

Cape May Court House, NJ
 February 17, 2016
 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 DeVico, Committeemember Donohue, Township Clerk Kimberly Krauss, Deputy Township Clerk Suzanne Stocker, Business Administrator Constance Mahon, Municipal Solicitor Frank Corrado, and Township Engineer Marc DeBlasio. ***Mayor Clark was absent**

1. PRESENTATION BY THE DEPUTY MAYOR – FEBRUARY EMPLOYEE OF THE MONTH- WALTER BELLES, SR.
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, Rio Grande, asked for information regarding the Treatment Works Application for Avalon Links.

Committeemember Donohue explained that permits are needed for an additional cleansing mechanism with is added with UV system, as a result of annual testing done at the site.

Bob Ellis, Middle Township Baseball/Softball Association, expressed concerns with new recreation fee schedule as it would affect the MTBSA if it is required that they pay fees for fields, higher cost for snack stand use, etc. Requested meeting with Robert Matthews to clarify fees which would directly relate to the MTBSA.

Connie Mahon asked if employees are needed during MTBSA’s use of fields and on tournament dates.

Bob Ellis indicated that employees are needed for field preparation, outside restrooms are available for use and snack stand agreement already exists. Minimal expense to Township. Questioned 30% increase of employee cost as snack stand cook. Expressed concerns with new fee rates and mentioned the lack of ability to raise enrollment fees due to families not being able to afford higher costs.

Connie Mahon explained the cost of employee and additional fees for FICA, insurance, etc.

John Clifford provided Mr. Ellis with copy of spreadsheet of snack stand expenses which was prepared by himself and Robert Matthews.

Fixed Costs:			
Pest Control	\$ 100.00	per year	*estimated
Hood Cleaning	\$ 1,050.00	per year	*actual
Fire Inspection	\$ 100.00	per year	*estimated
Total	\$ 1,250.00	per year	
Variable Costs:			
Township Employee/Cook	\$ 10.77	/hr	(10/hr. plus payroll taxes)
Other unspecifiable costs of operation:			
Refrigeration/Propane			
Wear and tear on equipment			
Cleaning/cleaning products			
Trash bags			
Paper towels			
bags			
Proposed Fees:			
Middle Township In-House Programs	\$10/hr		
Leasing Agencies (local/non-township)	\$15/hr		
All other outside Agencies	\$275/day		
Plus:	\$15	/hr	for staff person to cook
*not to exceed \$950/day			

Chief Leusner thanked service of coaches and parents for sporting events. Coached last season, didn’t realize how much time and work was required for these events.

Stan Doniger, Rio Grande, asked if there were entrance fees for suing the facilities.

Committeemember DeVico yes, purpose of these fees is to charge for use of facilities.

Dan Lockwood, Cape May Court House, asked status of requested financial analysis from previous Work Session meeting.

Robert Matthews indicated that financial analysis was not done.

Committeemember DeVico indicated that Mr. Lockwood's purpose of financial analysis is to see how the budget/revenue would be affected.

Jim Magill believes that it is premature to vote on introduction of Ordinance until questions are clarified.

Committeemember Donohue relayed previous conversation with Jeff McCart of the Football Association regarding the fees impacting the Football Association as well. Football revenue is approximately \$3,000/year, costs with new fee schedule would be about \$2,000. Provided letter submitted by Mr. McCart. Agreed with Mr. Magill's comment about addressing questions before Ordinance is introduced.



**Middle Township Junior Panthers Football
& Cheerleading Association**
P.O. Box # 804 Rio Grande, New Jersey 08242
(908)374-6004

February 17, 2016

Middle Township Committee
2 S Boyd St
Cape May Court House, NJ 08210

Dear Middle Township Committee Members:

The current proposal to amend the (B 1522-16) Fee Schedule for the Recreation Facilities, is being imposed to the Middle Township Jr. Panthers Football & Cheer Program. We (Jr. Panthers Football & Cheer) are currently authorized and run by the Middle Township Recreation Department. Our volunteer organization of Coaches and Parents and Board members are supervised by the Recreation Director. Therefore under that definition, we are a Recreation Sport and not third party. (Purpose-188-6)

Please let me bring to your attention that with the new fee schedule, would have us pay a cook in the snack stand for approximately (135) hours over the season costing us approximately (\$1940.00) for the 2016 season. We have used the snack stand operation, as a positive money maker for our program this would affect our program negatively. Please note that all of our proceeds are used to advance our Football & Cheer program and provide for our Township's children from 1st thru 8th grade. These proceeds provide new and needed equipment for the program.

We have worked hard as some of you know our efforts have increased (90) Percent from past seasons regarding our fundraising efforts.

Additionally, in 2015 the registration fees were increased to \$110.00 per football player and \$45.00 for a cheerleader, we overcame this obstacle via fundraising and quality personnel and by donations from the community (123) Children participated in our program. Please note, although surrounding townships registration fees are 1/4 of Middle townships, we are committed to ensure that the children have this program, as has it been for over (30) thirty years. This new fee schedule would create a hardship for our program.

Therefore, I request a resolution be proposed that "Middle Township Jr. Panthers Football & Cheer" program be exempt a Waiver of Fees under (B1522-16).

Thank You for your consideration

Jeffrey McCart
Jeffrey McCart
President
Middle Township Jr. Panthers Football & Cheer Association

Cc: Mayor M. Clark
Committeeman J. DeVico
Committeeman D. Lockwood

Committee decided to table Ordinance.

Dan Lockwood, Cape May Court House, questioned the Deed of Easement and Right-of-Way.

Committeemember Donohue explained that the Township is granting use for underground work for utilities in Laguna Oaks development.

Jim Magill indicated that the Deed stays with the property, Easement runs with the property.

Dan Lockwood, Cape May Court House, asked the amounts of the Lease Agreements.

Kimberly Krauss indicated that the Cape Express Lease is for \$12,750/year, War Gamers \$400/year, Zumba \$5/class with \$2 paid to the Township.

Dan Lockwood, Cape May Court House, asked for breakdown of costs for Sterback Harbor Project

Connie reviewed letter from Scott Wahl, Business Administrator for Avalon with cost breakdown for Middle Township:



BOROUGH OF AVALON
3108 Dana Drive
Avalon, New Jersey 08202
Incorporated 1892

Scott A. Wahl
Business Administrator
Public Information Officer
wahl@avalonboro.org

January 18, 2016

Com: [redacted]

Per our conversation, attached is a table from the Borough of Avalon that shows Middle Township's costs involving the most budgeting project in Sterback Harbor. These numbers are included in the official and verified by Avalon Municipal Engineer Hatch Mitt Macdonald of Cape May Court House, NJ.

Item	Cost	Increase/Decrease
CEP Cost Share	\$563,255	\$0
Design Initial Permitting	\$184,750	\$0
Design Construction - Mobilization	\$211,083	(\$1,083)
Design Construction - Starback	\$194,750	(\$17,248)
Design Construction - CEP Work	\$50,000	(\$50,000)
Design Inspection	\$25,500	\$7,500
Design - Additional Permitting	\$6,083	\$6,083
Design - Non-Slip Permitting	\$93,000	\$23,000
Total	\$1,154,625	(\$19,648)

It was a pleasure working on this project with Middle Township. If you have any questions, please let me know.

Sincerely,

Scott Wahl
Scott Wahl
Business Administrator
Borough of Avalon, NJ

Telephone 609-967-7027

www.avalonboro.org

Fax 609-967-5795

Committeemember Donohue confirmed that the cost came in \$20,000 less than anticipated.

3. RESOLUTION 85-16 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – On motion by Committeemember Donohue seconded by Committeemember DeVico 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. \$538,194.83
4. RESOLUTION 86-16 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember Donohue seconded by Committeemember DeVico 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 02/01/2017

5. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of January; Zoning for the month of January; Construction for the month of January; Tax Collector for the month of January; Sewer Billing for the month of January

6. ****TABLED**** ORDINANCE 1522-16 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 188, ARTICLE II, SECTION 9, ENTITLED PARKS AND RECREATION AREAS, FEES, FEE SCHEDULE – On motion by seconded by and passed on roll call, Ordinance No. 1522-16 passed first reading. Second reading, public hearing and consideration for adoption will be held on March 21, 2016 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 188, Article II, Section 9 of the Code of the Township of Middle is hereby amended to replace the current fee schedule as follows:
 Fees for usage of recreational facilities are as follows:

Samuel S. DeVico Senior Citizen Center	
Membership Fee	\$5.00
Middle Township Employee Government Organizations Senior Citizens Community Organizations	\$100/event: three-hour meeting; \$300/year for one meeting monthly
Non-Profit / Private Organizations	\$150/event; \$75/monthly meeting (6 or more meetings/year)
Commercial Organizations	\$250/event; \$125/monthly meeting (6 or more meetings/year); \$75/weekly meeting (2 or more meetings/monthly)
Goshen Complex / Martin Luther King Center	
Baseball/Softball Fields (Tournaments)	\$275.00/day/field
Baseball/Softball Fields (MTBSA-Sponsored Tournaments)	\$75.00/day/field
Deposit Required	
1 to 2 Fields	\$150.00
3 to 4 Fields	\$300.00
5 to 6 Fields	\$450.00
With Lights	Additional \$75.00/field
Football Fields	\$125.00/day
Deposit Required	\$50.00/field
With Lights	Additional \$75.00/field
Organized Basketball Tournaments	\$125.00/day
With Lights (MLK Outdoors)	Additional \$75.00/court
Soccer Fields	\$125.00/day
Deposit Required	\$50.00/field
With Lights	Additional \$75.00/field
Hockey Rink (MT Associated/Sponsored Tournament)	\$75.00/day/rink
With Lights	Additional \$75.00
Goshen and MLK Gymnasiums (Tournaments)	\$500.00/day; or \$1,500.00 for Friday, Saturday, Sunday
For Non-Profit (501C) Organization	\$250.00/day; or \$750.00 for Friday, Saturday, Sunday
Sports Camps	\$150.00/day/field
Community Rooms	\$100/hour
If Using MLK Kitchen	Additional \$75.00/hour
Cleaning Deposit Required	\$150.00
Pavilion (Outdoor Reunions/Events at MLK Center)	\$50.00/event
If Using MLK Kitchen	Additional \$75.00
Snack Stand – Outside Agency	\$275.00/day plus \$15/hour for staff person to cook
Snack Stand – Leasing Agency	\$15/hour for staff person to cook
Snack Stand – In-House Agency	\$10/hour for staff person to cook
Harvest Festival	
Vendors – Mechanic Street Locations	\$100.00/day
Vendors – Non-Mechanic Street Locations	\$80.00/day
Vendors – Food	\$275.00/day

SECTION 3. Sub-Sections A through C of Chapter 188, Article II, Section 9 shall remain in their entirety.

SECTION 4. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 5. 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 6. This Ordinance shall become effective immediately upon final passage and publication, according to law.

7. RESOLUTION 87-16 – REFUND OF TAXES – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.

WHEREAS, a refund due to payment of 2016 1st quarter taxes, as the property is tax exempt as of 1/1/2016;

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	2016
1934	95.03	15	Nature Conservancy 2350 Rte 47 Delmont, New Jersey 08314 Property location: 447 CH-So. Dennis Rd	\$25.61

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw check in the above noted amounts payable to the above mentioned party, as a refund of 2016 taxes;
BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

8. RESOLUTION 88-16 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeemember Donohue seconded by Committeemember DeVico 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
Kody Smith	Public Safety	Special Class II Police Officer	02/04/2016

9. RESOLUTION 89-16 – APPOINTMENT – NEW HIRES – On motion by Committeemember Donohue seconded by Committeemember DeVico 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
Mark Newman	Public Safety	PS Telecommunications Operator Trainee P/T	\$10.49ph	02/22/2016
Felicia Verdade	Public Safety	PS Telecommunications Operator Trainee P/T	\$10.49ph	02/22/2016
Tara Love	Public Safety	PS Telecommunications Operator Trainee P/T	\$10.49ph	02/22/2016

10. RESOLUTION 90-16 THROUGH 91-16 – SOCIAL AFFAIRS PERMIT (ITEMS A THROUGH B) – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.

(A) WHEREAS, the Brendan Borek High Tides Memorial Fund has applied for approval to sell alcoholic beverages at an event to be held at Stone Harbor Golf Club, 905 Route 9 North, Cape May Court House, New Jersey 08210 on May 6, 2016 from 12:00pm until 8:00pm, 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.

(B) WHEREAS, the Wildwood Golf & Country Club has applied for approval to sell alcoholic beverages at an event to be held at 1170 Golf Club Road, Cape May Court House, New Jersey, on June 1st, 2nd, 3rd, 4th and 5th, 2016 from 10:00am to 11:00pm, 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.

11. RESOLUTION 92-16 – AUTHORIZING THE EXECUTION OF A DEED OF EASEMENT AND RIGHT OF WAY – On motion by Committeemember Donohue seconded by Committeemember DeVico 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 and State of New Jersey, are hereby authorized to sign the Deed of Easement and Right of Way relative to 600 Bayberry Drive; Block 335.01, Lot 5.02.

12. RESOLUTION 93-16 – APPOINTMENTS – CROSSING GUARDS – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.

WHEREAS, there are various terms of office that have expired; and WHEREAS, the governing body of the Township of Middle would like to reappoint said positions; and

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 named persons be and hereby are appointed or reappointed to fill the following offices/terms:

NAME	POSITION / DEPARTMENT	TERM	TERM EXPIRES	SALARY
John A. (Jack) Beers	Crossing Guard / Public Safety	1 year	06/30/2016	\$1.00

Joseph Sykes	Crossing Guard / Public Safety	1 year	06/30/2016	\$1.00
Kathy Mazzio	Crossing Guard / Public Safety	1 year	06/30/2016	\$1.00
Clay Simmons	Crossing Guard / Public Safety	1 year	06/30/2016	\$1.00
Al Singer	Crossing Guard / Public Safety	1 year	06/30/2016	\$1.00
Frank Cevino	Crossing Guard / Public Safety	1 year	06/30/2016	\$1.00
William (Scott) Webster	Crossing Guard / Public Safety	1 year	06/30/2016	\$1.00

13. RESOLUTION 94-16 – RATIFY SHARED SERVICES AGREEMENT – MIDDLE TOWNSHIP SCHOOL DISTRICT -SCHOOL RESOURCE OFFICER – On motion Committeemember Donohue seconded by Committeemember DeVico 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 attached Shared Services Agreement for a School Resource Officer with the Middle Township School District and the Township of Middle, be and is hereby ratified.
 BE IT FURTHER RESOLVED, that said agreement shall be valid from March 1, 2016 through June 30, 2018.
 FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

Committeemember Donohue provided information on the importance of School Resource Officers. Spoke of establishment of Class III Officers which will provide more flexibility. Believes this is a forward looking move by school board.

Chief Leusner spoke of presence of officers at school, but not full-time. Discussed the 5th Grade “LEAD” Program which hopes to expand to the Middle School.

14. RESOLUTION 95-16 THROUGH 97-16 – RATIFY LEASE AGREEMENT (ITEMS A THROUGH C) – On motion by Committeemember Donohue seconded by Committeemember DeVico 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, State of New Jersey that the agreement between Cape Express Soccer and the Township of Middle, for usage of the Georgianna and Clarence Sports Complex for a term effective January 1, 2016 through December 31, 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.
 (B) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between Angie M. Buccella and the Township of Middle for usage of the MLK Center to conduct “Zumba” Classes from February 22, 2016 through March 1, 2017, 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.
 (C) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the War Gamers and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2016 through December 31, 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.

15. RESOLUTION 98-16 – APPOINTMENT – BOARD SECRETARY – SHADE TREE COMMISSION – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.
 BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that the following person be and are hereby appointed to the board/position for the term of office opposite their name:

NAME	BOARD	TERM EFFECTIVE	TERM EXPIRES	SALARY
Katherine Keating	Shade Tree Commission	02/17/2016	12/31/2016	\$850.00

16. RESOLUTION 99-16 – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION – THE LINKS AT AVALON – On motion by Committeemember Donohue seconded by Committeemember DeVico 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 Mayor is hereby authorized to sign the Treatment Works Approval Permit Application, Statement of Consent, and any and all permit applications in connection therewith “The Links at Avalon”, otherwise known as 1506 Route 9 North; Block 114, Lot 9.01.
17. RESOLUTION 100-16 – AUTHORIZE MAYOR TO EXECUTE DISCHARGE OF MORTGAGE – FLORINA BALL – On motion by Committeemember Donohue seconded by Committeemember DeVico 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 and State of New Jersey, that the mortgage loan for Florina Ball in the amount of Three Thousand Seventy (\$3,070.00) 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.

18. RESOLUTION 101-16 – CLOSED SESSION – POTENTIAL LITIGATION (POTENTIAL LICENSE VIOLATION) – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted. WHEREAS, the section of the Open Public Meetings Law, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and WHEREAS, the Township Committee of the Township of Middle, the governing body thereof, is of the opinion that such circumstances presently exist, and WHEREAS, said Closed Session shall be held directly after this open session. NOW THEREFORE BE IT RESOLVED, by the Township of Middle, County of Cape May, State of New Jersey:
- 1.) The public shall be excluded from the discussion of an action upon the hereinafter specified matter: CLOSED SESSION – POTENTIAL LITIGATION (POTENTIAL LICENSE VIOLATION)
 - 2.) The general nature of the subject matter to be discussed is as follows: POTENTIAL LITIGATION (POTENTIAL LICENSE VIOLATION)
 - 3.) It is anticipated at this time the above subject matter will be made public as follows: WHEN THE MATTER IS RESOLVED
 - 4.) This Resolution shall take effect immediately.
- *Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the above referenced topic in closed session. This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist. The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.**
19. RESOLUTION 102-16 – CERTIFYING THE COST OF TOWNSHIP’S PORTION OF THE LOCAL IMPROVEMENT (STERBACK HARBOR DREDGING PROJECT) PURSUANT TO N.J.S.A. 40:56-24 TO THE TOWNSHIP’S SPECIAL ASSESSMENT BOARD FOR THE STERBACK HARBOR DREDGING PROJECT – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.
- WHEREAS, the Township of Middle (the “Township”), in the County of Cape May, State of New Jersey, has agreed to undertake a joint local improvement project commonly known as the Sterback Harbor Dredging Project (the “Project”) on behalf of certain property owners benefitted by the Township’s portion of the Project (which property owners will pay for the cost of the Township’s portion of such Project through special assessments on their property), with the Borough of Avalon, in the County of Cape May, State of New Jersey (“Avalon”); WHEREAS, Avalon has undertaken and completed all the work and improvements for the Project and has provided the final cost of the Township’s portion of the Project pursuant to a letter from Avalon dated January 19, 2016 and attached hereto as Exhibit A and by this reference made a part hereof; and WHEREAS, pursuant to N.J.S.A. 40:56-24, the Township Committee hereby desires to certify the final costs of the Township’s portion of the Project to the Special Assessment Board for the Sterback Harbor Dredging Project (the “Board”), so that said Board may undertake the processes and finalize the special assessments outlined and set forth in N.J.S.A. 40:56-1 et seq. NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, as follows:
- SECTION 1. Pursuant to N.J.S.A. 40:56-24, the Township Committee hereby certifies the final costs of the Township’s portion of the Project as set forth in and provided by Avalon pursuant to a letter dated January 19, 2016 and attached hereto as Exhibit A and by this reference made a part hereof, and hereby provides that the Township shall not contribute any amounts to the Township’s portion of the Project (however, the Township will contribute and pay for the interest on any bonds or notes issued for the Township’s portion of the Project pursuant to Bond Ordinance Number 1470-14), to the Special Assessment Board for the Sterback Harbor Dredging Project (the “Board”). The Township Committee hereby directs that said Board undertake the processes and finalize the special assessments outlined and set forth in N.J.S.A. 40:56-1 et seq.
- SECTION 2. The Township Administrator or the Township Chief Financial Officer are each hereby authorized and directed to determine all matters in connection with the Project and to assist the Board with the processes to finalize the special assessments outlined and set forth in N.J.S.A. 40:56-1 et seq. not determined by this or a subsequent resolution, all in consultation with Bond Counsel and the Township Auditor, and the manual or facsimile signature of the Township Administrator or the Township Chief Financial Officer upon any documents shall be conclusive as to all such determinations and any and all such actions or inactions taken by the aforesaid Township Officials, including Bond Counsel and the Township Auditor heretofore are hereby ratified and confirmed.
- SECTION 3. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution to the Special Assessment Board for the Sterback Harbor Dredging Project and to John M. Cantalupo, Esq., of Archer & Greiner P.C., Bond Counsel.
- SECTION 4. This resolution shall take effect immediately.
20. RESOLUTION 103-16 – AWARDING CONTRACT UNDER FAIR AND OPEN PROCESS – On motion by Committeemember Donohue seconded by Committeemember DeVico 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 has solicited proposals, has publicly opened each proposal submitted, 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 Township Committee passed Resolutions No. 41-16 and 50-16, which authorized the continuation of the term of service for Ms. Marian Ragusa, Municipal Prosecutor for both Middle Township and Woodbine Borough, until such time as the yearly contract for services was approved.

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 for a term effective January 1, 2016 through December 31, 2016:

- Municipal Prosecutor –Marian Ragusa - Total yearly contract not to exceed \$34,000.00

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts with each of the above-mentioned individuals as necessary, and the appropriate certification of funds by the Chief Financial Officer shall be attached hereto.

21. RESOLUTION 104-16 – REDUCTION OF PERFORMANCE BOND – COMTOM, LLC. – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.

WHEREAS, \$43,782.90 is being held as a performance guarantee of COMTOM, LLC for Block 1, Lot 16, otherwise known as 445 Route 47 North; and

WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$17,044.80 have been completed; and

WHEREAS, it has been further recommended that the performance guarantee for the above stated project be reduced to \$26,738.10; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the surety bond be and is hereby reduced to \$26,738.10.

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22. PUBLIC COMMENT:

Committeemember Lockwood asked for the status of the budget. Asked if there would be a Work Session discussion on the budget.

John Clifford advised that draft has been provided to auditors and includes a reduced surplus, hopes for 0% increase, intro should be in March.

Connie Mahon indicated that Work Session discussion would be held if budget is introduced at second meeting, which would also be considered a late introduction.

Committeemember Donohue suggested a public hearing at introduction, if introduced at first meeting in March.

Stan Doniger questioned salary of School Resource Officer.

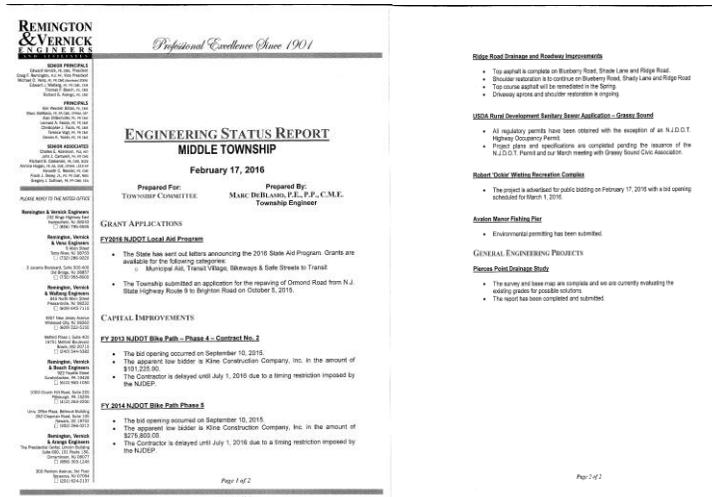
Committeemember DeVico explained that SRO will be a “seasoned” officer, fee was agreed upon by MTBOE.

Chief Leusner explained that fee is comparable with CMC Sheriff’s contract for Special Services School, as well as rate for CMC Technical High School.

Committeemember Donohue recognized Madelyn McCarroll for hard work with Animal Advisory Board and also recognized Connie Mahon for work done with Sterback Harbor dredging project.

Committeemember DeVico also thanked Madelyn McCarroll.

Marc DeBlasio provided Engineer Report:



Kimberly D. Krauss, Township Clerk

Motion to enter into Closed Session – 7:05pm

1st: Committeemember Donohue 2nd: Committeemember DeVico

Pass on Roll Call: Committeemember Donohue, Committeemember DeVico

**Mayor Clark Absent*

Motion to return to open meeting – 7:17pm

1st: Committeemember Donohue 2nd: Committeemember DeVico

Pass on Roll Call: Committeemember Donohue, Committeemember DeVico

**Mayor Clark Absent*

Motion to adjourn meeting – 7:17pm

1st: Committeemember Donohue 2nd: Committeemember DeVico

Pass on Roll Call: Committeemember Donohue, Committeemember DeVico

**Mayor Clark Absent*