

Cape May Court House, NJ
March 6, 2017
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, Interim Business Administrator Stephen O'Connor, Municipal Solicitor Frank Corrado, and Township Engineer Marc DeBlasio.

1. PRESENTATION BY MAYOR AND COMMITTEE – FEBRUARY EMPLOYEE OF THE MONTH – WILLIAM CANDELL
2. PRESENTATION BY MAYOR AND COMMITTEE – SENIOR EMT SCOTT KLECZ, EMT JENNIFER TEASENFITZ, POLICE OFFICER MICHAEL PASTORE, TELECOMMUNICATIONS OPERATOR BOB EAGAN
3. ITEM OF DISCUSSION: GRASSY SOUNDS SEWER PROJECT
4. PRESENTATION BY SAL DESIMONE – PRESENTATION OF THE MIDDLE TOWNSHIP PRELIMINARY FLOOD MAPS
5. 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.*)
6. RESOLUTION – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – 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 payment for the following bills in the amounts indicated are hereby approved: Current Acct. \$2,464,375.94*
7. RESOLUTION – APPROVING MINUTES FROM PREVIOUS MEETINGS – 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 minutes are approved: Work Session 02/22/2017, Regular Meeting 02/22/2017.*
8. REPORTS: Construction Official for the month of February; Municipal Clerk for the month of February;
9. ORDINANCE NO. 1539-17 – AN ORDINANCE GOVERNING THE REGISTRATION OF VACANT PROPERTIES IN MIDDLE TOWNSHIP – Following second reading, hearing, and consideration for adoption, Ordinance 1539-17 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 contains structures that are vacant in whole or large part; and
WHEREAS, in many cases, the owners of, or parties responsible for, these structures neglect them, do not adequately maintain or secure them, and do not take steps to restore them to public use; and
WHEREAS, vacant and abandoned structures harm the health, safety and general welfare of the community by diminishing property values and increasing the risk of fire, criminal activity and threats to the public health; and
WHEREAS, the Township incurs disproportionate costs to deal with the problems of vacant and abandoned structures, including excessive police calls, fire calls and property inspections; and
WHEREAS, to protect its residents, it is in the public interest to establish minimum standards of accountability for owners of, and parties responsible for, vacant and abandoned structures; and
WHEREAS, it is accordingly in the public interest for the Township to require registration of vacant and abandoned structures and to impose an appropriate fee for that registration,
NOW, THEREFORE, be it ordained by the Township Committee of the Township of Middle as follows:
SECTION 1. DEFINITIONS.
OWNER- shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions C.46:10B--51 (P.L. 2008. c. 127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Township of Middle to have authority to act with respect to the property.
VACANT PROPERTY - any real property locate in Middle Township, whether vacant or occupied, that is the subject of a foreclosure judgement; or is in default on a mortgage; or has had a lis pendens filed against it by a lender holding a mortgage on the property; or is subject to any ongoing foreclosure action by a lender; or is subject to an application for a tax deed or pending tax assessor's lien sale; or has been transferred to a lender under a deed in lieu of foreclosure; or

that meets the definition of abandoned property under N.J.S.A. 2A:50-73, N.J.S.A. 55:19-80 et seq. or any other New Jersey statute defining "vacant" or "abandoned" property. The designation of a property as "vacant" shall continue until the property is sold or transferred to a new owner, the foreclosure action has been dismissed and any default on the mortgage has been cured.

SECTION 2. REGISTRATION REQUIREMENTS.

Effective immediately, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later; or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Township Code Enforcement Inspector (or contractor hired by the Township for this purpose) on forms provided by the Township or its Contractor.

The owners of property that is vacant on the effective date of this ordinance shall have 30 days to register that property as set forth herein.

Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

a. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.

b. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners, in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the state of New Jersey or reside within the state of New Jersey.

c. The registration shall remain valid for one year from the date of registration. The owner shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or renewal fee in the amount prescribed in Section 5 of this ordinance, for each vacant property registered. The owner shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or renewal fee in the amount prescribed in Section 5 of this ordinance, for each vacant property registered.

d. The annual renewal shall be completed within 15 days of the prior year's registration form's expiration date. A notice and invoice will be sent 30 days in advance of the renewal due date.

e. The owner shall notify the Code Enforcement Officer (or hired Contractor) within 30 days of any change in the registration information by filing an amended registration statement.

f. The registration statement shall be deemed prima facie proof of the statements contained therein in any administrative enforcement or court proceeding instituted by the Township against the building owner.

SECTION 3. ACCESS TO VACANT PROPERTIES.

The owner of any vacant property registered under this Article shall provide access to the Township to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 am and 4:00 pm, or such other time as may be mutually agreed upon between the owner and the Township.

SECTION 4. RESPONSIBLE OWNER OR AGENT.

a. An owner may designate an agent or individual responsible for maintaining the property.

b. By designating an authorized agent under this Section, the owner agrees that service on the agent of any notices of code violations and all process concerning the registered vacant property constitutes service on the owner. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies Middle Township in writing of a change of authorized agent or until the owner files a new annual registration statement.

c. Any owner who fails to register vacant property under this Ordinance shall be deemed to consent to service of notices or process by the posting of same in plain view on the building or by regular and certified mail service at the owner's last known address on record with Middle Township.

SECTION 5. FEE SCHEDULE.

The initial registration fee for each building shall be \$500. Registrations must be renewed every six months, for an additional fee of \$500 for each six-month period.

SECTION 6. RESPONSIBILITIES OF VACANT PROPERTY OWNERS

The owner of any building that has become vacant, and any person operating or collecting rent for any such building, shall, within 30 days thereof

a. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Township Code.

b. Post a sign on the building indicating the name, address and telephone number of the owner and/or the owner's agent for the purpose of service of process, as well as the name, address and phone number of the person responsible for day-to-day management of the building. The sign shall be at least eight inches by 10 inches in size and shall be legible from the nearest street or sidewalk.

c. Secure the building and maintain the sign until the building is again legally occupied, demolished, or repair is complete.

d. Ensure that the exterior grounds of the structure are well-maintained and free from trash, debris, litter and grass and weed growth.

SECTION 7. VIOLATIONS.

a. Any person who violates any provision of this Article or of the rules and regulations issued hereunder shall be fined not less than \$100.00 and not more than \$1,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property.

b. Failure to file a registration statement within 30 calendar days after a building becomes vacant property or within 30 calendar days after assuming ownership of a vacant property, whichever is later, or within 10 calendar days of receipt of notice by the municipality; failure to provide correct information on the registration statement; or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this ordinance.

SECTION 8. SEVERABILITY.

Should any section, paragraph, sentence, 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 that end the provisions of this ordinance are hereby declared to be severable.

SECTION 9. REPEALER.

All ordinance, or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of their inconsistencies only.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

10. **ORDINANCE NO. 1540-17 – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) –** Following second reading, hearing, and consideration for adoption, Ordinance 1540-17 was adopted on motion by _____ seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Middle in the County of Cape May finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.0% increase in the budget for said year, amounting to \$ 552,006.96 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Middle, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Middle shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$644,008.12, and that the CY 2017 municipal budget for the Township of Middle be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

11. **ORDINANCE NO. 1541-17 – AN ORDINANCE VACATING A PORTION OF CHANNEL ROAD ADJACENT TO BLOCK 120, LOTS 31, 32 AND 33 AS SHOWN ON SHEET 82.02 OF THE TAX MAP OF THE TOWNSHIP OF MIDDLE –** Following second reading, hearing, and consideration for adoption, Ordinance 1541-17 was adopted on motion by _____ seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.

BE IT ORDAINED, by the Township Committee of the Township of Middle, in the County of Cape May and the State of New Jersey, as follows:

SECTION 1. *The public right, title and interest in, along, upon and over the following described land is hereby vacated, surrendered and extinguished: All that certain tract of parcel of land, situate in the Township of Middle and being further described and bounded as set forth in the “Street Vacation Plan & Lot Consolidation Plan” prepared by Thomas Amey Shaw, Inc., and dated July 27, 2016, attached as Exhibit A; the metes and bounds description for Block 120, Lot 31, attached as Exhibit B; and the metes and bounds description for Block 120, Lot 32, attached as Exhibit C.*

SECTION 2. *The Township of Middle, for itself, its successors and assigns, reserves unto itself the right to construct, install, build, operate, maintain, use, repair, replace and relocate such public utilities and cable television facilities, within the described premises, which it may, at any time hereafter, deem necessary for the public health, safety, convenience and welfare, and the Township of Middle further reserves unto itself the right to use, maintain, repair, replace and relocate all existing utilities and cable television facilities owned or controlled by it located in, adjacent to, upon or through said land, and further reserves unto itself an easement over, under,*

through and across the portion of the land described as may be necessary or expedient for the purpose of maintaining, replacing, relocating, installing, leveling, constructing and repairing its utilities, mains and appurtenances, if any, wherever there exists a pipeline and appurtenances thereto beneath the surface of the aforesaid described land. The Township of Middle further reserves for its benefit and the benefit of any utility or cable television company the right to maintain, repair, and replace utilities or facilities installed by them in, adjacent to, over or through the aforesaid land. All of the aforesaid rights shall be unaffected by this ordinance.

SECTION 3. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. Should any part of this ordinance be declared unconstitutional or invalid, the remaining portions of this ordinance shall not be affected thereby, but shall remain in full force and effect, and to this end the provisions of this ordinance are declared to be severable.

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

12. RESOLUTION – CANCELLATION OF TAXES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the following property has been designated as an inactive sewer line, and
WHEREAS, the account was inadvertently billed a residential rate versus inactive sewer line rate, and

WHEREAS, the fees due for line maintenance should be \$308.00 per year vs. \$560.00.

NOW THEREFORE BE IT RESOLVED, that the following taxes shall be cancelled as indicated below:

Account	Block	Lot	Owner/location	Amount cancelled
12169	1005	11	Grison, Stephen G Property location: 1504 Rte 9 S	\$252.00

13. RESOLUTION – SEWER ADJUSTMENT – 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 sewer bill adjustment has been approved due to correction towards the number of units on the property:

Account	Block	Lot	Owner/location	Amount cancelled
5700	350	48	Cunningham Mayville LLP Property location: 1019 Rt 9 S	\$1,120.00

14. PUBLIC HEARING - PLACE-TO-PLACE TRANSFER – EXPANSION OF PREMISE – MENZ RESTAURANT

15. RESOLUTION - PLACE-TO-PLACE TRANSFER – LICENSE NO. 0506-33-012-001 – MENZ RESTAURANT

WHEREAS, an application has been filed for a place to place transfer of Plenary Retail Consumption License No. 0506-33-012-001 (Menz Restaurant), for the purpose of expanding the existing licensed premise wherein the sale, service and storage of alcoholic beverages are authorized, and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

NOW THEREFORE BE IT RESOLVED, that the Township of Middle, County of Cape May, State of New Jersey, does hereby approve, effective March 6, 2017, the place to place transfer of the aforesaid Plenary Retail Consumption Licensed premise located at 985 Route 47 South, Rio Grande, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

16. RESOLUTION – RATIFY LEASE AGREEMENT (ITEMS A THROUGH B) – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

(a) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Marine Corps League and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2017 through December 31, 2017, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

(b) BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the War Gamers and the Township of Middle for usage of the Middle Township Senior Citizen Center from January 1, 2017 through December 31, 2017, be and is hereby ratified.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

17. RESOLUTION – APPROVE CHANGE ORDER NO. 1-HOUSING REHABILITATION CONTRACT NO. #2016-11- MIDDLE TOWNSHIP HOME REHABILITATION PROJECT – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, Housing Rehabilitation Contract No. 2016-11 was awarded August 15, 2016, via Resolution No. 344-16 to H.J. Graber Contractors;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the attached Change Order #1 for the project awarded to H.J. Graber Construction, be and is hereby approved in the amount of \$1,750.00.

18. RESOLUTION – ACKNOWLEDGING AND APPROVING REQUEST FOR MULTIPLE DWELLINGS DURING THE CONSTRUCTION OF NEW HOME – 8 REEDS BEACH ROAD – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, Timothy and Catherine Lee currently reside at 8 Reeds Beach Road in Reeds Beach, Middle Township; and

WHEREAS, Mr. and Ms. Lee wish to construct a new residence on that property but wish to remain in their existing home until a Certificate of Occupancy is issued for the new residence; and

WHEREAS, Mr. and Ms. Lee have asked the Township for its approval of that proposal; and

WHEREAS, having consulted with the township’s zoning official and construction official and having received their advice on the matter, the Middle Township Committee believes the Lees’ request can be granted, subject to certain conditions enumerated below

NOW THEREFORE, on this 6th day of March, 2017, be it RESOLVED by the Township Committee of the Township of Middle as follows:

1. *The Township Committee approves the request of Timothy and Catherine Lee to continue to reside in their existing residence at 8 Reeds Beach Road, Middle Township, while their new residence is being constructed on the property, and until that new residence receives a Certificate of Occupancy from the township.*

2. *The Township Committee’s approval is subject to the following conditions:*

A. *Once the building permit for the new residence has been issued, construction of the residence will be completed within 16 months of the date of issuance of the building permit.*

B. *The existing home must be demolished within 40 days of issuance of the Certificate of Occupancy for the new resident.*

3. *This Resolution shall take effect immediately, according to law.*

19. RESOLUTION – SUPPORTING PARTICIPANTS IN THE SUSTAINABLE JERSEY MUNICIPAL RECERTIFICATION PROGRAM – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, as sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and WHEREAS, Middle Township strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Middle Township hereby acknowledges that the residents of Middle Township desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Middle township wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Middle Township is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Middle Township, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that to focus attention and effort within Middle Township on matters of sustainability, the Middle Township Governing Body wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Middle Township Governing Body, that we do hereby authorize Nancy Sittineri to serve as Middle Township’s agent for Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf of Middle Township.

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 imposes 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
Masker, Greg W. & Marci L.	13 Timberlea Lane	212.08 // 12	\$1,529.11
Rourke, Elizabeth A.	803 Goshen Road	52 // 15	\$900.15

21. RESOLUTION – TEMPORARY BUDGET AMENDMENT – On motion by seconded by and passed on roll call, the following resolution was adopted.
NOW, THEREFORE, BE IS RESOLVED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the Temporary Budget, as established during Reorganization 2017 via Resolution 11-17 is hereby amended as outlined on the attached.

Account Number	Account Description		2017 Temp Budget	Emergency Temporary Budget - 40%
7-01-20-100-100-100	ADMN & EXEC	SALARIES AND WAGES	36,200.00	50,400.00
7-01-20-100-100-200		OTHER EXPENSES	20,500.00	36,000.00
7-01-20-100-101-200	PUBLIC AFFAIRS	OTHER EXPENSES	0.00	300.00
7-01-20-101-101-100	BOARD STIPENDS	SALARIES AND WAGES	3,000.00	5,000.00
7-01-20-105-105-100	HUMAN RESOURCES	SALARIES AND WAGES	20,343.75	40,000.00
7-01-20-105-105-200		OTHER EXPENSES	6,562.50	10,000.00
7-01-20-110-110-100	MAYOR & COMMITTEE	SALARIES AND WAGES	13,781.25	21,000.00
7-01-20-110-110-200		OTHER EXPENSES	1,653.75	2,520.00
7-01-20-120-120-100	MUNICIPAL CLERK	SALARIES AND WAGES	34,125.00	52,000.00
7-01-20-120-120-200		OTHER EXPENSES	10,344.00	15,762.00
7-01-20-120-121-200	CODIFICATION	OTHER EXPENSES	2,257.50	5,000.00
7-01-20-120-122-200	RECORDS MANAGEMENT	OTHER EXPENSES	0.00	-
7-01-20-130-130-100	FINANCIAL ADMINISTRATION	SALARIES AND WAGES	42,787.50	65,200.00
7-01-20-130-130-200		OTHER EXPENSES	12,731.25	19,400.00
7-01-20-130-131-100	GRANTS ADMINISTRATION	SALARIES AND WAGES	11,681.25	17,800.00
7-01-20-130-131-200		OTHER EXPENSES	6,825.00	12,000.00
7-01-20-130-132-200	BOND REGISTRAR	OTHER EXPENSES	0.00	-
7-01-20-132-132-100	INFORMATION TECHNOLOGY	SALARIES AND WAGES	16,695.00	25,440.00
7-01-20-132-132-200		OTHER EXPENSES	1,968.75	3,000.00
7-01-20-132-133-200	TELECOMMUNICATION CONTRACT	OTHER EXPENSES	9,200.00	9,200.00
7-01-20-135-135-200	AUDIT SERVICES	OTHER EXPENSES	8,137.50	20,000.00
7-01-20-145-145-100	COLLECTION OF TAXES	SALARIES AND WAGES	35,568.75	54,200.00
7-01-20-145-145-200		OTHER EXPENSES	10,106.25	16,000.00
7-01-20-150-150-100	ASSESSMENT OF TAXES	SALARIES AND WAGES	28,743.75	43,800.00
7-01-20-150-150-200		OTHER EXPENSES	11,812.50	18,000.00
7-01-20-155-155-200	LIQUIDATION OF TTLS	OTHER EXPENSES	3,937.50	8,000.00
7-01-20-155-156-200	LEGAL SERVICES	OTHER EXPENSES	89,250.00	136,000.00
7-01-20-165-165-200	ENGINEERING SERVICES	OTHER EXPENSES	26,250.00	45,000.00
7-01-21-180-180-100	SMART GROWTH	OTHER EXPENSES	1,312.50	2,000.00
7-01-21-180-180-200	PLANNING BOARD	OTHER EXPENSES	0.00	-
7-01-21-185-185-100	ZONING BOARD	SALARIES AND WAGES	22,863.75	34,840.00
7-01-21-185-185-200		OTHER EXPENSES	9,975.00	15,200.00
7-01-22-195-195-100	CODE ENFORCEMENT	SALARIES AND WAGES	8,925.00	13,600.00
7-01-22-195-195-200		OTHER EXPENSES	1,000.00	2,000.00
7-01-22-195-196-100	CONSTRUCTION CODE	SALARIES AND WAGES	18,375.00	24,000.00
7-01-22-195-196-200		OTHER EXPENSES	3,937.50	6,000.00
7-01-22-195-198-200	DEMOLITION OF SUBSTANDARD BLDG	OTHER EXPENSES	0.00	4,000.00
7-01-23-210-211-400	OTHER INSURANCE	OTHER EXPENSES	47,643.75	80,000.00
7-01-23-215-215-400	WORKERS COMPENSATION INSURANCE	OTHER EXPENSES	144,300.00	219,900.00
7-01-23-220-220-400	GROUP INSURANCE PLAN FOR EMP	OTHER EXPENSES	923,115.00	1,406,652.00
7-01-23-221-221-400	HEALTH CARE WAIVER	OTHER EXPENSES	32,000.00	32,000.00
7-01-23-225-225-400	UNEMPLOYMENT COMPENSATION	OTHER EXPENSES	0.00	-
7-01-23-310-310-200	PUBLIC BUILDING AND GROUNDS	OTHER EXPENSES	52,137.50	69,400.00
7-01-25-240-240-100	POLICE	SALARIES AND WAGES	1,217,556.00	1,905,400.00
7-01-25-240-240-200		OTHER EXPENSES	93,826.00	142,972.00
7-01-25-250-250-100	COMMUNICATIONS	SALARIES AND WAGES	114,187.50	176,000.00
7-01-25-250-250-200		OTHER EXPENSES	1,837.50	2,800.00
7-01-25-252-252-200	EMERGENCY MANAGEMENT SERVICE	SALARIES AND WAGES	0.00	-
7-01-25-252-252-200		OTHER EXPENSES	262.50	400.00
7-01-25-262-262-100	EMERGENCY MEDICAL SERVICES	SALARIES AND WAGES	114,843.75	175,000.00
7-01-25-262-262-200		OTHER EXPENSES	10,368.75	15,800.00
7-01-25-262-263-200	CONTRIBUTION-1ST AID SQUAD	OTHER EXPENSES	18,375.00	25,000.00
7-01-25-265-265-200	FIRE PROTECTION	OTHER EXPENSES	0.00	-
7-01-25-275-275-100	PROSECUTOR	OTHER EXPENSES	8,925.00	15,000.00
7-01-26-290-291-100	PUBLIC WORKS	SALARIES AND WAGES	236,250.00	450,000.00
7-01-26-290-291-200		OTHER EXPENSES	32,812.50	50,000.00
7-01-26-295-295-200	SNOW REMOVAL	OTHER EXPENSES	6,562.50	1,562.50
7-01-26-300-301-200	SHADE TREE COMMISSION	OTHER EXPENSES	195.00	300.00
7-01-26-305-306-373	CONTRACTUAL WASTE SERVICES	GARBAGE & TRASH	107,518.00	133,360.00
7-01-26-305-308-373		RECYCLING	93,455.00	133,360.00
7-01-26-315-315-200	MOTOR POOL	OTHER EXPENSES	52,500.00	80,000.00
7-01-27-330-330-100	BOARD OF HEALTH	SALARIES AND WAGES	223.00	340.00
7-01-27-330-330-200		OTHER EXPENSES	223.00	340.00
7-01-27-340-340-100	ANIMAL CONTROL	SALARIES AND WAGES	16,275.00	26,000.00
7-01-27-340-340-200		OTHER EXPENSES	2,100.00	3,200.00
7-01-27-340-340-300	ANIMAL SHELTER CONTRACT	OTHER EXPENSES	31,368.75	93,200.00
7-01-28-370-370-100	RECREATION	SALARIES AND WAGES	52,211.25	79,560.00
7-01-28-370-370-200		OTHER EXPENSES	9,581.25	18,000.00
7-01-28-370-371-100	SENIOR CENTER	SALARIES AND WAGES	14,962.50	22,800.00
7-01-28-370-371-200		OTHER EXPENSES	5,250.00	8,000.00
7-01-30-415-415-100	TERMINAL LEAVE	SALARIES AND WAGES	0.00	-
7-01-31-430-430-475	UTILITIES	ELECTRICITY COSTS	99,750.00	154,000.00
7-01-31-435-435-475	UTILITIES	STREET LIGHTING COSTS	1,000.00	1,000.00
7-01-31-436-436-299	UTILITIES	POSTAGE	0.00	-
7-01-31-440-440-475	UTILITIES	TELEPHONE COSTS	22,312.50	36,000.00
7-01-31-445-445-475	UTILITIES	WATER	4,068.75	7,000.00
7-01-31-446-446-475	UTILITIES	NATURAL GAS COSTS	13,125.00	24,000.00
7-01-31-447-447-475	UTILITIES	FUEL OIL COSTS	0.00	-
7-01-31-450-450-475	UTILITIES	INTERNET	5,775.00	9,000.00
7-01-31-460-460-475	UTILITIES	GASOLINE COSTS	62,623.00	95,425.00
7-01-32-465-465-373	CONTRACTUAL	SANITARY LANDFILL	112,875.00	172,000.00
7-01-36-471-471-451	STATUTORY EXPENDITURES	PERS	88,835.25	135,368.00
7-01-36-471-471-453	STATUTORY EXPENDITURES	SOCIAL SECURITY	160,125.00	244,000.00
7-01-36-471-471-455	STATUTORY EXPENDITURES	PFRS	260,289.00	396,630.00
7-01-36-471-471-457	STATUTORY EXPENDITURES	DCRP	2,100.00	7,000.00
7-01-42-101-101-100	INTER-LOCAL AGREEMENTS	CMC TECH SCHOOL (SRO)	19,500.00	29,700.00
7-01-42-101-101-411	INTER-LOCAL AGREEMENTS	JIF FIRE DIST #2	9,860.55	15,025.00
7-01-43-490-490-100	MUNICIPAL COURT	SALARIES AND WAGES	45,937.50	70,000.00
7-01-43-490-490-200		OTHER EXPENSES	6,221.25	15,000.00
7-01-43-495-495-100	PUBLIC DEFENDER	OTHER EXPENSES	4,593.75	9,000.00
		TOTAL CURRENT FUND TEMP BUDGET	\$ 4,889,709.05	7,453,156.50
SEWER UTILITY TEMPORARY BUDGET				
7-07-00-000-000-000	**SEWER OPERATING FUND APPROPRIATIONS		0.00	-
7-07-36-471-471-000	**STATUTORY EXPENDITURES		0.00	-
7-07-36-471-471-451	PERS		3,937.50	6,000.00
7-07-36-471-471-453	SOCIAL SECURITY		4,200.00	4,200.00
7-07-55-100-000-000	***OPERATING EXPENSES***		0.00	-
7-07-55-400-400-000	***UTILITIES***		0.00	-
7-07-55-430-430-475	ELECTRICITY		3,412.50	12,100.00
7-07-55-440-440-475	TELEPHONES		393.75	1,800.00
7-07-55-501-501-100	**SALARIES & WAGES		52,500.00	80,000.00
7-07-55-502-502-200	OTHER EXPENSES		48,693.75	74,200.00
7-07-55-502-503-300	UTILITY INSURANCE		42,000.00	64,000.00
7-07-55-502-504-351	CMCMUA USER CHARGE		516,600.00	781,300.00
7-07-55-511-511-000	**CAPITAL IMPROVEMENT FUND		0.00	-
7-07-55-511-511-000	CAPITAL IMPROVEMENT BUDGET		0.00	-
		TOTAL SEWER UTILITY TEMP BUDGET	\$ 671,737.50	1,023,600.00

22. RESOLUTION - SOCIAL AFFAIRS PERMIT – BISHOP MCHUGH REGIONAL CATHOLIC SCHOOL – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, Bishop McHugh Regional Catholic School has applied for approval to sell alcoholic beverages at an event to be held at Stone Harbor Golf Club, 905 Route 9 North, Cape May Court House, New Jersey 08210 on May 19, 2017 from 3:00pm until 10:00pm, and
WHEREAS, they have provided proper documentation to the Township of Middle,
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.
23. RESOLUTION - AMENDING FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES – REMINGTON, VERNICK & WALBERG ENGINEERS – MIDDLE TOWNSHIP/ COLD SPRING, LOWER TOWNSHIP BIKE PATH CONNECTOR – On motion by seconded by 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 engineering and application preparation services for the following:
Remington, Vernick & Walberg Engineers
Engineering & Construction Phase Services
Middle Township / Cold Spring, Lower Township Bike Path Connector
Not to Exceed \$28,000.00
24. RESOLUTION - ENDORSING MUNICIPAL APPROVAL CERTIFICATE FOR BUSINESS LICENSE – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, Whalen’s Auto is the holder of a PIF/PIM license, issued by the State of New Jersey, Motor Vehicle Commission, and
WHEREAS, said applicant is requesting an amendment to said license to reflect his change in address, and
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 location of said license to reflect the new business address of 1171 Route 9 South, CMCH.
25. 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 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.
26. RESOLUTION – RELEASE OF TRUST ACCOUNTS – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid; and
WHEREAS, the applicants are entitled to a refund of this money.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts, as listed on the attached sheets, shall be released.
27. RESOLUTION - CLOSED SESSION – PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY & POTENTIAL LITIGATION (SALARIES STATUTORY OFFICERS) – 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
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: PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY
- 2.) The general nature of the subject matter to be discussed is as follows: PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY
- 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.

28. RESOLUTION - RELEASE OF PERFORMANCE BOND – STREET OPENING – STEPHEN GIBSON/ RIO GRANDE 9, LLC – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, \$5,000.00 is being held as a performance guarantee for Stephen Gibson/ Rio Grande 9, LLC. for a street opening located at Block 36.01 Lot 6, and
WHEREAS, the Public Work Department has conducted his inspection and determined that all improvements have been completed, and
WHEREAS, it has been recommended that the performance guarantee for the above stated project be released.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the above reference opening has been inspected and approved, and that the cash performance bond in the amount of \$5,000.00 be released.
29. RESOLUTION - AWARD OF BID – SNOW AND DEBRIS REMOVAL – 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 Snow and Debris Removal for upcoming potential snow storms that might occur within the Township of Middle, and
WHEREAS, sealed bids were received on February 23, 2017, and
WHEREAS, it appears that the following bids submitted represents a figure equal to the lowest responsible bids received, which complies with specifications and requirements as set forth by the State of New Jersey.
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that in the event that private snow removal services are necessary, the Superintendent of Public Works is hereby authorized to utilize the following company as shown on the attached tally sheet.
BE IT FURTHER RESOLVED, that this award is conditioned upon certification of funds and also submission of appropriate affirmative action forms.
FURTHER RESOLVED, that the amount to be certified shall not exceed the amount as set aside in the municipal budget for said services.
H4 Enterprises – See attached tally sheet for machine specifications and hourly rates
30. RESOLUTION - AWARD OF BIDS – DISPOSAL OF RECYCLE MATERIALS TAKEN TO A CLASS B RECYCLING FACILITY AND MATERIALS PICKED UP OR DELIVERED FROM A CLASS B RECYCLING FACILITY – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, it has been deemed necessary to request bids for the cost associated with delivering recyclable materials to a Class B recycling facility and also for cost associated upon picking of materials or delivery from a Class B recycling facility
WHEREAS, bids were received on February 23, 2017, and
WHEREAS, Exhibit A & Exhibit B attached hereto this resolution shows the results of said request for proposal, outlining the following award.
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that following contract for services shall be awarded as follows:
Disposal of recycle material to be taken to a Class B facility – Cape Mining & Recycling, LLC.
Materials to be picked up or delivered from a Class B facility – Cape Mining & Recycling, LLC.
BE IT FURTHER RESOLVED, that this award is conditioned upon certification of funds and also submission of appropriate affirmative action forms.
FURTHER RESOLVED, that the amount to be certified shall not exceed the amount as set aside in the municipal budget for said services.
31. RESOLUTION - RENEWAL OF GRAVEL PIT PERMITS – 2017 – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, the gravel pit permit renewal applications listed below have been found to be in proper form, and the fee paid in each case, and
WHEREAS, the Township Committee finds and concludes that the excavation and soil removal work originally authorized has been in continuous operation during the period of the permit and has been performed in accordance with the conditions under which the original permit was granted, and
WHEREAS, the Township Engineer undertook an inspection of the subject premises and has stated in his letter that recertification is currently recommended, and
WHEREAS, said applicants listed below have also received all necessary site plan review and approvals for their operations as set forth in Chapter 132 of the Township code.
NOW, THEREFORE, BE IT RESOLVED, that each of the following permits be and are hereby renewed for the calendar year 2017, and this permit is subject to the rules and regulations as set forth in the code of the Township of Middle known as Chapter 132, including but not limited to all parameters set forth by the Middle Township Planning Board as expressed in their approving resolutions:

NO.	NAME OF LICENSE	BLOCK/LOT	ACREAGE	FEE
8	Court House Sand & Gravel, LLC	479 / 93	75.94	\$600.00
9	Indian Trail Sand & Gravel, LLC	472 / 32	7.9	\$200.00
12	Diamond Materials, LLC	168 / 2	42.5	\$600.00

FURTHER RESOLVED, that the above licenses be issued upon any and all conditions set forth by the Township Engineer and Middle Township Planning Board in the letters and resolutions attached to each license.

32. RESOLUTION - AMENDING RESOLUTION 525-16 - AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – SJC CONSULTANTS LLC – INTERIM BUSINESS ADMINISTRATOR – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle passed Resolution No. 525-16 on December 12, 2016 authorizing a contract between SJC Consultants LLC. and the Township of Middle for Interim Business Administrator services in the amount of \$15,000.00, and

WHEREAS, there is a need to extend said contract on a month to month bases, to be terminated by the governing body at any time, at the rate of \$80.00/hr., not to exceed \$5,000.00/month, for a total contract amount of \$25,000.00, which will exceed the non-fair and open limitation of \$17,500.00; and

WHEREAS, SJC Consultants LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that said entity has not made any reportable contributions to a political or candidate committee in the Township of Middle in the previous one year, and that the contract will prohibit SJ Consultants LLC. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that authorization is hereby granted to enter into an agreement with said contractor and that the appropriate officials are hereby authorized to sign any and all document in connection therewith.

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

33. RESOLUTION - ACKNOWLEDGING REQUEST FOR INTERGOVERNMENTAL TRANSFER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Intergovernmental Transfer Program through New Jersey Civil Service Commission provides the opportunity for eligible New Jersey state and local government employees with permanent civil service status to transfer between local to local employment jurisdictions while maintaining their permanent status, and

WHEREAS, this program promotes more efficient public service by allowing civil service jurisdictions to share talented and experienced individuals with other governmental sectors, and

WHEREAS, all parties involved in the transfer (the transferring employee, the sending jurisdiction, the receiving jurisdiction, and the New Jersey Civil Service Commission) must agree to the transfer for it to be completed. A transfer is not valid until approved by the Civil Service Commission.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the Governing Body of the Township of Middle does hereby acknowledge and approve the preparation of an Intergovernmental Transfer for Joseph Gamble, Police Officer.

BE IT FURTHER RESOLVED, that Human Resources, and/or any other required official of the Township of Middle, is hereby authorized to process all “sending agencies” forms in connection with said transfer.

34. RESOLUTION - RATIFY SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND MIDDLE TOWNSHIP FIRE DISTRICT NO. 3 BOARD OF FIRE COMMISSIONERS – PARTICIPATION IN JOINT INSURANCE FUND – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle is a member of the Atlantic County Municipal Joint Insurance Fund; and

WHEREAS, under the rules and regulations of the Municipal Excess Liability Joint Insurance Fund, the Township of Middle shall endorse the application of a fire district and agree to assume responsibility for the financial obligation of the fire district to the Atlantic County Municipal Joint Insurance Fund further constituting this agreement for reimbursement; and

WHEREAS, the commissioners have been accepted to participate in the ACMJIF.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the appropriate officials are hereby authorized and directed to sign said Shared Services Agreement for Joint Insurance Fund Year 2017.

35. PUBLIC COMMENT:

Motion to go into closed session –
1st 2nd
Pass on Roll Call:

Motion to reenter open session –
1st 2nd
Pass on Roll Call:

Motion to adjourn meeting –
1st 2nd
Pass on Roll Call: