



3. RESOLUTION 265-16 – 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. \$606,047.37
4. RESOLUTION 266-16 – 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 06/20/2016, Board of Health 06/20/2016, Regular Meeting 06/20/2016, Closed Session 06/20/2016
5. REPORTS: The following departments have submitted their reports for the months indicated: Zoning Department for the month of June; Sewer Billing for the month of June; Municipal Clerk for the month of June; Construction Department for the month of June;
6. RESOLUTION 267-16 through 268-16 – ACKNOWLEDGEMENT OF RESIGNATION (ITEMS A THROUGH B) – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.  
(A) 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
Anthony Johnson	Public Works	Laborer 1 P/T	06/28/2016

(B) 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 oral resignation received 06/27/2016 listed below, is acknowledged and accepted.

NAME	DEPARTMENT	POSITION	EFFECTIVE
John Clifford	Finance	Chief Financial Officer	08/12/2016

7. RESOLUTION 269-16 – 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 employees are hereby appointed to the following positions at the salaries opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
James Loftus	Public Works	Laborer 1 P/T T/A	\$9.00ph	07/05/2016
George Seabrook	Sewer	Clerk 1	\$22.50ph	07/06/2016

8. RESOLUTION 270-16 – AUTHORIZING SIGNATORIES FOR VARIOUS TOWNSHIP RELATED ITEMS – SEWER DEPARTMENT – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.  
WHEREAS, it has been deemed necessary to establish signatories for the Sewer Department, in the absence of the Superintendent of Public Works and Sewer Administrator, and  
WHEREAS, said resolution may need to be amended from time to time.  
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that George Seabrook be designated as an authorized signatory in the absence of the Superintendent of Public Works and Sewer Administrator.
9. RESOLUTION 271-16 – AUTHORIZING STREET EXTENSION APPLICATION – EDGEWOOD AVENUE – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.  
WHEREAS, Ordinance No. 1177-04, of the Township of Middle, states as follows:  
“Owners, developers, contractors or other parties seeking a zoning permit and construction permit may apply to the Middle Township Committee for permission to extend a “paper” street or other street previously approved by the Township but not, in fact, improved and accepted by the Township”, and  
WHEREAS, in accordance with the Code of the Township of Middle, as adopted on December 20, 2004 and duly published upon final passage, according to law, application has been made to the Township Committee of the Township of Middle for the extension of Edgewood Avenue (200ft East of Tenth Avenue to the southeasterly property line of Block 1136, Lot 1).  
WHEREAS, said application as submitted by Rami Nasser, PE, as prepared by the Engineering Office of Schaeffer Nassar Scheidegg has been reviewed by both the Zoning Department of the Township as well as the Township Engineer, therefore being deemed complete.  
NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May, New Jersey, that the application for street extension for an area of Block 1136, Lot 1 complies with all the requirements of the code of the Township of Middle and therefore demonstrates the promotion of the purposes of zoning as set forth in the Municipal Land Use Law, and  
BE IT FURTHER RESOLVED, that the above application be authorized based upon the conditions set forth by the Township Engineer in the letter attached.  
FURTHER RESOLVED, said applicant, in accordance with Chapter 215-30 and 215-31, shall secure and submit all required insurance certifications, indemnification clauses and performance guaranties prior to the initiation of any work, in connection with said approval.

10. RESOLUTION 272-16 – INSERTION OF SPECIAL ITEM OF REVENUE – 2016 MUNICIPAL ALLIANCE GRANT – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.  
 WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and  
 WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount.  
 NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2015 in the sum of:

2016 Municipal Alliance Grant \$12,642.00

BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:

2016 Municipal Alliance Grant \$12,642.00

11. RESOLUTION 273-16 – AUTHORIZING MIDDLE TOWNSHIP AMBULANCE CORP TO SOLICIT FUNDS IN THE ROADWAYS OF THE TOWNSHIP OF MIDDLE – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, Ordinance 1009-98 permits application to made to the Township of Middle by charitable organizations to solicit funds in the roadway of the Township of Middle; and

WHEREAS, Middle Township Ambulance Corp has submitted an application to the Municipal Clerk as required per said ordinance; and

WHEREAS, the dates and times of the charitable solicitation are listed within the written application submitted by the Middle Township Ambulance Corp and attached to this Resolution; and

WHEREAS, the County of County Cape May has forwarded a letter to the Municipal Clerk endorsing the Middle Township Ambulance Corp’s application to solicit contributions along the requested areas; and  
 WHEREAS, the Chief of Police of the Township of Middle has reviewed the application of the Middle Township Ambulance Corp and has determined that there is no public safety reason for the Township of Middle to deny this application; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, of the Township of Middle, County of Cape May, State of New Jersey, hereby grants permission for the Middle Township Ambulance Corp to solicit funds on the roadways of Middle Township on the dates as set forth on the attached application form.

12. RESOLUTION 274-16 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeemember Donohue seconded by Committeemember DeVico 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
Riebel, Denise P.	12 East Main Avenue	1113 // 4	\$212.81
Federal National Mortgage Assoc.	10 Woodcock Lane	48 // 16	\$212.81
Island Bay LLC/Kennedy Funding	45 Seabreeze Lane	117.04 // 29	\$226.73
Ball, Frank J.	106 Bucknell Avenue	421 // 19	\$188.49
Gross, Michael J. & Lisa J.	40 Solar Way	165.01 // 57	\$188.49
Loss, Robert	10 Ellen Avenue	56.05 // 9	\$226.73
Quinn, Dorothy	101 Lehigh Avenue	427 // 1	\$202.41
Masker, Greg W. & Marci L.	13 Timberlea Lane	212.08 // 12	\$198.90

13. RESOLUTION 275-16 – LOCAL FINANCE BOARD – ANNUAL AUDIT OF BOOKS, ACCOUNTS & TRANSACTIONS – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.  
 WHEREAS, N.J.S.A. 40A:5-4 requires that governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Township Committee and also Kimberly Krauss, Township Clerk, as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and  
 WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and  
 WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:  
 General Comments  
 Recommendations

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:  
 General Comments  
 Recommendations

As evidenced by the group affidavit form of the governing body, and  
 WHEREAS, such resolution of certification shall be adopted by the governing body no further than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and  
 WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and  
 WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “ A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars( \$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said board to show evidence of said compliance.

14. RESOLUTION 276-16 – AMENDING FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK AND WALBERG ENGINEERS – 2016 ROAD PROGRAM – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.  
 WHEREAS, on January 6, 2015 Township Committee awarded Remington Vernick & Walberg Engineers a three year term as Township Engineer, and said contract was certified for 2016 as Resolution No. 46-16, and  
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Remington, Vernick & Walberg Engineers shall provide services in connection with the 2016 Road Program as follows:

Remington, Vernick & Walberg Engineers

Engineering Services	\$96,000.00
Construction Observation Services	\$49,500.00

15. RESOLUTION 277-16 – SALARY ADJUSTMENT – 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, 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
Michael Elias	Public Works	Code Enforcement Officer Trainee	\$15.00ph	07/06/2016

16. RESOLUTION 278-16 – ENDORSING MUNICIPAL APPROVAL CERTIFICATE FOR BUSINESS LICENSE – On motion by Committeemember DeVico seconded by Committeemember Donohue and passed on roll call, the following resolution was adopted.  
 WHEREAS, Parkview Homes, dba Parkview Mobile Home Park, is the holder of a New Car Dealer license, issued by the State of New Jersey, Motor Vehicle Commission, and  
 WHEREAS, said applicant is requesting an amendment to Proprietor information, as filed with said Commission.

WHEREAS, there are no other change in facts surrounding this license.

WHEREAS, neither the Zoning Official nor the Office of the Municipal Clerk have any objections to said endorsement.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, the governing body thereof, that the Municipal Clerk and Zoning Official are hereby authorized to sign the Municipal Approval Certificate amending the Proprietor information for Parkview Homes from Sharon Moore to William Moore.

17. RESOLUTION 279-16 – AMENDING RESOLUTION 200-16 - AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – SCHAEFER PYROTECHNICS, INC. – FIREWORKS DISPLAY – 4TH OF JULY CELEBRATION – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted.

WHEREAS, the Governing Body of the Township of Middle approved a contract with Schaefer Pyrotechnics, Inc. for a 4<sup>th</sup> of July Fireworks Display, and

WHEREAS, due to weather conditions on July 4, 2016 the Township of Middle postponed said event until July 5, 2016, and

WHEREAS, the postponement policy in the contract for services includes a 12% charge of the contract price if postponement occurs after 8:00am the day of the display.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Schaefer Pyrotechnics, Inc. and the Township of Middle for the fireworks display shall be amended to include a 12% charge of the contract price.

Schaefer Pyrotechnics, Inc.

4th of July Celebration

\$7,400.00 + 12% postponement charge (\$888.00)

18. RESOLUTION 280-16 – AUTHORIZING RIO GRANDE RESCUE SQUAD TO SOLICIT FUNDS IN THE ROADWAYS OF THE TOWNSHIP OF MIDDLE – On motion by Committeemember Donohue seconded by Committeemember DeVico and passed on roll call, the following resolution was adopted. WHEREAS, Ordinance 1009-98 permits application to made to the Township of Middle by charitable organizations to solicit funds in the roadway of the Township of Middle; and WHEREAS, the Rio Grande Rescue Squad has submitted an application to the Municipal Clerk as required per said ordinance; and WHEREAS, the dates and times of the charitable solicitation are listed within the written application submitted by the Rio Grande Rescue Squad and attached to this Resolution; and

WHEREAS, the County of County Cape May has forwarded a letter to the Municipal Clerk endorsing the Rio Grande Rescue Squad's application to solicit contributions along the requested areas; and

WHEREAS, the Chief of Police of the Township of Middle has reviewed the application of the Rio Grande Rescue Squad and has determined that there is no public safety reason for the Township of Middle to deny this application; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, of the Township of Middle, County of Cape May, State of New Jersey, hereby grants permission for the Rio Grande Rescue Squad to solicit funds on the roadways of Middle Township on the dates as set forth on the attached application form.

19. PUBLIC COMMENT:

*Barbara Cresse, Cape May Court House:*

- *Spoke of neighbors who lease building for illegal business.*
- *Questioned why Middle Township does not issue Mercantile Licenses and if there are any plans to enact such.*
- *Feels the township would be able to inspect properly.*

*Mayor Clark:*

- *This topic had been discussed before. Another fee for businesses.*

*Katherine Dean, 612 Old Avalon Boulevard:*

- *Expressed concern on behalf of the community regarding the fishing pier and its condition.*

*Constance Mahon:*

- *Awaiting word from FEMA regarding funding on their time-frames.*

*Katherine Dean, 612 Old Avalon Boulevard:*

- *Thanked township for sending trucks to pick up debris but believes there is a lot more to be picked up.*

-

*Constance Mahon:*

- *Last pick-up was not eligible for funding.*

*Katherine Dean, 612 Old Avalon Boulevard:*

- *Speeding on road, asked for signage.*
- *Spoke of unregistered boats along roadway.*

*Walt Steal, Avalon Manor:*

- *Believes pier needs to be blocked off because of safety issues.*

*Constance Mahon:*

- *Will notify Public Works to put up signs and fencing.*

*Marty Montgomery, Old Avalon Boulevard:*

- *Spoke of violations issued to marina for building on barge. Concerned that no State permits have been issued. All other residents required to have proper permitting. Wants to see Planning Board application submitted. Feels as if topic is being "Brushed under the rug."*

*Mayor Clark:*

- *Will have Code Enforcement look into it.*

*Carl Carmelowitz, Avalon Manor:*

- *Applauded Public Works for painting the curb at the entrance of Avalon Manor. Would like to see reflectors placed on the "barrier".*

*Committeemember Donohue will address concern with the County.*

*Constance Mahon:*

- *Thanked Wildwood Crest, Upper Township, and Ocean City and their elected officials and Public Works Departments for their help during storm debris clean-up.*
- *A while back the township paved a road that was Atlantic City Electric's property. The Township is in the process of purchasing that parcel for \$1.*

*Mayor Clark:*

- *Thanked towns involved in mutual aid during clean-up. Thanked Middle Township Public Works, Fire Departments, Chief Leusner, EMTs, and volunteers. This was a "real stressful situation which was handled very well." Connie met with State Representatives and received temporary staging area at the Ockie Wisting center to temporarily put debris after clearing it from roadways.*
- *Attended ribbon cutting for the Jane Osborne Center for Women's Health.*
- *Attended Cape May County Department of Public Safety Fire Volunteer graduation.*
- *Had a great time at Goshen Complex on the 4<sup>th</sup> of July. Fireworks had to be rescheduled for the night after due to the weather and were well attended.*

*Committeemember Donohue:*

- *Echoed appreciation to neighboring towns. Thanked Marty Pagliughi for organizing the support. 135 calls in a few hours. Thanked County MUA for waiving tipping fees.*
- *Recognized John Clifford and his resignation, wished him well on his new endeavor.*

*Committeemember DeVico:*

- *Survived the dunk tank on July 4<sup>th</sup>.*
- *Chief of Police Christopher Leusner is currently attending the White House at a 21<sup>st</sup> Century Policing Conference that he was invited to.*

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Kimberly D. Krauss, Township Clerk

Motion to enter into Closed Session #2 – 7:16pm

1<sup>st</sup>: Committeemember Donohue                      2<sup>nd</sup>: Committeemember DeVico

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

Motion to adjourn meeting – 7:44pm

1<sup>st</sup>: Committeemember Donohue                      2<sup>nd</sup>: Committeemember DeVico

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

*Minutes prepared by Krystel M. Arana, Keyboarding Clerk*