

Cape May Court House, NJ
 Wednesday, November 30, 2016 6:00pm
 SPECIAL MEETING
 FLAG SALUTE
 THIS MEETING IS BEING RECORDED:

This Special Meeting was called pursuant to the provisions of the Open Public Meeting Law. Notices of this meeting were emailed to the Cape May County Gazette, Atlantic City Press and the Cape May County Herald on November 22, 2016. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk on aforementioned date. Notices on the bulletin board have remained continuously posted.

The Township Committee met on the above date at 6:00pm at the Middle Township Municipal Building. Members present were Committeeman DeVico, Committeeman Donohue, Mayor Clark, Township Clerk Kimberly Krauss, Municipal Solicitor Corrado.

1. ITEM OF DISCUSSION - ACTING BUSINESS ADMINISTRATOR
2. RESOLUTION – APPOINTING ACTING BUSINESS ADMINISTRATOR – 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, County of Cape May, State of New Jersey that the following person shall be appointed as Acting Business Administrator as follows:

NAME	DEPARTMENT	TITLE	STIPEND	EFFECTIVE
Kimberly Krauss	Administration	Acting Business Administrator	\$500.00 per week	11/30/2016

3. RESOLUTION – APPOINTING ACTING BUSINESS ADMINISTRATOR – 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, County of Cape May, State of New Jersey that the following person shall be appointed as Acting Business Administrator as follows:

NAME	DEPARTMENT	TITLE	STIPEND/SALARY	EFFECTIVE
	Administration	Acting Business Administrator		

4. RESOLUTION – CLOSED SESSION – PENDING LITIGATION (CAPE MAY POINT AFFORDABLE HOUSING, LP V. TOWNSHIP OF MIDDLE, TOWNSHIP OF MIDDLE PLANNING BOARD AND TOWNSHIP OF MIDDLE ZONING BOARD) – On motion by seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the section of the Open Public Meetings Law, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and
WHEREAS, the Township Committee of the Township of Middle, the governing body thereof, is of the opinion that such circumstances presently exist, and
WHEREAS, said Closed Session shall be held directly after this open session.
NOW THEREFORE BE IT RESOLVED, by the Township of Middle, County of Cape May, State of New Jersey:
 - 1.) *The public shall be excluded from the discussion of an action upon the hereinafter specified matter: CLOSED SESSION – PENDING LITIGATION (CAPE MAY POINT AFFORDABLE HOUSING, LP V. TOWNSHIP OF MIDDLE, TOWNSHIP OF MIDDLE PLANNING BOARD AND TOWNSHIP OF MIDDLE ZONING BOARD)*
 - 2.) *The general nature of the subject matter to be discussed is as follows:*
CLOSED SESSION – PENDING LITIGATION (CAPE MAY POINT AFFORDABLE HOUSING, LP V. TOWNSHIP OF MIDDLE, TOWNSHIP OF MIDDLE PLANNING BOARD AND TOWNSHIP OF MIDDLE ZONING BOARD)
 - 3.) *It is anticipated at this time the above subject matter will be made public as follows:*
WHEN THE MATTER IS RESOLVED
 - 4.) *This Resolution shall take effect immediately.*

Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the above referenced topic in closed session.
This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist.
The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.

5. RESOLUTION – WAIVING INTEREST – BLOCK 131 LOT 1.1 BLDG (TAX ACCOUNT NO. 19138) – On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, the Day Care Center at the Cape Regional Medical Center, having been opened to the public, became eligible for property taxation during the year 2016, and was therefore assessed for property tax purposes by Middle Township during that year; and

WHEREAS, upon receiving that assessment, the Medical Center objected, and took the position that its Day Care Center was entitled to an exemption from property taxation on the ground that it was an educational institution; and

WHEREAS, subsequently the township and the Medical Center engaged in an extended period of legal research, discussion, and negotiation in an attempt to resolve this dispute, during which period the Medical Center did not pay the property taxes levied on the Day Care Center, causing them to become delinquent and subject to interest and fees; and

WHEREAS, the dispute has finally been resolved, and the Medical Center has agreed to pay, and in fact has promptly paid, the delinquent taxes on the Day Care Center; and

WHEREAS, because of the ongoing legal dispute between the township and the Medical Center, interest and fees in the amount of \$417.78 accumulated on the unpaid Day Care Center taxes during the period they were delinquent; and

WHEREAS, the Medical Center has requested, given the bona fide dispute over tax liability, that the township waive the accumulated interest and fees on those delinquent taxes; and

WHEREAS, the Middle Township Committee has considered the matter and believes that this was an isolated situation that was the subject of a bona fide dispute over whether the Day Care Center was exempt from taxation, and that therefore it is appropriate for the township to waive interest and fees accumulated while that dispute was being resolved,

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. *Interest and fees in the amount of \$417.78, accumulated on the taxes assessed against the Day Care Center at the Cape Regional Medical Center, are hereby waived.*
3. *The Township Tax Collector is hereby authorized to remove this property from the tax sale list.*
4. *This resolution shall take effect immediately, according to law.*

6. PUBLIC COMMENT:

Motion to Adjourn Meeting:

1st

2nd

Roll Call Vote: