016 and pledges to increase awareness of the dangers of drinking and driving.
32. RESOLUTION 536-15 – AUTHORIZING REQUEST FOR PROPOSALS – BANKING SERVICES – On motion by Committeemember Lockwood seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.
- *Committeemember Clark Abstain**
- NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Chief Finance Officer John Clifford, Township Clerk Kimberly Krauss, and Business Administrator Constance Mahon are hereby appointed to receive proposals, on January 13, 2015 at 2:00pm in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following: BANKING SERVICES
33. RESOLUTION 537-15 – RATIFY LEASE AGREEMENT – JERRY LOEWE DBA DDP YOGA FITNESS – YOGA CLASSES AT CLARENCE DAVIES SPORTS COMPLEX – 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 agreement between DDP Yoga Fitness and the Township of Middle for usage of the Clarence Davies Sports Complex to conduct “Yoga” Classes from December 10, 2015 through January 11, 2016, be and is hereby ratified.
 FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.
34. RESOLUTION 538-15 – AUTHORIZING THE SALE OF A HARLEY DAVIDSON POLICE MOTORCYCLE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, the City of Wildwood is in need of an additional Harley Davidson Police Motorcycle; and
 WHEREAS, the Middle Township Police Department has a surplus of Harley Davidson Police Motorcycles; and
 WHEREAS, both the City of Wildwood and the Township of Middle have agreed to a price of \$5,000.00, in conjunction with the written communications of the parties incorporated by this reference, for the purchase and sale of a 2001 Harley Davidson FLH Police Motorcycle, VIN #1HD1FMW171Y655056; and
 WHEREAS, the City of Wildwood has authorized payment to the Township of Middle, New Jersey for said vehicle; and
 WHEREAS, the Local Public Contracts Law N.J.S.A. 4-0A:11-5 et seq. permits the transfer between governmental bodies without the need for public bidding thereof:
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the governing body of the Township of Middle, County of Cape May and State of New Jersey, that the Township of Middle be and is hereby authorized to transfer ownership and title of said vehicle from the Middle Township Police Department, to the City of Wildwood, which agrees to accept said vehicle herein described in “AS IS” condition.
35. PUBLIC COMMENT:
- Marc DeBlasio –
 Provided update on Pierson Gravel Pit for the renewal of their 2015 License. Previous complaint regarding over-mining of gravel pit led to delay in license process. Investigation showed that pit was over-mined and owner was asked to rectify the situation. To date, the pit has not been corrected. Asked for comments from the Committee as to how to proceed with matter.*
- Mayor Donohue –
 Would like to review Ordinance and act based upon Ordinance.*
- Connie Mahon –
 Indicated that based on Ordinance, a summons would be issued to the owner.*
- Marc DeBlasio –
 Suggested a final restoration schedule and deadline. Will draft letter for Committee review and forward to pit owner.*

Marc DeBlasio , 2015 Annual Report



REMITTING & VERNICK ENGINEERS
 111 Main Street
 Remington, NJ 08857
 908-261-7100 Fax
 908-261-7101
 Remington, Vernick & Walberg Engineers
 100 Main Street
 Remington, NJ 08857
 908-261-7100 Fax
 908-261-7101
 4002 New Jersey Avenue
 Middletown, NJ 08846
 908-261-7100 Fax
 908-261-7101
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 908-261-7101
 1000 State Road 100, Suite 101
 Phillips, PA 15120
 412-332-2200
 412-332-2201
 1000 State Road 100, Suite 101
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 908-261-7100 Fax
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 Depton, NJ 07240
 908-261-7100 Fax
 908-261-7101

EXECUTIVE VICE PRESIDENTS
 Michael J. Walberg, P.E., C.M.E., C.E.P.
 Thomas F. DeBlasio, P.E., C.M.E.
 Robert B. Walberg, P.E., C.M.E.

December 7, 2015 VIA EMAIL & REGULAR MAIL

Mayor and Committee
 Township of Middle
 33 Mechanic Street
 Cape May Court House, NJ 08210

Dear Mayor and Committee:

On behalf of Remington, Vernick & Walberg Engineers, I am pleased to provide this Executive Summary regarding our services to the Township of Middle this past year. Throughout the year our team of professionals has strived to provide the highest level of expertise and quality services you expected when you engaged us as your engineer. All of the professionals at Remington, Vernick & Walberg Engineers have enjoyed working with the Administration, the Governing Body, your employees and your constituents. We hope we have exceeded your expectations.

To better serve you we have prepared this Executive Summary of services provided over the past year. If you have any questions or would like additional information, please call me and I will supply the information you request.

In 2015 Remington, Vernick & Walberg has performed:

- Escrow Reviews and Inspections On Twelve (12) Projects
- Performed Grading and Driveway Reviews on Forty-Two (42) Projects
- Performed Bulkhead Reviews and Inspections on Twelve (12) Projects
- Project Management, Design Engineering, Right of Way Services, Utility Engineering, Environmental Compliance, and Construction Observation on Twenty (20) Capital Projects
- Engineering and Support Services on Five (5) Grant and Loan Initiatives(s)
- Performed Sewer Application Reviews on Three (3) Projects

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- Secured final NJDEP permits for the Robert Oakie Welling Recreation Complex which will allow the project to be advertised for public bid in December, 2015.

Lastly, we were always available to answer questions from your constituents regarding any issues that arose on the various projects. We have enjoyed serving the Township of Middle this past year and look forward to continuing to provide the highest quality services at the greatest value for your Township.

Sincerely,
 REMINGTON, VERNICK & WALBERG ENGINEERS

Marc DeBlasio
 Marc DeBlasio, P.E., P.P., C.M.E.
 Executive Vice President

MD:cb

- cc: Jeff DeVico, Committeeman-Elect
 Constance Mahon, Administrator (via email)
 Kim Krause, Clerk (via email)
 Rob Flynn, Public Works Director (via email)

• Obtain Grants and Loans for the Following Projects:

	Grant	Loan
Cape May County Open Space Avalon Manor Fishing Pier	\$ 440,800.00	-----
Total	\$440,800.00	

Over the past year our professionals have worked approximately 4,300 hours in serving your municipality. Our services have included those enumerated above as well as attending public meetings, and providing you with monthly reports on engineering, constituent interrogatories, and other issues that have provided key information to you, so that you may effectively serve the citizens of your Township.

Remington, Vernick & Walberg successfully managed eleven (11) active (construction) capital projects on behalf of the Township. The total construction cost of these projects was approximately \$3,200,000.00. We effectively managed these projects and all of the projects were substantially completed on time and within budget. We effectively managed construction costs to reduction change orders on all projects combined.

CHANGE ORDER AMOUNTS

- Reconstruction of Second Street – Phase 2 - \$ 5,988.73
- Bike Path – Phase 4, Contract No. 1 - \$22,832.64
- Berrys Landing & South Beach Avenue - \$17,178.10
- Roadway Improvements to Stagecoach Road - \$13,116.00
- FY2014 NJDCA – Various ADA Improvements - \$22,014.60 *
 Phase 2
- Reconstruction of Third Street - \$ 8,363.00
- Route 9 Sidewalk Project - \$ 9,147.50
- 2014 Road Program - \$42,875.56 **

- * Township requested change order to utilize remaining grant funding.
- ** Township requested change order to construct a parking lot at the Goshen Recreation Complex.

Total \$14,496.18

Additionally, please note the other significant items that our office has pursued and completed for the Township this year:

- Completed a GIS mapping system for the Township's sanitary and storm sewer systems.
- Completed a drainage study that will be the basis for stormwater improvements in the Pices Point section of the Township.

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Connie Mahon –

Provided status of Bike Path Phase 4 and 5 – permit extension request regarding tiger salamander. Work delayed on project because Atlantic City Electric has been doing work in their right of way. Connection project being reviewed by Atlantic City Electric and safety concerns with County Engineer.

Mayor Donohue –

Length of bike path in Atlantic City Electric right of way, project pushed back due to Atlantic City Electric requirements.

Connie Mahon –

Benefit being that asphalt pricing may decrease due to paving being done at different time of the year.

Committeemember Clark –

- Spoke of classes attended at League of Municipalities in Atlantic City*
- Ribbon Cutting at Concussion Center at CRMC, proud of community hospital*
- Middle Township Chamber Social at Wildwood Country Club – sale of Christmas Trees*
- Kudos to Recreation Department for parade, more structure with registration and coordination.*
- Thanks to Fire Department for successful night with hospitality after parade.*

Committeemember Lockwood –

Thanked Public Works Department for work with current weather. Wished everyone a “merry one”.

Mayor Donohue –

- Recognized Nancy McDevitt at Recreation Department – well organized and supported*
- Spoke of Cape May County Open Space Applications*
- 12/23 Annual Employee Luncheon – Award of Employee of the Year*

Suzanne M. Stocker, Deputy Township Clerk

Motion to adjourn meeting – 7:07pm

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