

Cape May Court House, NJ
September 9, 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 Deputy Mayor Lockwood, Committeemember Clark, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon, and Municipal Solicitor Marcus Karavan.

1. QUESTION/ANSWER PERIOD ON AGENDA (This question and answer session shall relate only to items as outlined and pending on current agenda. Issues and concerns not related to agenda item shall be withheld to public comment portion at the conclusion of meeting.)

Vilma Pombo:

Questioned bond release for Dearborn Land Investment. Repeated concerns regarding fencing not being installed. Spoke of Planning Board meeting where discussion indicated that fence would be installed.

Suzanne Stocker:

Confirmed response from David May, Zoning Official, indicating that project was completed in accordance with Site Plans. Municipal Engineer and Zoning Office have both signed off on release of bond.

Stan Doniger:

Questioned \$11,000 for installation of equipment to outfit patrol cars.

Chief Leusner:

Confirmed amount involved with outfitting new patrol cars with equipment and lighting.

2. RESOLUTION 389-15 – 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. \$3,175,127.37
3. RESOLUTION 390-15 – 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 08/17/2015, Board of Health 08/17/2015, and Regular Meeting 08/17/2015.
4. REPORTS: The following departments have submitted their reports for the months indicated: Tax Collector for the month of August; Sewer for the month of August; Construction for the month of August; Zoning for the month of August.
5. ORDINANCE 1510-15 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 125, ARTICLE II, ENTITLED DRUGS AND DRUG PARAPHERNALIA, RECREATIONAL DRUG-FREE ZONES – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, Ordinance No. 1510-15 passed first reading. Second reading, public hearing and consideration for adoption will be held on October 5, 2015 at 6:00 p.m.
BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey as follows:
SECTION 1. Chapter 125, Article II of the Code of the Township of Middle is hereby amended as follows:
Pursuant to N.J.S.A. 2C:35-1 et seq., the Township of Middle hereby adopts the following recreational drug-free zones:
 1. Clarence Davies Sports Complex, located off the Goshen Road in Cape May Court House. This includes the entire property owned by the township.
 2. Cape May County 4H Fairgrounds to include all adjoining property owned by both Middle Township and the County of Cape May to include the bike path that connects the Goshen Complex to South Dennisville Road, Cape May Court House.
 3. Cape May County Park (Central) located on US Route 9, Cape May Court House, this includes all county owned property on both the east and west sides of Route 9. This also includes the Zoo and property that extends to South Dennisville Road.
 4. County of Cape May Park (South) and recreational fields, located at 1101 Bayshore Road, Del Haven
 5. County of Cape May Park (East), located on Crest Haven Road, Cape May Court House
 6. Cape May County Historical Museum, 504 US Route 9 N., Cape May Court House.
 7. Township of Middle Samuel Devico Center, 23 Romney Place, Cape May Court House.

8. Cape May County Library, 30 West Mechanic Street, Cape May Court House.
9. Middle Township Board of Education owned properties; including baseball fields located 220 South Boyd Street, Cape May Court House (rear of Boyd and School Lane). Also includes Memorial Field located at 101 West Pacific Avenue, Cape May Court House
10. Township of Middle Goshen Historic Schoolhouse and Mini Park, located 316 Route 47 North, Goshen
11. Township of Middle, East Shellbay Avenue Gazebo and Picnic area located at the bay, otherwise known as "Carol Nicoletta Park - Shellbay Avenue Pier", 525 East Shellbay Avenue, Cape May Court House.
12. Township of Middle, Martin Luther King Recreation Center and adjoining recreation fields located on 207 West Main Street, Whitesboro.
13. Township of Middle, Rio Grande Recreation Park located on 11 North Railroad Avenue, Rio Grande.
14. Ockie Whisting Ft. Apache Recreational Complex, 7 Fulling Mill Road, Rio Grande.
15. Middle Township Bike Path, all phases, including joining "connector phase" between Middle and Lower Townships.
16. Avalon Manor Fishing Pier, located along Avalon Boulevard, at the end of Old Avalon Boulevard, Avalon Manor (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
17. Bidwell Jetty at Reeds Beach, located at 301 Beach Avenue, Cape May Court House (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP)
18. Norbury's Landing, located at Millman Avenue at the Delaware Bay, Del Haven (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP)
19. William "Pop" Belles, Jr. Memorial Park located at the southeast corner of the intersection of Routes 9 and 47, Block 1507, Lot 1.
20. County Special Services Pool, located on Crest Haven Road, Cape May Court House (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP)
21. Scotch Bonnet Fishing Bridge on Stone Harbor Boulevard (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
22. Cape May National Wildlife Refuge, Refuge headquarters: 24 Kimble's Beach Road, Cape May Court House (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
23. Songbird Trail, one-mile trail, part of which is universally accessible, starts on the north side of Kimbles Beach Road. This trail begins in the parking lot, extends to the edge of shrub/scrub habitat, winds through a forest segment with vernal pools and ends along Kimbles Beach Road (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
24. Woodcock Trail, end of Woodcock Lane, a residential road about 0.4 miles south of Kimbles Beach Road off of Route 47. This is a one-mile-long loop through grassland habitat. There are also side trails of 0.4 miles that extend through a forested section and end at a view of the Delaware Bay salt marsh (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
25. Goshen Ponds, located off of Bucks Avenue (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
26. Hand's Landing, located off of Kimble's Beach Road (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
27. Lizard Tail Swamp Preserve, located off of Court House - Dennisville Road, Cape May Court House (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
28. Diana Wintsch Preserve at Bidwell Creek (on west side of Dennisville-Court House Road) (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
29. Lizard Tail Swamp Preserve, located on the east side of Dennisville-
30. Court House Road (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
31. Indian Trail Swamp Preserve, located on the south side of Indian Trail Road (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
32. Sunray Beach Preserve, Sunray Road, Del Haven (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
33. The Wetlands Institute, Stone Harbor Boulevard, Cape May Court House (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
34. New Jersey Audubon's Cape May Bird Observatory, 600 Route 47 North, Goshen (as approved by the New Jersey Department of Environmental Protection (NJDEP) as identified in the Municipal Access Plan (MAP).
35. The entire coastline of Delaware Bay, inclusive of all beaches and beach areas, within the Township of Middle (together with all abutting beach access) is hereby listed as a public

area included as a recreational drug free zone. Said zone includes, but is not limited to, Sunray Beach, Highs Beach, Cooks Beach, Reeds Beach, Pierces Point, Kimbles Beach.
SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.

6. ORDINANCE 1511-15 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE AMENDING LOCAL ORDINANCE CHAPTER 48 AND ESTABLISHING FEES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS LAW - On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, Ordinance No. 1510-15 passed first reading. Second reading, public hearing and consideration for adoption will be held on October 5, 2015 at 6:00 p.m.

BE IT ORDAINED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following sections of the local ordinance are hereby revised as follows:

SECTION 1: The following sections of Chapter 48 of the Code of the Township of Middle are hereby amended to read as follows:

48-2 (B) Fees for routine copies of municipal documents are:

1. The public agency shall charge \$0.05 per page for letter sized pages and smaller
2. The public agency shall charge \$0.07 per page for legal sized pages and larger
3. Electronic records will be processed free of charge (i.e. records sent via e-mail).
4. The public agency will charge the actual cost to provide records in another medium (i.e. computer disc, CD-ROM, DVD).
5. Actual Cost of postage, if required.
6. Actual Cost of mailing envelope, if required.

It is possible that the actual cost to produce paper copies will exceed \$0.05 per letter size page or smaller and \$0.07 per legal size page or larger for some public agencies. In these instances, OPRA allows custodians to charge the actual cost of duplication, which is limited to the cost of materials and supplies used to make the copy. In such cases the agency will consult the actual cost calculation as provided by the Government Records Council

48-6 (B) Special Service Charge

If a public agency can demonstrate that its actual costs for duplication of a government record exceed the foregoing rates, the public agency shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or other overhead expenses associated with making the copy except as provided for in this section.

Access to electronic records and non-printed materials shall be provided free of charge, but the public agency may charge for the actual costs of any needed supplies such as computer discs.

Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the public agency may charge, in addition to the actual cost of duplicating the record, a special service charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies ; provided, however, that in the case of a municipality, rates for the duplication of particular records when the actual cost of copying exceeds the foregoing rates shall be established in advance by ordinance. The requestor shall have the opportunity to review and object to the charge prior to it being incurred.

48-6 (E) Digital records.

If a request for governmental records involves production or conversion of digital or computerized records or film which is in a medium not routinely used by the agency (i.e., electronic film); not routinely developed or maintained by an agency; or requiring a substantial amount of manipulation or programming of information technology, the requester shall pay fees the direct cost (no overhead) to comply with the request.

48-6 (F) Police Accident Reports

(1)Every citizen of this State shall have the right, during regular business hours and under supervision, to inspect and have copied, such reports and shall also have the right in person to purchase copies of the [accident] reports at the same fee established by OPRA. If copies of reports are requested other than in person, an additional fee of up to \$5.00 may be added to cover the administrative costs of the report, pursuant to N.J.S.A. 39:4-131. For example, if a requestor sought access to a 5 page motor vehicle accident report via regular mail, a custodian may charge a total of \$5.25 (OPRA fee of \$0.05 per page for 5 pages = \$0.25; an additional fee of \$5.00 per actual report to cover the administrative costs of mailing the report).

(A) Fees (other than Municipal Court Discovery)

1. Copy Per Page / size 8.5" x 11": \$.05

2. Copy Per Page / size 8.5" x 14" (legal): \$.07
3. \$5.00 for mailed accident reports (N.J.S.A. 39:4-131)
4. Video or audiotape reproduction: Actual Cost of reproduction
5. Envelope Cost
6. Actual Postage Cost

(2) Discovery requests in matters pending in the Municipal Court are submitted through the Municipal Prosecutor.

(B.) Municipal Court discovery requests:

1. Standard Fees. The municipal prosecutor, or a private prosecutor in a cross-complaint case, may charge a fee for a copy or copies of discovery. The fee assessed for discovery embodied in the form of printed matter shall be \$0.05 per letter size page or smaller, and \$0.07 per legal size page or larger. From time to time, as necessary, these rates may be revised pursuant to a schedule promulgated by the Administrative Director of the Courts. If the prosecutor can demonstrate that the actual costs for copying discovery exceed the foregoing rates, the prosecutor shall be permitted to charge a reasonable amount equal to the actual costs of copying. The actual copying costs shall be the costs of materials and supplies used to copy the discovery, but shall not include the costs of labor or other overhead expenses associated with making the copies, except as provided for in paragraph (i)(2) of this rule. Electronic records and non-printed materials shall be provided free of charge, but the prosecutor may charge for the actual costs of any needed supplies such as computer discs.
2. Special Service Charge for Printed Copies. Whenever the nature, format, manner of collation, or volume of discovery embodied in the form of printed matter to be copied is such that the discovery cannot be reproduced by ordinary document copying equipment in ordinary business size, or is such that it would involve an extraordinary expenditure of time and effort to copy, the prosecutor may charge, in addition to the actual copying costs, a special service charge that shall be reasonable and shall be based upon the actual direct costs of providing the copy or copies. Pursuant to R. 7:7-1, the defendant shall have the opportunity to review and object to the charge prior to it being incurred.
3. Special Service Charge for Electronic Records. If the defendant requests an electronic record: (1) in a medium or format not routinely used by the prosecutor; (2) not routinely developed or maintained by the prosecutor; or (3) requiring a substantial amount of manipulation or programming of information technology, the prosecutor may charge, in addition to the actual cost of duplication, a special charge that shall be reasonable and shall be based on (1) the cost for any extensive use of information technology, or (2) the labor cost of personnel providing the service that is actually incurred by the prosecutor or attributable to the prosecutor for the programming, clerical, and supervisory assistance required, or (3) both. Pursuant to R. 7:7-1, the defendant shall have the opportunity to review and object to the charge prior to it being incurred.
4. Actual postage and envelope cost shall be charged.
5. Where the discovery must be obtained from an entity other than the Township of Middle, e.g. another police department, the actual costs paid to the other entity shall be paid by the requestor.

(3) All photographs will be photocopied. Actual photo reproductions will be prepared only upon separate request and advanced payment for the actual costs of reproductions.

48-6 (G) Cost for copies of recordings of Township Committee, Planning/Zoning Board or Municipal Court meetings via cassette tapes and CD's. The cost of reproduction shall be the actual cost of the requested medium.

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.

7. ORDINANCE 1512-15 – 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. 1512-15 passed first reading. Second reading, public hearing and consideration for adoption will be held on October 5, 2015 at 6:00 p.m.
BE IT ORDAINED by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey as follows:

SECTION 1. The positions listed in the attached schedule are hereby created.

SECTION 2. The salary ranges specified in the attached schedule are hereby adopted for each and every position listed therein. In those cases where only one rate or figure appears in said schedule, said rate or figure shall be the maximum rate of figure applicable to said position. In those cases where a maximum and minimum salary are hereby established for a position, the exact salary to be paid to the holder of said position shall be as determined from time to time by resolution of the Township Committee.

SECTION 3. The duties to be performed by each person holding any position listed in said schedule shall be those duties as outlined in Job Description of New Jersey Civil Service Department.

SECTION 4. In addition to the salaries set forth in said schedule, those employees who have held full time positions for a minimum of five years, as hereinafter defined, shall be entitled to additional compensation as set forth in this section, based upon current salary. The additional compensation to which the employee is entitled on January 1 of any year shall be the additional compensation for the entire year. In determining years of service on January 1 of any year, for the purpose of this Ordinance only, no credit shall be given for less than six full months of service in any year, and credit for a full year shall be given for any year in which the employee served for six full months or more.

| Years of Service (Percent of Annual Salary) | Additional Compensation |
|--|-------------------------|
| 5 years or more | 2% |
| 10 years or more | 4% |
| 15 years or more | 6% |
| 20 years or more | 8% |
| 25 years or more | 10% |

Section 4 shall only apply to Township Employees hired before December 31, 1994.

SECTION 5. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 6. This Ordinance shall become effective immediately upon final passage and publication according to law.

***The purpose of this Ordinance is to increase the starting salary.**

- 8. RESOLUTION 391-15 – 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 |
|-----------------------------|---------------------|--------------|----------|
| Sweitzer, James Jr. & Karen | 751 Dias Creek Road | 164.01 // 18 | \$188.49 |
| Berardi, Fausto | 1207 Route 9 North | 104 // 3 | \$202.41 |
| Kaced, Rahab & Mebarka | 211 Vermont Avenue | 1493 // 6 | \$216.32 |

- 9. RESOLUTION 392-15 – RELEASE OF PERFORMANCE BOND – 47D3 LLC / DEARBORN LAND INVESTMENT, LLC – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, \$403,867.20, is being held as a performance guarantee for 47D3 LLC / Dearborn Land Investment, LLC, for site improvements at Block 13.02, Lot(s) 18, 19, otherwise known as Route N. North, Swainton, and

WHEREAS, the Township Engineer for the project has conducted his inspection and certified that all improvements have been completed; and

WHEREAS, the Land Use Administrator for the Township of Middle has recommended that the performance bond be released; and

WHEREAS, the Land Use Law of the State of New Jersey (NJS 40:55D-1 et. seq.) requires such a release upon recommendation by the Township Engineer; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of \$403,867.20 is hereby released.

10. RESOLUTION 393-15 - MIDDLE TOWNSHIP ANNUAL FREE YARD SALE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, the residents of the Township of Middle are permitted to hold an annual yard sale with no charge to the residents on the following days only:
 September 19 & 20, 2015
 NOW, THEREFORE BE IT RESOLVED, that Township Committee in the Township of Middle, County of Cape May, does hereby authorize the annual free yard sale to be held September 19 & 20, 2015 in the Township of Middle

11. RESOLUTION 394-15 - AWARD OF BID – FURNISH AND DELIVER CONSERVATION TREATMENTS FOR ARCHIVAL AND HISTORICALLY SIGNIFICANT COLLECTIONS OF THE TOWNSHIP OF MIDDLE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, it has been deemed necessary and desirable to solicit bids to Furnish and Deliver Conservation Treatments for Archival and Historically Significant Collections of the Township of Middle; and
 WHEREAS, sealed bids were received on August 5, 2015; 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 the Furnish and Deliver Conservation Treatments for Archival and Historically Significant Collections of the Township of Middle, be and hereby is awarded to:

KoFile Preservation
 \$50,000.00

FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds.

12. RESOLUTION 395-15 - AWARD OF BID – ROADWAY AND DRAINAGE IMPROVEMENTS TO RIDGE ROAD – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
 WHEREAS, it has been deemed necessary and desirable to solicit bids for Roadway and Drainage Improvements to Ridge Road; and
 WHEREAS, sealed bids were received on September 1, 2015; 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 Roadway and Drainage Improvements to Ridge Road, be and hereby is awarded to:

Arawak Paving Company
 \$598,400.00

FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds.

13. RESOLUTION 396-15 – 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 |
|----------------|---------------|-------------------------------------|------------|
| Tara Johnson | Recreation | Recreation Aide | 08/14/2015 |
| Ann Marie Camp | Public Safety | Senior Emergency Medical Technician | 08/21/2015 |

14. RESOLUTION 397-15 – 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 |
|----------------|---------------|----------------|------------|
| Pasquale Conte | Public Safety | Police Officer | 08/17/2015 |

15. RESOLUTION 398-15 – ESTABLISHING A GREEN TEAM FOR SUSTAINABLE JERSEY PROGRAM – On motion by Committeemember Lockwood seconded by Committeemember Clark and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township Committee of the Township of Middle strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and
 WHEREAS, the Township Committee of the Township of Middle wishes to build a model of government which benefits our residents now and far into the future with green community initiatives outlined in the Sustainable Jersey program, which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green Team; and

WHEREAS, the Township Committee of the Township of Middle wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first; and

WHEREAS, the following actions will be priorities for the Green Team as the Township moves to do their share to lessen the environmental impact of its operations: energy conservation; smart growth principals; protection of natural resources; smart growth principals of development; and community education.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle that we do hereby establish a Green Team consisting of all the members of the Middle Township Environmental Commission.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Middle that the following persons are hereby appointed to the Green Team for the remainder of 2015:

Vilma Pombo, Chairman
 Rachel Shepherd
 Jeffrey L. Schafer, CEM
 Josh Nemeth
 Betsy Haskins
 Larissa Smith
 Jimmy Collins, Alt #1
 Dawn Stimmel, Secretary

16. RESOLUTION 399-15 - SOCIAL AFFAIRS PERMIT – CAPE MAY COUNTY CHAMBER OF COMMERCE EDUCATION FOUNDATION – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, the Cape May County Chamber of Commerce Education Foundation has applied for approval to sell alcoholic beverages at an event to be held at 1765 Route 9 North, Swainton, New Jersey, on September 24, 2015 from 11:30am to 7:00pm, and WHEREAS, they have provided proper documentation to the Township of Middle, NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.

17. RESOLUTION 400-15 - 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 |
|------------------|-----------------|-------------------------|-------------|------------|
| Nancy McDevitt | Recreation | Recreation Aide F/T | \$22,000.00 | 08/31/2015 |
| Danielle Losasso | Municipal Court | Keyboarding Clerk 1 F/T | \$22,000.00 | 08/31/2015 |
| James Norris | Recreation | Recreation Aide F/T | \$22,000.00 | 09/08/2015 |
| Rex Garrison | Public Works | Mechanics Helper F/T | \$27,000.00 | 09/14/2015 |
| Aaron Taylor | Public Works | Laborer 1 - P/T T/A | \$9.00ph | 09/14/2015 |
| Anthony Johnson | Public Works | Laborer 1 - P/T T/A | \$9.00ph | 09/14/2015 |

18. RESOLUTION 401-15 through 405-15 - APPROVAL FOR PAYMENT TERMINAL LEAVE (ITEMS A THROUGH E) – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.
- A. WHEREAS, Tara Johnson was terminated with an effective date of August 14, 2015; and WHEREAS, it is the policy of Middle Township to compensate resigning 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:
- Tara Johnson
 28.58 Hours Vacation Time
 Total: \$307.66 (inclusive of payroll tax expense)
- B. WHEREAS, Luis Arana resigned with an effective date of August 3, 2015; and WHEREAS, it is the policy of Middle Township to compensate resigning 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:
- Luis Arana
 33.33 Hours Vacation Time
 19.00 Hours Personal Time
 Total: \$668.69 (inclusive of payroll tax expense)
- C. WHEREAS, Richard Kajander was laid off with an effective date of August 7, 2015; and

WHEREAS, it is the policy of Middle Township to compensate resigning 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:

Richard Kajander

43.26 Hours Vacation Time

Total: \$2,248.37 (inclusive of payroll tax expense)

D. WHEREAS, Tammy Devitt resigned with an effective date of August 14, 2015; and WHEREAS, it is the policy of Middle Township to compensate resigning 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:

Tammy Devitt

92.0 Hours Vacation Time

18.5 Hours Personal Time

4.0 Hours Holiday

Total: \$2,401.55 (inclusive of payroll tax expense)

E. WHEREAS, Michael Koochembere was laid off with an effective date of August 7, 2015; and WHEREAS, it is the policy of Middle Township to compensate resigning 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:

Michael Koochembere

30.16 Hours Vacation Time

Total: \$428.89 (inclusive of payroll tax expense)

19. RESOLUTION 406-15 – SALARY ADJUSTMENTS – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted.

WHEREAS, Ordinance No. 1512-15 establishes the starting salary for all new full-time employees hired as of 09/09/2015, and

WHEREAS, said ordinance also establishes a salary range for each title listed therein, and

WHEREAS, it has been deemed necessary to amend various salaries for established employees in connection with this starting salary amendment.

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 salaries are hereby amended to the amount opposite their name:

| NAME | DEPARTMENT | TITLE | SALARY | EFFECTIVE |
|--------------------|-------------------|--------------------------------|-------------|------------|
| Eddie Allen | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| Krystel Arana | Clerk / Registrar | Keyboarding Clerk 1/ Bilingual | \$23,500.00 | 09/09/2015 |
| Charles Beaudoin | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| Patricia Cornwell | Public Safety | Keyboarding Clerk 1 | \$23,500.00 | 09/09/2015 |
| Thomas Fairman | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| Cheryl Grier | Recreation | Recreation Aide | \$23,500.00 | 09/09/2015 |
| Steven Jackson | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| Katherine Keating | Human Resources | Keyboarding Clerk 1 | \$23,500.00 | 09/09/2015 |
| Sandra Sickerott | Public Safety | Keyboarding Clerk 1 | \$23,500.00 | 09/09/2015 |
| Stacy Ann Watson | Public Safety | Keyboarding Clerk 1 | \$23,500.00 | 09/09/2015 |
| Jessica Pearson | Tax Collection | Keyboarding Clerk 1 | \$23,500.00 | 09/09/2015 |
| Daniel Hankins | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| David Maahs | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| William Markee III | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| Jeffrey Rhile | Public Works | Laborer 1 | \$23,500.00 | 09/09/2015 |
| Christina Lillemon | Construction | Keyboarding Clerk 1 | \$23,500.00 | 09/09/2015 |
| Brittany Linz | Municipal Court | Keyboarding Clerk 2 | \$23,500.00 | 09/09/2015 |
| Sharon Spencer | Recreation | Recreation Leader | \$23,500.00 | 09/09/2015 |

20. RESOLUTION 407-15 - AUTHORIZE APPLICATION TO NEW JERSEY DEPARTMENT OF TRANSPORTATION DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT FOR 2016 MUNICIPAL AID PROGRAM – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, applications are now being accepted for the New Jersey Department of Transportation Fiscal Year 2016 Municipal Aid Program, and WHEREAS, NJDOT’s Municipal Aid Program has been a significant resource for municipalities in funding their transportation projects, and WHEREAS, the Municipal Engineer is hereby directed to submit all necessary documentation for the following project as follows:

Ormond Drive

BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documentation in connection therewith.

21. RESOLUTION 408-15 – ACKNOWLEDGING RESIGNATION AND APPOINTMENT OF ENVIRONMENTAL COMMITTEE – On motion by Committeemember Clark seconded by Committeemember Lockwood and passed on roll call, the following resolution was adopted. WHEREAS, the following volunteer board member has resigned and it is the intent of the governing body to fill said vacancy: NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Middle, County of Cape May, State of New Jersey that the following board resignation is hereby acknowledge:

| | |
|-------------------|-------------------------|
| Member | Volunteer Board |
| Lilliam Armstrong | Environmental Committee |

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

| | | |
|-------------|-------------------------|-----------------|
| Member | Volunteer Board | Term Expiration |
| Josh Nemeth | Environmental Committee | 12/31/2017 |

22. PUBLIC COMMENT:

Committeemember Clark:

- Welcomed new employees
- Spoke about great time at Whitesboro Reunion
- Proud to increase salary for lower end employees

Committeemember Lockwood:

- Discussed time spend in working to increase starting salary as well as considerable benefits for retirement. Last increase to starting salary was 2002.
- Free Yard Sale Weekend 9/19-20
- Spoke of Whitesboro Reunion event
- New organization in County – CMC Council for Young Children
- Middle School Recycling Program
- 9/11 – 14th Annual Patriots Ceremony at County
- 9/21 Township Committee Work Session and Regular Meeting to be held at Rio Grande Fire Hall

Suzanne M. Stocker, Deputy Township Clerk

Motion to adjourn meeting – 6:25pm

1st: Committeemember Clark

2nd: Committeemember Lockwood

Pass on Roll Call: Committeemember Clark, Committeemember Lockwood

***Mayor Donohue Absent**