

Cape May Court House, NJ
May 2, 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 Mayor Clark, 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.

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

Stan Doniger –

Questioned \$2,500 even payment on bill list.

Committeemember DeVico –

Quoted/contracted price for work done at new police substation.

2. RESOLUTION 171-16 – 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. \$2,483,238.65
3. RESOLUTION 172-16 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeemember DeVico seconded by Committeemember Donohue 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 04/18/2016, Board of Health 04/18/2016, Regular Meeting 04/18/2016 and Closed Session 04/18/2016.
4. REPORTS: The following departments have submitted their reports for the months indicated: NONE
5. ORDINANCE 1526-16 – AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF BLOCK 74, LOT 2 – Following second reading, hearing, and consideration for adoption, Ordinance 1526-16 was adopted on motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call. Complete Ordinance is on file in the Clerk's Office.
BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:
WHEREAS, the Township of Middle owns a parcel of vacant property known as Block 74, Lot 2, located in the RC zone on the Court House-Goshen Road in the Goshen section of the township; and
WHEREAS, this property is not needed for public use; and
WHEREAS, the property is a 24'x200' triangle, and is therefore less than the 3.5- acre minimum size required for development in the RC zone; and
WHEREAS, the property has no capital improvement thereon; and
WHEREAS, there are two properties, each owned by a private individual, contiguous to this property; and
WHEREAS, the fair market value of this property is \$5,000; and
WHEREAS, after considering the matter, the Township Committee believes that the private sale of this property by auction between the contiguous private owners, pursuant to N.J.S.A. 40A:12-13(b)(5), is in the township's best interest; and
NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Middle Township as follows:
SECTION 1. The averments of the preamble are incorporated by reference.
SECTION 2. The Township of Middle hereby authorizes the sale of Block 74, Lot 2, at private auction to the highest bidder of the two contiguous property owners, the auction to be held at 10 a.m. on May 18, 2016, in the Public Meeting Room of the township Municipal Building, 33 Mechanic Street, Cape May Court House, NJ 08210.
SECTION 3. The Township Clerk shall give notice of the sale, by registered mail, to the contiguous property owners at least one week before the sale date.
SECTION 4. The minimum bid for the property shall be \$5,000.
SECTION 5. The township reserves the right to reject any and all bids if the highest bid is not accepted.
SECTION 6. The property shall be sold "as is," and the township makes no warranties whatsoever about the quality of title, condition or development potential of the property.
SECTION 7. The successful bidder shall bear all costs of the sale.
SECTION 8. This ordinance shall take effect immediately, according to law.

6. **ORDINANCE 1527-16 – AN ORDINANCE AMENDING ORDINANCE 1189-05 TO REMOVE CERTAIN RESERVED RIGHTS** – Following second reading, hearing, and consideration for adoption, Ordinance 1527-16 was adopted on motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**
WHEREAS, in 2005 the Township of Middle enacted Ordinance 1189-05, vacating portions of Oak and Delaware Avenues on between Block 982, Lots 1 and 4, and Block 983, Lot 1; and
WHEREAS, Section 2 of that Ordinance 1189-05 contained a reservation of rights to the township entitling it to construct and repair utility facilities within the vacated streets; and
WHEREAS, Vision Property Group has obtained approval to construct a retail facility on that site, portions of which construction shall overlay the vacated street beds; and
WHEREAS, to enable this development, Vision Property Group has accordingly requested that the township surrender its reserved right of access to the vacated street beds; and
WHEREAS, having consulted with the Township Engineer and Zoning Officer, the Middle Township Committee has determined that the reservation of rights is not needed and that the best interests of the Township would be served by surrendering that reservation,
NOW, THEREFORE, 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. The averments of the preamble are incorporated by reference.
SECTION 2. Section 2 of Ordinance 1189-05 is hereby repealed in its entirety.
SECTION 3. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of that conflict or inconsistency.
SECTION 4. This ordinance shall take effect immediately, according to law.
7. **ORDINANCE 1528-16 - BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 1359-10 (WHICH PROVIDES FOR RECONSTRUCTION AND REPAVING OF VARIOUS TOWNSHIP ROADS) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, ON JUNE 21, 2010, TO AMEND THE DESCRIPTION SET FORTH THEREIN** – Following second reading, hearing, and consideration for adoption, Ordinance 1528-16 was adopted on motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**
SECTION 1. The bond ordinance of the Township of Middle, in the County of Cape May, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on June 21, 2010, numbered 1359-10 and entitled, “**BOND ORDINANCE AUTHORIZING THE RECONSTRUCTION AND REPAVING OF VARIOUS TOWNSHIP ROADS IN AND FOR THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, NEW JERSEY; APPROPRIATING THE SUM OF \$4,200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$3,990,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**” (the "Original Ordinance"), which Original Ordinance is hereby amended such that Section 7A thereof under the heading “**Purpose/Improvement**” is hereby amended to read, as follows:
Purpose/Improvement
“**Reconstruction and/or Repaving of Various Roadways within the Township, all as more particularly described in the plans and specifications on file in the Office of the Township Clerk and available for inspection during normal Township hours, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto; and the Acquisition and Installation, as Applicable, of a Fingerprinting Machine and Associated Equipment for the Police Department**”
SECTION 2. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the “**Director of the Division of Local Government Services**”), will be on file in the office of the Clerk and will be available for public inspection.
SECTION 3. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.
SECTION 4. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.
8. **ORDINANCE 1529-16 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 70, SECTION 3, MIDDLE TOWNSHIP TRAFFIC COMMITTEE (MEMBERSHIP)** – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, Ordinance No. 1529-16 passed first reading. Second reading, public hearing and consideration for adoption will be held on June 6, 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 70, Section 3 of the Code of the Township of Middle is hereby amended as follows:
The Middle Township Traffic Committee shall consist of the following:

A. Seven voting members who shall be chosen from the general public. Each member shall have a term of three years' duration. All existing members of the Traffic Committee shall maintain the terms for which they were heretofore appointed.

B. Nonvoting members.

(1) Six nonvoting advisory members comprised of the following:

(a) Mayor.

(b) Township Engineer.

(c) County Engineer.

(d) One Chief of any Middle Township fire or rescue squad.

(e) One representative of the Middle Township Police Department.

(f) One representative of the Department of Transportation.

(2) Each advisory member shall have a term of one year.

C. Three (3) Alternate Members having a term of two years' duration.

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.

9. RESOLUTION 173-16 – DUPLICATE TAX SALE CERTIFICATE – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Township Committee of the Township of Middle hereby authorizes the issuance of a duplicate tax sale certificate (s) pursuant to Chapter 99 of the Public Laws of 1997; and

WHEREAS, the purchaser of tax sale certificate #2013-7091 has indicated to the Tax Collector that the original tax sale certificate endorsed for cancellation was sent to Middle Township on or about March 21, 2016 but was not received have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Middle of the County of Cape May, State of New Jersey, hereby authorizes the Tax Collector, upon receipt of an appropriately executed and notarized affidavit of loss from the owner of the certificate, prepare replacement certificate for said certificate and issued to the original lien holder known as:

US Bank Cust/LLF1-NJ

50 S 16th St #2050

Philadelphia, Pa 19102

BE IT FURTHER RESOLVED, that the replacement certificate, duplicated in original form, shall be marked as “duplicate”; and

BE IT FINALLY RESOLVED, that a copy of said duplicate certificate shall be attached herewith, and a certified copy be forwarded to the Tax Collector and lien holder.

10. RESOLUTION 174-16 – AUTHORIZING PARTICIPATION IN FEDERAL 1033 PROGRAM, OTHERWISE KNOWN AS “LESO PROGRAM”, AND FURTHER AUTHORIZE THE ACQUISITION OF EQUIPMENT IN CONNECTION THEREWITH – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.

WHEREAS, S. 2364, which was signed into law by the Governor effective March 16, 2015, requires law enforcement agencies to apply for enrollment into the 1033 program, and certify compliance with section 2(a) of this law, and

WHEREAS, law enforcement agencies currently enrolled in the 1033 program must certify compliance with section 2(a) upon re-enrollment to the program, and

WHEREAS, this initiative allows local law enforcement agencies to obtain, at little or no cost, surplus federal property and equipment that they might not otherwise be able to afford, and to prepare for, respond to, and recover from incidents of terrorism and natural disasters, such as hurricanes and severe floods, 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 Middle Township Police Department, and/or its representative, is hereby authorized to make application for enrollment into such program established by the United States Department of Defense, pursuant to 10 U.S.C. s.2576a.

BE IT FURTHER RESOLVED, that the Township of Middle, Middle Township Police Department, and every representative in connection herewith do hereby certify compliance with section 2(a) of said program.

FURTHER RESOLVED, that this resolution of the Governing Body of the Township of Middle, does hereby grant authority to the Middle Township Police Department, and/or its representative, to acquire surplus property from said program as deemed necessary for CY2016. This resolution will be reviewed and renewed annually during the reorganization of each governing body hereafter.

11. RESOLUTION 175-16 – APPROVE TONNAGE GRANT 2015 – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of Township Committee, to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of Township of Middle that Township of Middle hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Robert W. Flynn to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

12. RESOLUTION 176-16 – APPROVE CHANGE ORDER NO. 2 – WHITESBORO ROADWAY IMPROVEMENTS – PHASE 3B – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, Arawak Paving Company, Inc. was awarded the “Whitesboro Roadway Improvement – Phase 3B” project on October 21, 2013.
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 Arawak Paving Company, Inc., be and is hereby approved in the amount of \$1,455.00.

13. RESOLUTION 177-16 – APPROVE CHANGE ORDER NO. 1 – ROADWAY AND DRAINAGE IMPROVEMENTS TO RIDGE ROAD – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.
WHEREAS, Arawak Paving Company, Inc. was awarded the “Roadway and Drainage Improvements to Ridge Road” project on September 9, 2015; 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 attached Change Order #1 for the project awarded to Arawak Paving Company, Inc., be and is hereby approved in a credit amount of \$16,600.71.
BE IT FURTHER RESOLVED, that the attached Change Order #1 also serves a purpose to authorize a contractual time extension for this project and that the Township Committee of the Township of Middle hereby approves said contractual time extension.

14. RESOLUTION 178-16 – AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING – PBA LOCAL NO. 59 – MIDDLE TOWNSHIP UNIT – On motion by Committeemember Donohue seconded by Mayor Clark and passed on roll call, the following resolution was adopted.

**Committeemember DeVico Abstain*

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey does hereby authorize the execution of the Memorandum of Understanding with the PBA Local 59 – Middle Township Unit.
BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign the final contract, inclusive of all final changes incorporated in the herein Memorandum of Understanding.
BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.

15. RESOLUTION 179-16 – AUTHORIZING PLACEMENT OF YOUTH SIGNS ON DELAWARE BAY BEACHES – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.
WHEREAS, the Delaware Bay ecosystem plays a critical role in supporting long-distance migratory shorebirds and the largest concentration of spawning horseshoe crabs on the Atlantic Coast. Critically important as a stopover location during spring migration, the Delaware Bay is now celebrating its 30th anniversary as the very first site in the Western Hemisphere Shorebird Reserve Network (WHSRN), and one of Hemispheric Importance for shorebirds; and
WHEREAS, using art as a tool for conservation, local youth created artwork to be used as educational signs on Delaware Bay beaches. The goal of these signs will be to: 1) Create a positive message around Delaware Bay, shorebirds, and horseshoe crabs; 2) Increase awareness and respect for reducing disturbance on beaches; and 3) Increase volunteer action, especially horseshoe crab rescue with reTURN the Favor; and
WHEREAS, youth generated signage is often viewed as very welcoming and has received very positive feedback from the public, playing an important role in conservation.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Middle hereby authorizes the posting of youth signs in partnership with WHSRN and their Celebrate Delaware Bay project at five locations: North Reeds Beach, South Reeds Beach, High Beach, and Norbury Landing. When possible existing posts or structures will be used to post the signs. Each sign will include a small footer with educational text and information about taking action.

16. RESOLUTION 180-16 – AMENDING RESOLUTION 20-16 – ESTABLISHING DEPOSITORY CURRENT FUNDS – 2016 – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

BE IT FURTHER RESOLVED, that the Sturdy Savings Bank shall be the depository for the following account of the Township of Middle for the year 2016, and that all disbursements shall be made by checks signed by the following:

ACCOUNT	DISBURSEMENT OFFICER
Clerk	Township Clerk or Deputy Clerk
TTL Redemption	Tax Collector or Designated Tax Clerk
Construction Official	Construction Official, Chief Financial Officer, Business Administrator
Construction Clearing Account	Construction Official, Chief Financial Officer, Business Administrator
Municipal Court	Municipal Judge or Court Administrator or Deputy Court Administrator
Bond Account	Municipal Judge or Court Administrator, or Deputy Court Administrator
Current	Chief Financial Officer, Business Administrator
General Checking Account	Chief Financial Officer, Mayor, Clerk, Deputy Clerk; Business Administrator
Trust Account - Other	Chief Financial Officer, Business Administrator
Forfeited Monies	Chief Financial Officer, Business Administrator
General Capital Account	Chief Financial Officer, Business Administrator
Urban Development Action	Chief Financial Officer, Business Administrator
EMS Billing	Chief Financial Officer, Business Administrator
Middle Township Municipal Alliance Committee	Chief Financial Officer, Business Administrator
Housing Rehabilitation Revolving Fund	Chief Financial Officer, Business Administrator
Utility Account	Chief Financial Officer, Business Administrator
Utility Escrow Account	Chief Financial Officer, Business Administrator
Utility Capital Account	Chief Financial Officer, Business Administrator
Green Acres	Chief Financial Officer, Business Administrator
Payroll (SS & Withholding)	Chief Financial Officer, Business Administrator
Unemployment Trust	Chief Financial Officer, Business Administrator
Recreation-Ded. Trust Fund	Chief Financial Officer, Business Administrator
Public Assistance Trust Fund	Chief Financial Officer, Business Administrator
Dog Tax	Chief Financial Officer, Business Administrator
Accumulated Absences Trust Fund	Chief Financial Officer, Business Administrator
COAH Fees	Chief Financial Officer, Business Administrator
Alarm Billing Account	Chief Financial Officer, Business Administrator
Animal Advisory Board Account	Chief Financial Officer, Business Administrator, Board Secretary
State & Federal Grant Account	Chief Financial Officer, Business Administrator, Director of Grants and Economic Loans

BE IT FURTHER RESOLVED, that TD Bank, of New Jersey shall be the depository for all of the following current funds, of the Township of Middle, for the year 2016, and that all disbursements shall be made by checks signed by the following:

ACCOUNT	DISBURSEMENT OFFICER
Master Escrow Checking	Chief Financial Officer, Business Administrator
Master Escrow Savings	Chief Financial Officer, Business Administrator

BE IT FURTHER RESOLVED, that 1st Bank of Sea Isle, of New Jersey shall be the depository for all of the following current funds, of the Township of Middle, for the year 2016, and that all disbursements shall be made by checks signed by the following:

ACCOUNT Middle Township Employee Medical/Child Care Plan DISBURSEMENT OFFICER Chief Financial Officer, Business Administrator

17. RESOLUTION 181-16 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeemember DeVico seconded by Committeemember Donohue 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
Felicia Verdade	Public Safety	P/T Telecommunication Operator – Trainee	04/15/2016
Ryan Donnelly	Public Safety	P/T Emergency Medical Technician	04/12/2016

18. RESOLUTION 182-16 – RATIFY SHARED SERVICES AGREEMENT WITH THE RIO GRANDE FIRE DISTRICT NO. 2 – 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 of the Township of Middle, the governing body thereof, that the attached Shared Services Agreement between the Township of Middle and the Rio Grande Fire District No. 2, for services of an Inspector , to perform services relative to unsafe structures damaged by fire, other hazards or neglect on a part time basis, be and is hereby ratified; and
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documents in connection therewith.

19. RESOLUTION 183-16 – APPOINTMENTS – 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 employee is hereby appointed to the following position at the salaries opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Jennifer Ocasio	Public Safety	P/T Emergency Medical Technician	\$10.60ph	05/02/2016
Andrew Garcia	Public Safety	Special Class II Police Officer	\$8.38ph	04/30/2016

20. RESOLUTION 184-16 - ACKNOWLEDGING ROAD CLOSURE – WILDWOOD HALF WEEKEND – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.
WHEREAS, Morey’s Piers and Beachfront Water Parks is orchestrating a Half Marathon and 8K on Sunday, May 15, 2016, and
WHEREAS, said applicant has requested that State Highway 147 be shut down from the North Wildwood border to Ocean Drive and also Ocean Drive, from SH147 to the Stone Harbor border, and
WHEREAS, the applicant has completed the required Special Events Application, Hold Harmless Agreement and Insurance certifications for this event.
NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey does hereby support the Wildwood Half Weekend sponsored by Morey’s Piers and Beachfront Water Parks.
BE IT FURTHER RESOLVED, that the Middle Township Police Department has been notified of said event and has endorsed the closure.
BE IT FURTHER RESOLVED, that the closure of the roads as indicated above are hereby acknowledged.

21. RESOLUTION 185-16 - AUTHORIZE CHANGE IN EMPLOYMENT STATUS – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle that the following employee is hereby designated to the employment status listed below:

NAME	DEPARTMENT	PREVIOUS STATUS	AMENDED STATUS	EFFECTIVE DATE	SALARY
Joseph Charlesworth	Public Works	Laborer 1 – P/T T/A	Laborer 1 P/T Permanent	04/25/2016	\$10.00ph
William Rodgers	Public Works	Laborer 1 – P/T T/A	Laborer 1 P/T Permanent	04/25/2016	\$10.00ph
Justin Frame	Public Works	Laborer 1 – P/T T/A	Laborer 1 P/T Permanent	04/25/2016	\$10.00ph

22. RESOLUTION 186-16 - AUTHORIZING MAYOR TO SIGN APPLICATION FOR SOIL EROSION & SEDIMENT CONTROL PLAN CERTIFICATION – OCKIE WISTING RECREATION COMPLEX PARK IMPROVEMENTS – 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 Application for Soil Erosion & Sediment Control Plan Certification, and any and all relative documentation in connection with said application, relative to the Ockie Wisting Recreation Complex Park Improvements.

23. RESOLUTION 187-16 - SOCIAL AFFAIRS PERMIT – CAPE MAY COUNTY CHAPTER 44 DISABLED AMERICAN VETERANS – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted. WHEREAS, the Cape May County Chapter 44 Disabled American Veterans has applied for approval to sell alcoholic beverages at an event to be held at DAV Chapter 44, 1010 Bayshore Road, Del Haven New Jersey 08251, on June 25, 2016 from 1:00pm until 6:00pm; and WHEREAS, they have provided proper documentation to the Township of Middle; and NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.

24. PUBLIC HEARING – 2016 MUNICIPAL BUDGET

John Marsella –

Questioned the line item relative to delinquent taxes, increase from 2015

Fred Caltabiano, CPA –

Spoke of delinquent taxes from 2014, some not collected at tax sale due to technical error

Committeemember Donohue –

Spoke of Accelerated Tax Sale which increased collection rate, technical error from newspaper which failed to print one page of properties from tax sale resulted in need for increase in line.

Stan Doniger –

Questioned payment in lieu of taxes from Township at recent school board meeting. Zero percent increase on municipal level, but increase in school taxes as Township is unwilling to share funding from PILOT Program with school district. Believes there was an agreement to this funding which is not being fulfilled. As a taxpayer, taxes are going up. Mentioned letter sent from School District to Committee requesting consideration for funding, asked Committee's input on letter.

Mayor Clark –

Unaware of any Agreement between the Township and School District. Letter received from School District, looking for waivers from construction fees of approximately \$30,000 for projects passed by recent referendum. PILOT only required paying 5% to County, no requirement to pay to school district or fire district, Township can opt to keep money.

Committeemember DeVico –

Spoke of letter received requesting leniency on construct fees. If Township provides the School District with funding, they would pay it back in construction fees.

Mayor Clark –

Township has opted to pay County 5% and keep the rest. Committee has not yet discussed or considered letter received by School District. Letter is from Diane Fox and requests eight (8) items for the Township to consider.

Stan Doniger –

Asked if Township plans on waiving fees to make up for money not given to School District.

Committeemember Donohue –

Gave history of 2012 PILOT Program/Conifer Project. Discussion was made at that time regarding impact to school which was undeterminable. Money was not promised to school board, but suggested that they ask if money was needed. Indicated that there was a measureable impact on fire districts with new complexes. Suggested money being put aside in the event that schools request and can prove adverse impact on the schools. Cannot commit new members or future members to previous suggestions made. Required by law to pay the County 5% of PILOT funding. Position would be to honor that suggest made in the event that the money is needed by the School Board.

Stan Dongier –

Would rather see payment made to school this year rather than in the future.

Committeemember Donohue –

Mentioned upcoming new County Jail project, expects letter from County asking for leniency o construction fees.

Connie Mahon –

Indicated that she has made no promises or agreements to School Board. No power to do so.

Dan Lockwood –

Submitted letter to Committee with suggestions on budget revisions. Believes Committee is rushing to pass the budget. No attention given to three year old generator project which was already submitted to FEMA. Skipping debt payment for zero increase, money not given to fire district. Asked if Committee has given any consideration to other items on list which he previously provided.

Mayor Clark –

Indicated that no extra money is being put aside for fire departments or school districts. Fire department is not being shorted money, their budget is done. Offered to review each item on Mr. Lockwood's request, if he would like.

Committeemember Lockwood –

Not being "required" is not a merit to not doing something.

Mayor Clark and Fred Caltabiano, CPA reviewed bond and debt payment numbers from last several years. Discussed going for permanent financing to lower payment and interest rate.

Carl Karmelowicz –

Asked about payment on bill list regarding Sally Port doors.

Committeemember DeVico –

Explained purpose of Sally Port doors and use by Police Department. They were not previously functioning.

Mayor Clark –

Indicated that this is Public Comment for the Budget.

Committeemember Donohue –

Goal is to have best budget, has raised some issues, but worth making some adjustments to help with best practices. Indicated several concerns to the budget and suggestions for adjusting the budget.

Committeemember DeVico –

Believes the budget to be a plan and not a fixed document. Spoke of transfers made between lines in November to cover costs. Would have liked to have received Committeemember Donohue's requests prior to Friday at 3:30pm. Budget has been worked on since elected, first time hearing comments from Committeemember Donohue relative to budget. Happy with overall budget. Does not believe Committeemember Donohue's requests were unreasonable, just wish there was more time to review them.

Mayor Clark –

Good budget, John Clifford and Connie Mahon worked hard. First time being involved in budget process, good job putting together and good for taxpayers. Believes we are coming out of a recession and does not think that there should be a tax increase. Indicated that Township Solicitor is well under his contract for this year, tax appeals being handles by Solicitor under legal contract.

Carl Karmelowicz –

Spoke of history with filing tax appeals and being taxed on assessed value of property.

Stan Doniger -

Asked for explanation of bond advertising and whether it includes the cost for not paying first two years of bond payments.

John Clifford –

Explained market for rolling over bonds on a yearly basis. Bonds go out to bid for lowest available interest rate. Spoke of formula for minimum payment for bonds. Interest on bonds is factored into budget. Current Administration has decided that permanent financing is better for the longer plan.

Fred Caltabiano, CPA –

Explained need to go to permanent financing and fees associated with having temporary financing.

Committeemember Donohue –

Purpose of Public Hearing is to receive input of public before voting on the budget. Believes the township is well served with a zero percent tax increase.

Mayor Clark –

Thinks everyone has done a good job with the budget. Thanked Connie, John and Auditors. Mentioned that the budget us a moving document until adopted, always things that could be tweaked. Apologized to Committeemember Donohue for not having as much input as he would have liked.

Public Hearing on 2016 Municipal Budget ended at 7:10pm

25. RESOLUTION 188-16 – ADOPT 2016 MUNICIPAL BUDGET – On motion by Mayor Clark 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 it is hereby declared that the Local Budget of the Township of Middle for the year 2016 was introduced and approved at a regular meeting of the Township Committee held on March 21, 2016 and was thereafter advertised in the Herald-Times in its issue on March 30, 2016, which advertisement contained a notice of the date, time and place of the public hearing, and that at least one week prior to public hearing a complete copy of the approved budget as advertised was posted in the Middle Township Hall and made available to each person requesting the same during said week, and that sufficient copies of same are available for each person requesting the same at the scheduled public hearing; and
BE IT FURTHER RESOLVED, that the Local Budget of the Township for the year 2016 was hereby read by title only, and also had public hearing on May 2, 2016; and
FURTHER RESOLVED, that the Summary of Appropriations be made part of this resolution for the adoption of the budget for the year 2016; and
FURTHER RESOLVED, that the Local Budget of the Township of Middle for the year 2016 is hereby adopted.

26. PUBLIC COMMENT:

Sam Kelly –

Spoke of the change in government and meetings over the years. Spoke of the requirements for the public to write in newspapers, but not for those involved in politics.

Jack Davis – 428 Old Avalon Manor

Thanked Committee for support in Avalon Manor. Requesting 4 or 5 dumpsters from the Township to use during their Community Clean Up Weekend. Residents want the community to look beautiful.

Committeemember Donohue –

Visited area today, still a mess. Township will provide Public Works services if all debris is moved to the curb. This will be the last clean up sweep provided to this area.

Committeemember DeVico –

The Township cleaned up after the storm and went back a second time to pick up more debris. \$7,900 of debris removed from Avalon manor and was charged to the FEMA claim. FEMA claim is now closed. Residents chose where they live, not the responsibility of the Township to provide constant cleanup of areas.

Alice Sneith –

Asked about policy for picking up frag mites and abandoned boats.

Mayor Clark –

Frag mites can be put in recyclable brown bags.

Connie Mahon –

Abandoned boats on private property would be handled by Code Enforcement. Abandoned boats in high water are covered by the USCG.

Carl Karmelowicz –

Asked if letters could be sent to owners of vacant lots to clean up.

Mayor Clark –

Code Violation would be sent by Code Enforcement if applicable.

Connie Mahon –

Suggested calling Code Enforcement with concerns.

Carl Karmelowicz –

Asked about the ownership of the fishing pier – marina is putting piles of debris adjacent to area.

Connie Mahon –

Spoke about Riparian Rights which are state regulated.

Stan Doniger –

Asked for an update on the bike path project. Asked if project was moving forward without regard to resident concerns.

Connie Mahon –

Phases 4B and 5 will start on July 5th which includes Main Street to Satt Boulevard Lower Township plan submitted, approved by Atlantic City Electric, waiting on Lower Township to proceed with connector project. Changes were rejected by Atlantic City Electric, project being built according to original plans with no changes.

Dan Lockwood –

Asked the Mayor if he is on board with moving forward with bike path project.

Mayor Clark-

Project is already approved to move forward, looks like it is going to proceed.

Connie Mahon –

Lower Township owns as 10' paver. 8' bike path would not meet AASHTO standards and Township would have to pay for cost to rent 8' paver.

Committeemember Donohue –

Indicated that two way bike paths are required to be 10' wide.

Mayor Clark –

-Sports fundraiser last weekend – trying to collect funds for new scoreboard.

-Seeking members for the Shade Tree Commission

-April 29th support of Arbor Day - met with students and talked about the importance of trees.

Thanked Lomax Consulting Group.

-April 30th – successful Shred Day at Public Work

-May 6th – Coast Guard Community Weekend in Cape May

-May 10th – Cape May County Law Enforcement Community Day

-May 14th – Rabies Clinic at Public Works

-May 19 – 22 – Township's Drum Fish Tournament – looking for volunteers and sponsors.

Thanked Anne and Suzanne for close to \$5,000 raised for tournament donation.

-Thanked Auditors for helping with budget and attending meeting.

Committeemember Donohue –

- Congratulations to newlyweds Kirby and Lisa*
- Memorial Day Events at Recreation Center*
- Memorandum of Understanding/PBA Contract approved, 3 year contract and will continue to grow the department, maintain Street Crimes Unit and open new substation.*
- Shade Tree Commission, No Net Loss Reforestation Grant - exciting time to make a difference*

Committeemember DeVico –

- Thanked residents for their continued support*
- Thanked Sam Kelly*
- Thanked everyone who was involved with budget*

Kimberly D. Krauss, Township Clerk

Motion to adjourn meeting – 7:30pm

1st: Committeemember Donohue

2nd: Committeemember DeVico

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