

Cape May Court House, NJ  
July 20, 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, Committeemember Lockwood, Committeemember Clark, Township Clerk Kimberly Krauss, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon, Municipal Solicitor Marcus Karavan, and Township Engineer Marc DeBlasio.

1. PRESENTATION BY MAYOR – JULY EMPLOYEE OF THE MONTH – SUZANNE STOCKER
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.)

*Stan Doniger:*

- *Questioned the bill list and the \$4,000 spent on sewer/lateral repairs. He requested to be informed on recreation fees and the use of developers' funds towards recreation.*
- *Questioned #24 on the agenda regarding the appointment of the new Qualified Purchasing Agent and his qualifications. He also wanted clarification on the powers of the position and asked if the QPA has the right to bind the township to contracts.*
- *Also questioned #34 on the agenda and the RFP sub-codes. He is concerned with control.*

*Constance Mahon:*

- *Gave a complete explanation on the powers of the Qualified Purchasing Agent and their ability to raise the bid threshold in response to Stan's question regarding #24 on the agenda.*

*Mayor Donohue:*

- *Responded to Stan's concern to #34 on the agenda and explained the use of privatization regarding RFPs and third-party arrangements.*

*Constance Mahon:*

- *Further added to Mayor Donohue's response that the bid process only authorizes plan review and site review for sub-codes only.*

*Vilma Pombo:*

- *Questioned #12 on the agenda regarding the release of trust accounts and who they were released to.*

3. RESOLUTION 312-15 – 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. \$472,981.91
4. RESOLUTION 313-15 – 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. \$565.00
5. RESOLUTION 314-15 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.  
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: Regular Meeting 07/06/2015.
6. REPORTS: The following departments have submitted their reports for the months indicated:  
**NONE**
7. ORDINANCE NO. 1505-15 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1505-15 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.  
Recreation Supervisor                      \$18,720.00                      \$50,000.00

8. ORDINANCE NO. 1508-15 - AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, Ordinance No. 1508-15 passed first reading. Second reading, public hearing and consideration for adoption will be held on 08/17/2015 at 6:00 p.m.

\*Adding title and range for Account Clerk P/T

9. RESOLUTION 315-15 – AMENDING RESOLUTION 172-15 – APPROVE LEAVE OF ABSENCE – 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 Resolution 172-15 is hereby amended as follows:

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 Leave of Absence without pay for Josephine Delinski, from June 29, 2015 through August 3, 2015 is hereby approved.

10. RESOLUTION 316-15 – ACKNOWLEDGING EMPLOYEE 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, County of Cape May, State of New Jersey that the following employees shall be designated to the “in house” position/status as indicated below:

EMPLOYEE	POSITION	LOCATION
Robert Matthews	Recreation Supervisor	Martin Luther King Recreational Complex Clarence & Georgiana Davies Sports Complex
Marilyn Miller	Director	Samuel S. DeVico Senior Center

BE IT FURTHER RESOLVED, that the current Civil Service Titles for the above referenced employees shall remain in effect.

FURTHER RESOLVED, that any other Resolution in conflict or that is inconsistent with this Resolution are hereby repealed, to the extent of such conflict or inconsistency.

FURTHER RESOLVED, that this resolution, as presented shall supersede Resolution 487-13 as previous adopted.

11. RESOLUTION 317-15 – PROMOTIONAL TITLE CHANGE – 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 following employee is hereby promoted to the title opposite their name at the following salary:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Sharon Spencer	Recreation	Recreation Leader	\$22,320.00	07/20/2015

12. RESOLUTION 318-15 – 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.

13. RESOLUTION 319-15 – APPROVE CHANGE ORDER NO. 2 – 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 #2 for the project awarded to Jerry & Son Excavating, Inc. be and is hereby approved in the amount of \$8,665.00.

14. RESOLUTION 320-15 – 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
Keller, Brian L.	110 Indian Trail	208 // 10	\$202.41
Shields, Noel	312 Rte 47 N	49 // 4	\$182.94
Sophia, Cann/Lafferts	19 N 10 <sup>th</sup> Street	395 // 1	\$188.49
Sweitzer, James Jr, & Karen	751 Dias Creek Road	164.01 // 18	\$155.11
McCaduley, Danielle L. and Wnek, K D	206 Stites Avenue	240 // 17	\$169.02
McCray, Lorraine	5 Wayne Avenue	56.06 // 3	\$323.62
Smith, William H.	695 Goshen Road	52 // 30	\$314.55
Langford, Starr R.	5 Oslo Avenue	1422 // 2	\$196.85
Fasoranti, Kehinde O. & Stacey T H	48 Swaiton Goshen Road	12.01 // 192	\$216.32
Turner, James	87 Indian Trail	475.03 // 37	\$104.44
US Bank National Association	323 CH SO Dennis Road	212.11 // 5	\$182.94

15. RESOLUTION 321-15 – ADOPTION OF STATE MODEL CITIZEN PARTICIPATION PLAN FOR DCA SMALL CITIES 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 is an applicant for Department of Community Affairs Fiscal Year 2016 funds for (1) up to \$400,000 from the NJ DCA Small Cities Program to remove mobility barriers at the Avalon Manor fishing platform in order to comply with ADA and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and  
 WHEREAS, the Township will enter into grant agreement(s) for said grant(s) if approved; and  
 WHEREAS, that grant agreement(s) will require the Township of Middle to comply with all federal regulations with respect to citizen participation; and  
 WHEREAS, the Township of Middle has reviewed the State Model Citizen Participation Plan prepared for Small Cities CDBG grantees;  
 NOW, THEREFORE BE IT RESOLVED, that the Mayor and the Township Committee of the Township of Middle, County of Cape May and State of New Jersey, that;  
 The State Model Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG is adopted by the Township of Middle; and  
 The Township of Middle will follow all regulations set forth in that document throughout the term of the grant agreement cited above.
  
16. RESOLUTION 322-15 – APPROVING HOUSING REHABILITATION GRANT MANAGEMENT PLAN – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.  
 WHEREAS, the Township of Middle will apply for a Housing Rehabilitation project to be implemented in 2016 throughout the Township;  
 WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;  
 WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;  
 WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2016 Housing Rehabilitation program;  
 NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2016 Housing Rehabilitation program.
  
17. RESOLUTION 323-15 – ADOPTING HOUSING REHABILITATION POLICIES AND PROCEDURES MANUAL – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.  
 WHEREAS, the Township of Middle will apply for \$200,000 for a Housing Rehabilitation project to be implemented in 2016 within the Township;  
 WHEREAS, the Housing Rehabilitation project will be governed by a Policies and Procedures Manual;  
 WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Policies and Procedures Manual;  
 WHEREAS, the Township has prepared a Policies and Procedures Manual for its Fiscal Year 2016 Housing Rehabilitation program;  
 NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Policies and Procedures Manual for the Fiscal Year 2016 Housing Rehabilitation program.
  
18. RESOLUTION 324-15 – AUTHORIZING APPLICATION – FY 2016 NJ DCA PUBLIC FACILITIES GRANT – 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 FY 2016 grant from the New Jersey Department of Community Affairs for approximately \$400,000 to carry out a Public Facilities project to remove mobility barriers at the Avalon Manor fishing platform in order to comply with ADA .

BE IT THEREFORE RESOLVED,

- 1) that the Township of Middle does hereby authorize the application for such a grant, and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and the New Jersey Department of Community Affairs.

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 to sign the agreement, and any other documents necessary in connection therewith:

19. RESOLUTION 325-15 – IDENTIFYING SMALL CITIES FAIR HOUSING AND EQUAL OPPORTUNITY OFFICER – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle is applying for Fiscal Year 2016 Small Cities Community Development Block Grant applications for (1) up to \$400,000 from the NJ DCA Small Cities Program to remove mobility barriers at the Avalon Manor fishing platform in order to comply with ADA and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and

WHEREAS, the Township of Middle must make efforts to affirmatively further fair housing; and WHEREAS, the Township of Middle has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Middle has made assurances in the grant agreement that;

- 1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issues thereto; and
- 2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- 3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- 4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE BE IT RESOLVED, that the Township Treasurer shall be designated as the Small Cities Program Fair Housing Officer for the Township of Middle; and

BE IT FURTHER RESOLVED, that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED, that the Fair Housing Officer shall provide fair housing and equal opportunity advisory services and assistance and referral advice to persons requesting such assistance from the Township of Middle; and

BE IT FURTHER RESOLVED, that the Township of Middle will publish in the local newspaper of record and post at the Township Municipal Building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

20. RESOLUTION 326-15 – APPROVING PUBLIC FACILITIES GRANT MANAGEMENT PLAN – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle will apply for \$400,000 in Fiscal Year CDBG fund for a Public Facilities project to be implemented in 2016 to remove mobility barriers at the Avalon Manor fishing platform in order to comply with ADA;

WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;

WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;

WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2016 Public Facilities project;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2016 Public Facilities project.

21. RESOLUTION 327-15 – AUTHORIZING APPLICATION – FY 2016 NJ DCA HOUSING REHABILITATION GRANT – 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 FY 2016 grant from the New Jersey Department of Community Affairs for approximately \$200,000 to carry out a housing rehabilitation program to assist low and moderate income homeowners.

BE IT THEREFORE RESOLVED,

- 1) that the Township of Middle does hereby authorize the application for such a grant, and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further

authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and the New Jersey Department of Community Affairs.  
 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 to sign the agreement, and any other documents necessary in connection therewith:

22. RESOLUTION 328-15 – AUTHORIZING 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 \$427,750.00 for improvements to the Avalon Manor Fishing Pier.

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:

23. RESOLUTION 329-15 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following resignation listed below, is acknowledged.

NAME	DEPARTMENT	POSITION	EFFECTIVE
Kimberly Enteadó	Finance	Account Clerk	07/17/2015

24. RESOLUTION 330-15 – DESIGNATING THE POSITION OF PURCHASING AGENT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, P.L. 2009, c. 166, codified as N.J.S.A. 40A:11-2 et seq., supplementing and amending Chapter 11 of Title 40A of the New Jersey Statutes allows local contracting units in New Jersey to create the position of Purchasing Agent; and

WHEREAS, the Township of Middle desires to create the position of Purchasing Agent;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Middle that the position of Purchasing Agent is hereby created for the Township of Middle; and

BE IT FURTHER RESOLVED as follows:

- 1) The Purchasing Agent shall be appointed by the governing body; and,
- 2) The Purchasing Agent shall possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs; and,
- 3) The Purchasing Agent shall have the authority, responsibility and accountability for the purchasing activity for the Township of Middle, to prepare public advertising for bids and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts on behalf of the Township of Middle, and to award contracts permitted through New Jersey statutes and in accordance with the regulations, forms and procedures promulgated by state regulatory agencies in the name of the Township of Middle, and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of Middle; and,
- 4) Josh Niemann is hereby appointed as the Purchasing Agent for the Township of Middle.
- 5) Said employee shall receive a stipend in the amount of \$3,000.00, yearly, for said appointment and services towards such.

25. RESOLUTION 331-15 – APPOINTING A CHIEF FINANCIAL OFFICER – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 40A:9-140.10 requires that “in every municipality there shall be a chief financial officer appointed by the governing body of the municipality”; and

WHEREAS, N.J.S.A. 40A:9-140.10 further provides that the term of office of the chief financial officer “shall be four years, which shall run from January 1 in the year in which the chief financial officer is appointed”; and

WHEREAS, the Township of Middle is in need of a Chief Financial Officer and the Township Committee of the Township of Middle desires, pursuant to N.J.S.A. 40A:9-140.10, to appoint John Clifford as Chief Financial Officer, for a four (4) year term; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employee is hereby appointed to the following position at the salary opposite their name:

NAME	TITLE	SALARY
John Clifford	Chief Financial Officer	\$65,960.00

26. RESOLUTION 332-15 – 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
Kimberly Enteado	Finance	Account Clerk P/T T/A	\$18.00ph	07/20/2015
Thomas Jones	Recreation	Recreation Aide P/T	\$10.00ph	07/20/2015

27. RESOLUTION 333-15 – 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	DEPARTMEN T	PREVIOUS STATUS	AMENDED STATUS	EFFECTIVE DATE	SALARY
Charles Beaudoin	Public Works	Laborer 1 P/T	Laborer 1 F/T	07/20/2015	\$20,120.00

28. RESOLUTION 334-15 – RESOLUTION TO JOIN SOUTHERN COASTAL REGIONAL EMPLOYEE BENEFITS FUND - On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, a number of public entities in the State of New Jersey have joined together to form the Southern Coastal Regional Employee Benefits Fund, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and; WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and; WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND; WHEREAS, the governing body of the Township of Middle, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT. NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED, that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

29. RESOLUTION 335-15 – AUTHORIZING PURCHASE UNDER MIDDLESEX COOP CONTRACT – PUBLIC WORKS EQUIPMENT – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, there is a need to purchase public works equipment; and

WHEREAS, through the Middlesex Regional Educational Services Commission Purchasing Cooperative, NJ State Approved Co-op #65MCECCPS Bid# MRESC 14/15-04, this equipment is available; and

WHEREAS, the total amount for the equipment \$12,711.44, and funds are available as evidenced by the Temporary Chief Financial Officer's Certification; and

WHEREAS, the equipment being purchased by authorization of this resolution is a Kubota Tractor; 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 Public Works Department is hereby authorized one (1) of the aforementioned items at a cost of \$12,711.44

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

Cherry Valley Tractor Sales

35 Route 70 West

Marlton, NJ 08053-3099

30. RESOLUTION 336-15 through 338-15 – AUTHORIZE PURCHASE UNDER STATE CONTRACT (ITEMS A THROUGH C) – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

(A) WHEREAS, there is a need to purchase various police radio communication system equipment and upgrades; and  
WHEREAS, through the State Contract Purchasing System, Contract #T-0109 – Contract #83909, these items are available; and  
WHEREAS, the total amount of said purchase is \$457,409.78, and funds are available as evidenced by the Temporary 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 Police Department is hereby authorized to purchase various police radio communication system equipment and upgrades as indicated above.  
FURTHER RESOLVED, that the Temporary Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:  
Motorola Solutions, Inc.  
PO Box 1335  
Burlington, NJ 08016

(B) WHEREAS, there is a need to purchase a folding machine for use in the Tax Collection Office, and other township departments; and  
WHEREAS, through the State Contract Purchasing System, Contract #T-0200 – Contract #75256, this item is available; and  
WHEREAS, the total amount of said purchase is \$8,711.00, and funds are available as evidenced by the Temporary 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 Tax Collection Office is hereby authorized to purchase a new folding machine as indicated above.  
FURTHER RESOLVED, that the Temporary Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:  
Neopost USA Inc.

(C) WHEREAS, there is a need to purchase two (2) vehicles for use by township departments and officials; and  
WHEREAS, through the State Contract Purchasing System, Contract #T-2007 – Contract #83013, these items are available; and  
WHEREAS, the total amount of the purchase for two (2) vehicles is \$49,566.00 (\$24,783.00 each), and funds are available as evidenced by the Temporary 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 two (2) Ford Explorer Sport Utility Vehicles as indicated above.  
FURTHER RESOLVED, that the Temporary Chief Finance Officer is hereby authorized and directed to approve and forward a Purchase Order to:  
Beyer Ford LLC.

31. RESOLUTION 339-15 – RATIFY LEASE AGREEMENT – QUALITY CARE RESOURCE CENTER – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.  
NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the agreement between Quality Care Resource Center and the Township of Middle, for usage of Block 1024, Lot(s) 9, 11, 14, 18 & 19, otherwise known as the Whitesboro School, for a term effective August 1, 2015 through July 31, 2017 (two years), 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.
32. RESOLUTION 340-15 – AUTHORIZING EXECUTION OF FAIR AND OPEN CONTRACT – DAVID A. STEFANKIEWICZ – PLANNING BOARD SOLICITOR – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.  
WHEREAS, the Township Committee has previously instituted a Fair and Open Process for the award of contract pursuant to N.J.S.A. 19:44A-20.4 et.seq., and  
WHEREAS, the Township Committee has followed the procedures that it has previously set forth for the award of specific contracts; and  
WHEREAS, the Township Committee had solicited proposals and placed the position on the Township website as outlined in Resolution 576-14 dated November 3, 2014, and has publicly opened each proposal submitted, and has considered each proposal in light of criteria previously established by the Township, and has made a decision on each proposal submitted in light of those criteria, and  
WHEREAS, the Planning Board has formally passed Resolution No. 2015-1, appointing David A. Stefankiewicz, Esquire, of Stefankiewicz and Barnes, LLC., as Planning Board Solicitor for 2015.  
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 submission shall be awarded as follows:  
David A. Stefankiewicz – Planning Board Solicitor – Not to Exceed \$36,000.00  
BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts with each of the above-mentioned individuals as necessary, to be followed with a resolution of award and certification as attached hereto.  
BE IT FURTHER RESOLVED, that this contract shall be effective until December 31, 2015.
33. RESOLUTION 341-15 – AMEND LEASE AGREEMENT – CONCERNED CITIZENS OF WHITESBORO – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle and Concerned Citizens of Whitesboro have an ongoing current lease for the usage of Block 1024 Lot(s) 9, 11, 14, 18 & 19, otherwise known as the “Whitesboro School”, for a five year term effective May 1, 2014 through April 30, 2019, as approved via Resolution 422-14, and  
 WHEREAS, there is a need to amend said lease, as referenced on the attached addendum.  
 NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

34. RESOLUTION 342-15 – AWARD OF RFP – AUTHORIZED ON-SITE INSPECTION AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUB-CODES: PLUMBING, ELECTRICAL FIRE AND BUILDING – On motion by Committeemember Clark seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.

**\*Committeemember Lockwood Abstain**

WHEREAS, it has been deemed necessary to request proposals for third party on-site inspection and plan review services for various construction department sub-codes; and  
 WHEREAS, RFP’s were received on July 16, 2015; and  
 WHEREAS, Trinity Code Inspections, LLC. was the only proposal received; and  
 NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that following contract for services shall be awarded as follows:  
 Trinity Code Inspections, LLC.

- 1.) Plan review and inspection service at the rate of: Ninety Percent (90%)
- 2.) Fee for inspection of permits issued prior to June 15, 2015 : \$25.00 per inspection/per technical section

35. PUBLIC COMMENT:

**REMINGTON & VERNICK ENGINEERS**  
 1000 N. BROADWAY, SUITE 200  
 FREEHOLD, NJ 08041  
 TEL: 732.329.1100  
 FAX: 732.329.1101  
 WWW.REMINGTON-VERNICK.COM

**ENGINEERING STATUS REPORT**  
 MIDDLE TOWNSHIP  
 July 20, 2015

Prepared For: TOWNSHIP COMMITTEE  
 Prepared By: MARC DEBRASIO, P.E., P.P., C.M.E.  
 Township Engineer

**GRANT APPLICATIONS**

**NUDEP Flood Hazard Risk Reduction and Resiliency Program**

- Grant Program that funds the following categories:
  1. Beneficial Reuse of Organic Material
  2. Coastal Lake Surge Protection and Increased Discharge
  3. Stormwater Management
  4. Flood Risk Reduction/Infrastructure
- Applications are due by December 15, 2014.
- Our office acted for Newark Panel and the Township's Economic Development Office in preparation of the application materials for a state construction project using portions of Newark's Flood and Resiliency Grant.

**HUDAP Hazard Mitigation Grant Program**

- The Township was selected to receive a grant amount of \$142,000.00 for the purchase and installation of emergency generators.
- A spending plan has been prepared in consultation with the Township's Economic Development Office and was submitted on 12/10/13.

**FY 2016 NJDCA Small Cities Program and Cape May County Open Space Grant Application**

- Our office is preparing an ADA analysis and improvement program to replace the Audon Motor lifting pier.

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**FY 2014 NJDCA Small Cities Program – ADA Improvements Phase 2**

- The last opening occurred on February 19, 2015.
- The approved low bidder is D.S. Enterprises, Inc. in the amount of \$122,063.00.
- The project is 90% complete.

**2014 Road Program**

- The last opening occurred on February 19, 2015.
- The approved low bidder is JERRY A. SON CONCRETE, Inc. in the amount of \$263,302.00.
- Paving is complete at Fox Run and Willow Avenue.
- Stormwater work is 100% complete.
- Concrete curb is 80% complete.
- The new leading South Jersey Curb Company is fresh moving gas line.

**River Walk/Whitaker Recreation Center**

- Cape Empire Soccer Organization has proposed to complete what remains unfinished, additional work and maintenance of the facility.
- Our office has generated a conceptual plan to show additional recreation activities at the complex based upon Cape Empire's plan of development.
- A conceptual plan was presented the public at an Open Space and Recreation Meeting held on January 22, 2013 in public comments.
- An application to amend the Freshwater Wetlands Letter of Interpretation was submitted to NUDEP. NUDEP informed our office that an extension would not be granted. Our office will prepare a new Letter of Interpretation in conjunction with Lomas Consulting.
- A conceptual plan was sent to Elizabeth Temnik for inclusion in her submittal to Cape May County.
- The Township was awarded \$483,000.00 grant from Cape May County.
- The Township has applied to Cape May County for additional funding for a fishing pier/bowdock.
- A verification Letter of Interpretation Application for the Freshwater Wetlands was submitted to NUDEP on 02/23/13 and approved on 3/26/14.
- Our office is coordinating the opening of riprap sections of the plan with Lomas Consulting.
- A proposal prepared by Lomas Consulting Group was submitted to NUDEP for a jurisdictional determination on 01/15/14.
- Our office assisted Arno Corbett, Economic Development, in revising the application to the Cape May County Open Space Board relating to the fishing pier/bowdock to be submitted on 01/14/14.
- A groundbreaking ceremony was held on September 12, 2014.
- Plans for the Jurisdictional Determination have been revised and resubmitted to NUDEP.
- Jurisdictional Determination from NUDEP indicates a CAPRA permit for this project is not necessary. A meeting was held on 11/15/15 with Peter Lomas, Township Administrator and Mayor Donohue to analyze plan, revise layout and begin wetlands permitting process.
- The plans have been revised per our meeting and delivered to Peter Lomas for submittal.
- The Application was received by NUDEP on 3/11/16, and the Technical Review was completed on 4/8/16.

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**CAPITAL IMPROVEMENTS**

**FY 2015 NJDOT Bike Path - Phase 4**

- The project is 100% complete.
- Bike Path Phase 4 – Contract 3 is in design.

**FY 2014 NJDOT Bike Path Phase 4**

- The project design is completed and construction is scheduled for early Summer, 2015.
- Wetlands have been tagged and permitting application has been filed.

**Bike Path Drainage and Wetlands Improvements**

- Initial utility notes have been processed and the property owners have been notified via certified mail.
- Survey is completed and we are currently in design phase.
- The following public bid schedule is proposed:
  1. Advertisement of public bid – August 3, 2015
  2. Advertisement of public bid – August 12, 2015
  3. Bid Opening – September 1, 2015 at 10:00 AM

**UNDA Rural Development Sanitary Sewer Application - Grants Award**

- Our office has begun coordinating the design and permitting package.
- Survey for the project is complete and the design is approximately 70% complete.
- Our office is working with Van Hook Harvey Associates to finalize the Joint Permit Package.
- Permit Package was submitted to NUDEP on 02/27/14 and deemed administratively complete on 1/6/14.
- On 08/14, our office, along with representatives of the Grassy Sound Homeowners Association and Van Hook Harvey, met on site, with a representative of the Army Corp of Engineers regarding the permitting of the project, notably, the latter had issued the homeowners association a warning to improve approval based upon the meeting, applications to ACCE are being reviewed to allow for Middle Township to take the lead on the current project and a separate application for the other member farms is also submitted by 08/19/14 meeting.
- On 02/24/14, letters were issued to Middle Township representatives and property owners indicating a 30-day public comment period for the permit package sent to NUDEP would begin on 10/1/14.
- On 10/01/14, the public comment period ended and NUDEP notified R.V. & V. Van Hook Harvey that NUDEP Director Diawon has requested further information. NUDEP has given 2 weeks to provide this information. On 11/23/14, R.V. & V. Van Hook Harvey submitted the information to Middle Township for signature. Following the two week period the information was submitted to NUDEP.
- On March 12, 2015, Bruce Graham of Van Hook Harvey indicated an NUDEP Permit has been received.
- The "Healthiest Choice" Approval application is under technical review and per NUDEP's request, we have requested a 30 day extension for review.

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**GENERAL ENGINEERING PROJECTS**

**GIS Mapping**

- An ordinance of the Township of Middle, County of Cape May, State of New Jersey establishing the map and GIS archive base within the Township of Middle was received, acted, then introduced on May 4, 2015. It was published on May 13, 2015, public hearing and adopted on June 1, 2015, published notice of adoption on June 1, 2015 and formally adopted an ordinance no. 1501-05 on June 11, 2015.
- Our Commercial Clerk, who informed me that he would assist in acquiring Right of Way data from NJ American. I am all working with M. Calvin Bick to try and acquire the GIS data to add to the project. He was to process and send the data when completed and to date, we have not received this dataset. Also would still like to acquire any gas company field located records to be incorporated into the GIS system and, to date, we have not received this information as well. Chris Eaton and Steve Zablinski are coordinating with Corbin Mattern, Administrator, on how and when this utility information will be field collected and provided.
- The final step is to complete the mapping services with the attendance of the Plan, Public Works Director, authorized for the week of 10/20/15. Working with Rob's Office, the data should be ready to add to the project. He was to process and send the data when completed and to date, we have not received this dataset. Also would still like to acquire any gas company field located records to be incorporated into the GIS system and, to date, we have not received this information as well. Chris Eaton and Steve Zablinski are coordinating with Corbin Mattern, Administrator, on how and when this utility information will be field collected and provided.

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**Stan Doniger:**

- Spoke of affordable housing and the 35 new students who reside in Rio Grande, 9 of which who are already in school. He does not consider the equation to make sense. Stated that Rio Grande is not fully rented out and believes that will change when the project in Court House is complete.

**Mayor Donohue:**

- Explained to Stan as to why housing in Rio Grande is not fully rented out.

**Carl Karmilowicz:**

- Does not see a problem with mobility concerning the Fishing Pier. And, disagrees with the ADA project to make the pier more accessible for people with disabilities.

**Mayor Donohue:**

- Stated he is in the process of seeking a grant to rebuild the pier and make it ADA accessible. Further discussion on the matter to be discussed at the work session meeting being held on August 17, 2015.

*Committeemember Clark:*

- *Recognized Robert Matthews on his reassignment to the recreation facility located in Goshen. Spoke of the various sports activities and tournaments being held. Committeemember Clark also gave recognition to the employees of the recreation facility for their hard work and all of the goods things that are resulting from their dedication.*

*Mayor Donohue:*

- *Congratulated Sharon Spencer on her promotional title change.*

*Committeemember Clark:*

- *Commented on the football program and the attempt to establish an association. Stated that fees were raised to try and outfit the players. Acknowledged Jeff for the great job he is doing in his involvement with the program that is thriving and bringing less of an expense to the township itself.*

*Committeemember Lockwood:*

- *Congratulated John Clifford and Josh Niemann on their appointments as a result of passing their exams. Also, congratulated Suzanne Stocker for being selected employee of the month for the month of July.*
- *Further spoke of the "Grande" plan which was discussed at the work session meeting held earlier that day.*
- *Trusts that the final decision to "not buy in" regarding the league article on COAH was a wise decision.*

*Mayor Donohue:*

- *Congratulated Suzanne Stocker on being selected employee of the month.*
- *Commented on the finance department coming a long way in the past year.*

Motion to adjourn meeting – 6:47pm

1<sup>st</sup> Committeemember Clark

2<sup>nd</sup> Committeemember Lockwood

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