

Cape May Court House, NJ
July 18, 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. PRESENTATION BY MAYOR – MIDDLE MATTERS AWARD – STAN SPERLAK
2. PRESENTATION BY MAYOR – JULY EMPLOYEE OF THE MONTH – NANCY MCDEVITT
3. 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.*)
4. RESOLUTION – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – On motion by _____ 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. \$2,043,930.58
5. RESOLUTION – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by _____ and passed on roll call, the following resolution was adopted.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: Regular Meeting 07/06/2016 and Closed Session 07/06/2016.
6. REPORTS: The following departments have submitted their reports for the months indicated:
7. ORDINANCE NO. 1530-16 - CAPITAL ORDINANCE PROVIDING FOR ACQUISITION AND INSTALLATION OF VARIOUS EQUIPMENT FOR THE POLICE DEPARTMENT, BY AND IN THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$100,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF – Following second reading, hearing, and consideration for adoption, Ordinance No. 1530-16 was adopted on motion by _____ seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk's Office.
WHEREAS, the Township of Middle, in the County of Cape May, State of New Jersey (the "Township"), wishes to acquire and install, as applicable, various equipment including, but not limited to, Dash Cams, for the Township's Police Department; and
WHEREAS, the cost of said improvements or purposes is estimated to be \$100,000; and
WHEREAS, the Township desires to authorize the appropriation and expenditure of \$100,000 from the Capital Improvement Fund to acquire and install, as applicable, various equipment including, but not limited to, Dash Cams, for the Township's Police Department.
BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:
SECTION 1. The capital improvement or purpose described below is hereby authorized as a general capital improvement to be undertaken by the Township. For the said improvement or purpose, there is hereby appropriated the amount of \$100,000 from the Capital Improvement Fund to acquire and install, as applicable, various equipment including, but not limited to, Dash Cams, for the Township's Police Department, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.
SECTION 2. The expenditure of the \$100,000 consisting of an appropriation of \$100,000 from the Capital Improvement Fund for the improvement or purpose set forth in Section 1 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement to undertake the improvement or purpose set forth herein and to effectuate the transaction contemplated hereby.
SECTION 3. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the Office of the Clerk and is available for public inspection.
SECTION 4. This ordinance shall take effect immediately after final adoption and approval by the Mayor as described in N.J.S.A. 40:49-2.

8. ORDINANCE NO. 1531-16 – AMENDING THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 146, THEREOF ENTITLED FLOOD DAMAGE PREVENTION – On motion by [redacted] seconded by [redacted] and passed on roll call, Ordinance No. 1531-16 passed first reading. Second reading, public hearing and consideration for adoption will be held on 08/15/2016 at 6:00 p.m.

BE IT ORDAINED by the TOWNSHIP COMMITTEE, the governing body of the Township of Middle that Chapter 146, Section 6 entitled “Definitions” of the Revised General Ordinances of the Township of Middle be and is hereby amended to include the following:

SECTION 1:

COASTAL HIGH-HAZARD AREA

An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

a. *COASTAL A ZONE: A subject of Zone A. Specifically, that portion of the SFHA landward of Zone V (or landward of coastline without mapped Zone V) in which the principal source of flooding is coastal storms, and where the potential base flood wave height is between 1.5 and 3.0 feet. Requiring new construction in the coastal A Zone to meet the same standard as V Zone buildings protects it from a known, but unmapped, breaking wave hazard (credited under CAZ).*

DRY OR WET FLOODPROOFING

Where removable shield to be used, a flood emergency plan shall be approved by the authority having jurisdiction and shall specify, at a minimum, the following information: storage locations of the shields, the method of installation, and attachment devices, yearly practice of installing shields, testing sump pumps and other drainage measures, and inspecting necessary material and equipment to activate or implement floodproofing.

INCREASE COST OF COMPLIANCE (ICC)

The coverage by standard flood insurance policy under the NFIP that provides for the payment of a claim for the cost to comply with the state of New Jersey and the Township of Middle floodplain management laws or ordinances after a direct physical loss by flood, or the Township of Middle declares the structure to be “substantially” or “repetitively” flood damage, ICC coverage is provided for in every standard NFIP flood policy, and will help pay for the cost of floodproof, relocate, elevate or demolish the structure.

SECTION 2: Any 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 or clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and to this end the provisions of this Ordinance are hereby declared to be severable.

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

9. PUBLIC HEARING – PERSON TO PERSON TRANSFER – MHP LICENSE NO. 15 – PRESIDENTIAL MOBILE HOME PARK

10. RESOLUTION – APPROVING PERSON TO PERSON TRANSFER OF MOBILE HOME PARK LICENSE NO. 15 – PRESIDENTIAL MOBILE HOME PARK - On motion by [redacted] seconded by [redacted] and passed on roll call, the following resolution was adopted.

WHEREAS, Estate of Sarah Jane Chambers is the holder in good standing of Campground License #15, Presidential Mobile Home Park, located on Block 322.01, Lot 17, also known as 477 Shunpike Road, Cape May Court House, and

WHEREAS, application has been made to transfer said license to Matt Unsworth, and

WHEREAS, all legal requirements for said transfer have been fulfilled.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Campground License #15 be and hereby is transferred to Matt Unsworth.

11. RESOLUTION – IDENTIFYING SMALL CITIES FAIR HOUSING AND EQUAL OPPORTUNITY OFFICER – On motion by [redacted] seconded by [redacted] and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle is applying for Fiscal Year 2017 Small Cities Community Development Block Grant applications for (1) up to \$400,000 from the NJ DCA Small Cities Program to undertake roadway and pedestrian improvements on Gibbs Street and Main Street in Whitesboro and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and

WHEREAS, the Township of Middle must make efforts to affirmatively further fair housing; and

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

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

1. *It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issues thereto; and*

2. *It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and*

3. *It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and*

4. *It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.*

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

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

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

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

12. RESOLUTION – APPROVING PUBLIC FACILITIES GRANT MANAGEMENT PLAN – On motion by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle will apply for \$400,000 in Fiscal Year 2017 CDBG funding for a Public Facilities project to be implemented in 2017 for roadway and pedestrian improvements on Gibbs Street and Main Street in Whitesboro;
WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;
WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;
WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2017 Public Facilities project;
NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2017 Public Facilities project.
13. RESOLUTION – AUTHORIZING APPLICATION – FY 2017 NJ DCA PUBLIC FACILITIES GRANT – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle desires to apply for and obtain a FY 2017 grant from the New Jersey Department of Community Affairs for approximately \$400,000 to carry out a Public Facilities project to undertake roadway and pedestrian improvements on Gibbs Street and Main Street in Whitesboro.
NOW, THEREFORE, BE IT RESOLVED, that the Township of Middle:
1. Does hereby authorize the application for such a grant; and,
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and the New Jersey Department of Community Affairs.
BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement to sign the agreement, and any other documents necessary in connection therewith.
14. RESOLUTION – AUTHORIZING APPLICATION – FY 2017 NJ DCA HOUSING REHABILITATION GRANT – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle desires to apply for and obtain a FY 2017 grant from the New Jersey Department of Community Affairs for approximately \$200,000 to carry out a housing rehabilitation program to assist low and moderate income homeowners.
NOW, THEREFORE, BE IT RESOLVED, that the Township of Middle:
1. Does hereby authorize the application for such a grant, and,
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and the New Jersey Department of Community Affairs.
BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement to sign the agreement, and any other documents necessary in connection therewith.
15. RESOLUTION – APPROVING HOUSING REHABILITATION GRANT MANAGEMENT PLAN - On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle will apply for a Housing Rehabilitation project to be implemented in 2017 throughout the Township;
WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;
WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;
WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2017 Housing Rehabilitation program;
NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2017 Housing Rehabilitation program.
16. RESOLUTION – ADOPTION OF STATE MODEL CITIZEN PARTICIPATION PLAN FOR DCA SMALL CITIES PROGRAM – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle is an applicant for Department of Community Affairs Fiscal Year 2017 funds for (1) up to \$400,000 from the NJ DCA Small Cities Program to undertake roadway and pedestrian improvements on Gibbs Street and Main Street in Whitesboro and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and

WHEREAS, the Township will enter into grant agreement(s) for said grant(s) if approved; and
 WHEREAS, that grant agreement(s) will require the Township of Middle to comply with all federal regulations with respect to citizen participation; and
 WHEREAS, the Township of Middle has reviewed the State Model Citizen Participation Plan prepared for Small Cities CDBG grantees;
 NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Township Committee of the Township of Middle, County of Cape May and State of New Jersey, that;

1. The State Model Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG is adopted by the Township of Middle; and
2. The Township of Middle will follow all regulations set forth in that document throughout the term of the grant agreement cited above.

17. RESOLUTION – ADOPTING HOUSING REHABILITATION POLICIES AND PROCEDURES MANUAL – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle will apply for \$200,000 for a Housing Rehabilitation project to be implemented in 2017 within the Township;
 WHEREAS, the Housing Rehabilitation project will be governed by a Policies and Procedures Manual;
 WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Policies and Procedures Manual;
 WHEREAS, the Township has prepared a Policies and Procedures Manual for its Fiscal Year 2017 Housing Rehabilitation Program;
 NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Policies and Procedures Manual for the Fiscal Year 2017 Housing Rehabilitation Program.

18. RESOLUTION – AUTHORIZING MEMBERSHIP AND APPOINTING TOWNSHIP REPRESENTATIVES, DELAWARE BAYSHORE COUNCIL - On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Bayshore Council (a) is a New Jersey nonprofit, public benefit corporation with Members and perpetual duration and succession and (b) is organized and operated exclusively for the purpose of advocating for the health and sustainability of NJ's Bayshore communities, from the Cape May Canal to the Delaware Memorial Bridge, amplifying the voice of Bayshore issues and community needs and facilitating a healthy balance of conservation and economic vitality, and
 WHEREAS, the purposes of the Council are:

1. To conduct education, communication, organizing, and advocacy to restore, improve, preserve and sustain the environment, natural and engineered beaches, waterways, wildlife habitat, ecosystems, and public lands which surround the communities of the Delaware Bay and its watershed.
2. To ensure that Bayshore Communities have a vibrant sustainable economy, adequate and resilient infrastructure, telecommunications, services, community resources and funding and that they are treated equitably by county, state and federal agencies.
3. To provide technical information, support, coordination and to undertake such programs, activities and projects as are consistent with Bayshore Council purposes and values and deemed appropriate by consensus of the member communities within the Council.
4. The Bayshore Council will seek common ground in Bayshore communities and facilitate partnership activities that will result in healthier communities, more resilient infrastructure and a stronger tourism and natural resource based or natural resource compatible economy for all Bayshore communities.
5. The Council will not limit its activities to efforts that benefit every Bayshore Community, so long as one or more Bayshore municipality benefits.
6. Where possible, the council will lessen the burdens of Bayshore local governments and increase their voice in Trenton and Washington, DC and heighten appreciation and stewardship for the region nationwide.
7. The Bayshore Council commits to working collaboratively with our elected representatives, state and federal governments, Cape May, Cumberland and Salem counties, and all their constituent agencies, in the public interest on these matters for the greater good of all our communities, the environment, Bayshore residents and the Delaware Bay and its watershed.
8. Any other activities deemed necessary by the members to further the purpose of the Council.

WHEREAS, the Township of Middle is a Bayshore Community, and
 WHEREAS, membership in the Bayshore Council is important to the township.
 NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that Constance Mahon be appointed as Middle Township's Official representative to the Bayshore Council and that Mayor Michael Clark serve as alternate.

19. RESOLUTION – ACKNOWLEDGEMENT OF RESIGNATION – On motion by _____ seconded by _____ 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
Calvin Macwan	Public Safety	Special Class II Police Officer	07/07/2016

20. RESOLUTION – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by _____ seconded by _____ 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
Carty, Richard J. & Kimberly A.	112 Davis Road	1417 // 4	\$198.90
Burke, John W.	40 W. Secluded Lane	1411 // 13	\$198.90
Gulf Armace USA LLC	55 Honeysuckle Lane	168 // 27	\$236.57
Franchetta, David L.	106 S. 8 th Street	417 // 6	\$179.43
Sindia Capital, LLC	109 Schoolhouse Lane	251 // 2	\$165.51
Wells Fargo Bank	6 Wayne Avenue	56.05 // 3	\$179.43
King, Robert S. & Rosalie E.	124 Indian Trail	208 // 4	\$179.43
Insourc East Properties, Inc.	15 Brook Ridge Road	12.02 // 1	\$236.57

21. RESOLUTION – AWARD OF BID – COLLECTION OF MUNICIPAL COURT FEES AND TRAFFIC FINES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary and desirable to solicit bids for Collection of Municipal Court Fees and Traffic Fines; and

WHEREAS, sealed bids were received on June 23, 2016; and

WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for Collection of Municipal Court Fees and Traffic Fines, be and hereby is awarded to:

NCS Plus, Inc.

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

22. RESOLUTION – TABULATION COMMITTEE – FURNISHING, INSTALLING, SUPPLYING AND SERVICING OF VENDING MACHINES FOR VARIOUS TOWNSHIP COMPLEXES – On motion by _____ seconded by _____ 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 Township Administrator Constance Mahon, Township Clerk Kimberly Krauss, Purchasing Agent Josh Niemann, be and hereby are appointed to tabulate the bids to be taken on Thursday, August 11, 2016 at 1:30 PM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

FURNISHING, INSTALLING, SUPPLYING AND SERVICING OF VENDING MACHINES FOR VARIOUS TOWNSHIP COMPLEXES

23. RESOLUTION – AUTHORIZING RIO GRANDE VOLUNTEER FIRE COMPANY TO SOLICIT FUNDS IN THE ROADWAYS OF THE TOWNSHIP OF MIDDLE – On motion by _____ seconded by _____ 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, Rio Grande Volunteer Fire Company 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 Volunteer Fire Company 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 Volunteer Fire Company'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 Volunteer Fire Company 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 Volunteer Fire Company

to solicit funds on the roadways of Middle Township on the dates as set forth on the attached application form.

24. RESOLUTION – AUTHORIZING MAYOR TO EXECUTE GRANT APPLICATION – MUNICIPAL ALLIANCE GRANT FY2016-2017 – On motion by _____ seconded by _____ 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 and appropriate officials are hereby authorized to sign the above referenced grant agreement, and any and all documentation in connection therewith.

25. RESOLUTION – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – IRENE GARRAMONE – INTERIM ASSISTANCE – MUNICIPAL COURT – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

26. RESOLUTION – APPOINTMENT NEW HIRE – CHIEF FINANCIAL OFFICER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

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

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

WHEREAS, the exception to the four year appointment is if a CFO vacates the position in the midst of their four year term, and a new CFO is appointed, the new CFO would be appointed for the unexpired portion of the prior CFO’s term, pursuant to the Uniform Vacancy Provision, N.J.S.A. 40A:9-12.1, and

WHEREAS, the Township of Middle is in need of a Chief Financial Officer and the Township Committee of the Township of Middle desires, pursuant to N.J.S.A. 40A:9-140.10 and N.J.S.A. 40A:9-12.1, to appoint Susan A. Quinones as Chief Financial Officer, effective August 15, 2016.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Susan A. Quinones shall begin her employment with the Township of Middle effective 08/08/2016, and shall furthermore be appointed 08/15/2016 to the following position at the salary opposite their name:

NAME	TITLE	SALARY
Susan A. Quinones	Chief Financial Officer*	\$80,000.00

**Civil Service Title of Keyboarding Clerk 1 (u) and UA title of Chief Financial Officer.*

27. RESOLUTION – ACCEPTING CORRECTIVE ACTION PLAN-AUDIT 2015 – On motion by _____ seconded by _____ 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 is hereby accepted as the Corrective Action Plan for the 2015 Audit for the Township of Middle and be it further resolved that a copy of the Corrective Action Plan be forwarded to the Department of Community Affairs, Division of Local Government Services as well as a copy of this Resolution be forwarded to Bowman & Company LLP, Fred S. Caltabiano, Registered Municipal Accountant:

Finding #1:

- a. Finding/Condition: The fixed asset ledger was not updated on a timely basis for the year 2015.*
- b. Recommendation: That the Township maintain the fixed asset ledger in accordance with the New Jersey Administrative Code section 5:30-5.6.*
- c. Explanation and Corrective Action: The Township contracted a service to inventory and record all assets in late 2015. The inventory was not completed as of December 31, 2015. The Township will re-inventory all qualifying assets in 2016 and utilize the Finance software package to maintain the inventory as assets are added and disposed of or sold.*
- d. Implementation Date: August 31, 2016.*

Finding #2:

- a. Finding/Condition: Documentation that Recreation Department cash receipts are monitored for completeness could not be provided for examination.*
- b. Recommendation: That internal control policies and procedures are developed by the Finance Department to monitor the Recreation Department cash receipts for completeness.*
- c. Explanation and Corrective Action: The Township had never been advised such a policy should exist by previous auditors and felt its existing procedures were sufficient. We will work with our current auditor on a more robust policy and ensure compliance with it by the Recreation Department.*
- d. Implementation Date: September 30, 2016.*

Finding #3:

- a. Finding/Condition: The Current Fund bank account was not always reconciled on a timely basis and some of the monthly reconciliations did not agree to the General Ledger.*
- b. Recommendation: That the Current Fund bank accounts are reconciled on a timely basis and the Current Fund reconciliation agrees to the General Ledger.*
- c. Explanation and Corrective Action: The Finance Department fell behind on bank reconciliations and as of December 31, 2015 were not up to date. A new, simpler bank reconciliation has been instituted and reconciliations are being completed timely.*
- d. Implementation Date: This policy is already implemented and all reconciliations are up to date as of this time.*

Finding #4:

- a. Finding/Condition: Grants receivable and appropriated should be reviewed for proper disposition.*
- b. Recommendation: That Grants receivable and appropriated are reviewed for proper disposition.*

c. *Explanation and Corrective Action: Grant balances existed from many years prior that should have been cancelled and grants were not monitored closely in more recent years. We will pass a resolution to cancel old, uncollectable receivables and correct any incorrect balances and monitor the grants more closely going forward.*

d. *Implementation Date: September 30, 2016.*

FURTHER BE IT RESOLVED, that a copy of this Resolution be forwarded to the Department of Community Affairs Division of Local Government Services.

28. RESOLUTION – TABULATION COMMITTEE – USDA GRASSY SOUND SANITARY SEWER FORCE MAIN – PHASE III A - On motion by _____ seconded by _____ 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 Township Administrator Constance Mahon, Township Clerk Kimberly Krauss, Purchasing Agent Josh Niemann, be and hereby are appointed to tabulate the bids to be taken on August 17, 2016 at 11:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

USDA GRASSY SOUND SANITARY SEWER FORCE MAIN – PHASE III A

29. RESOLUTION - AUTHORIZING THE SALE OF PROPERTY TO THE NATURE CONSERVANCY – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, by Ordinance 1405-12, the Middle Township Committee authorized the sale of certain Township lands to The Nature Conservancy for conservation purposes, pursuant to Title 13 of the Revised New Jersey Statutes; and

WHEREAS, the Township and The Nature Conservancy have completed all preliminary title research and other preparation work for the sale, and have tentatively agreed to close the transaction on July 28 or July 29, 2016; and

WHEREAS, the removal of certain parcels from the sale has reduced the total sales price from \$109,300 to \$103,156.80; and

WHEREAS, Ordinance 1405-12 sets forth certain restrictions and conditions that must apply to the sale.

NOW, THEREFORE, be it resolved by the Township Committee of the Township of Middle as follows:

- 1. The averments of the preamble are incorporated.*
- 2. The appropriate township representatives are hereby authorized to take all steps necessary to effectuate the sale of this property to The Nature Conservancy for \$103,156.80, with closing to occur on July 28 or July 29, 2016.*
- 3. The township solicitor is hereby authorized to prepare the deed to transfer said property.*
- 4. The sale and transfer will be subject to all restrictions and conditions as set forth in Ordinance 1405-12 and as mandated by Title 13 of the Revised Statutes of New Jersey.*

30. RESOLUTION - REDUCTION OF PERFORMANCE BOND – FRED LANGFORD – THE FAIRWAYS – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, \$521,670.18 is being held as a performance guarantee of Fred Langford – The Fairways for Block 335.01, Lot 5.03, otherwise known as 600 Bayberry Drive; and

WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$108,810.00 have been completed; and

WHEREAS, it has been further recommended that the performance guarantee for the above stated project be reduced to \$521,670.18; 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 \$412,860.18.

31. RESOLUTION - AUTHORIZING STREET OPENING PERMIT WAIVER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, Local Ordinance Section 215-15D does not allow for any road opening permit for any road that has been constructed or reconstructed for a period of five years after the completion of said construction or reconstruction except by resolution of the governing body; and

WHEREAS, South Jersey Gas Company has requested a waiver to said moratorium to complete a system improvement as part of the Del Haven Backfeed Project; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, hereby finds:

- 1. That an exception to the 5 year moratorium is appropriate in this circumstance; and*
- 2. That the Public Works Superintendent and/or Sewer Department is hereby directed to issue a road opening permit to South Jersey Gas Company for various streets throughout Whitesboro for the purpose of completing system improvements as part of the Del Haven Backfeed Project, pending the submission of an application, correct fees and bonding associated therewith.*
- 3. This waiver is contingent upon use of infrared technology only, and said property owner shall contact the Public Works Superintendent regarding particulars on this procedure prior to moving forward.*

32. RESOLUTION – CLOSED SESSION – CONTRACT NEGOTIATIONS (CAPE MAY COUNTY ANIMAL SHELTER) & POTENTIAL LITIGATION (CODE VIOLATION SUMMONS) – On motion by seconded by _____ and passed on roll call, the following resolution was adopted.

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.

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: CONTRACT NEGOTIATIONS (CAPE MAY COUNTY ANIMAL SHELTER) & POTENTIAL LITIGATION (CODE VIOLATION SUMMONS)

2.) The general nature of the subject matter to be discussed is as follows:

CONTRACT NEGOTIATIONS (CAPE MAY COUNTY ANIMAL SHELTER) & POTENTIAL LITIGATION (CODE VIOLATION SUMMONS)

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.

33. RESOLUTION – RATIFY SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND THE COUNTY OF CAPE MAY—ANIMAL SHELTER SERVICES – On motion by seconded by _____ and passed on roll call, the following resolution was adopted.

34. PUBLIC COMMENT:

Motion to enter into Closed Session –

1st: _____ 2nd: _____

Pass on Roll Call:

Motion to return to Open Meeting –

1st: _____ 2nd: _____

Pass on Roll Call:

Motion to adjourn meeting –

1st: _____ 2nd: _____

Pass on Roll Call: