

Cape May Court House, NJ
August 3, 2009
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 Doughty, Committeemember DeLanzo, Committeemember Barry, Township Business Administrator Mark Mallett, Township Clerk Kimberly Tomkinson, Attorney James Pickering, and Engineer Vincent Orlando.

1. PRESENTATION – Charles Norkis, Executive Director of Cape May County MUA

Mark Mallett: I had invited Charles Norkis to give us a brief overview of the beneficial aspects associated with the water reuse project concerning potential health hazards.

Charles Norkis: We signed an agreement a couple of years ago to use some wastewater so that we can use as much as we can instead of discharging into the ocean. We can take less water and recycle it so we take less out of the ground. We are going to take the water and we are spraying the Crest Haven Complex, their ball fields, irrigate all of their shrubbery and all their greens and grasses; we are going to irrigate the grounds at the zoo, we are going to replace wells now that are taking away the ground water and pumping it off and using it for irrigation. The water at the zoo will be used to wash down the cages and to flush the toilets in the park. Atlantic Cape Community College deferred sinking a well to use this program. They signed agreement to use this water. Water will also be sent to Davies Complex for their irrigation. It came up at a recent meeting about the safety of this water. Main issue was is it disinfected adequately. Paper given out was dated in 1985 and dealt with sludge. What we are talking about is not sludge. We are talking about clean wastewater. Will remove the nitrogen, run through sand filters, go to more biological treatment. We have to bring down to 5% of suspended solids in order to spray onto ball field. This has come from the EPA and adopted by the DEP, this is mandated by the government. Have to meet same standard that used to be for swimmable waters. Have to discharge into the ocean less than 200 fecal coliform. Same limit as what is in swimming pools. Have to treat at a higher level than that of the ocean. The water is going to be very, very highly disinfected. What is driving this is the water shortage across the country. We will have automatic sensors set up. If suspended solids drop below 5, the pump will cut off, we won't discharge to anyone. There are things set up to assure us that we are protected. We fully intend to meet all the requirements. Methods of disinfection are chlorine, ozone, peroxide, uv light. We have no concerns about it, it is definitely the right thing to do.

Vilma Pombo: I think it is great. When you say Crest Haven is the entire complex going to get it, like the animal shelter, the tech school, the nursing home, all of the Crest Haven Administrative buildings, the sheriff's offices?

Charlie Norkis: Just for the outside buildings, yes and for irrigation. Yes, all of the buildings and even the cemetery.

Betty McGurk: Across the globe they are finding high concentrations of pharmaceuticals remaining, is there anything that you have in place to ward against finding Prozac in high concentrations?

Charlie Norkis: That is a national phenomenon and they are finding more so in like the Delaware River. The last time I heard, the Delaware River will take the water and use it 12 times. So they take it in, use it for drinking water, go through the sewage plant, put it back in the Delaware River and somebody else takes it out. You've got Camden, you've got Trenton, you've got Philadelphia and it accumulates there over time. Hormonal supplements, antibiotics, very, very trace levels. Ten years ago we couldn't measure down to parts per trillion; even lower than that now we can measure. Here it is a one use thing.

2. 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.)

Eileen Fausey: Can you tell me what non fair and open process means?

Jim Pickering: There is a fair and open process which means everything goes through one of two processes, either the public bidding requirements or what the Pay to Play rules from the State calls open and fair. The Township has adopted resolutions regarding that and follows it. There is a threshold when it is below \$17,500 it doesn't have to go out to bid. The Township's policy has always been that for almost every professional services contract that I have seen that has gone out, even if they are below \$17,500, the Township has bid those through the fair and open process and sometimes they are just contracts that are small where there might be one provider where they just award the bid. I believe sometimes they might seek a number of quotes from people and choose one.

Eileen Fausey: They are appointing a board for the housing committee tonight, will those be public meetings?

Jim Pickering: It is an advisory board and under the Open Public Meetings Act it would not be required, in my opinion, to be advertised.

Item #10 – Resolution Appointment Housing Advisory Board.

Committeewoman DeLanzo: Made amendments to this Resolution - 2 members who are not going to serve on the Committee – Jo Ann Maker and Sam Kelly. These 2 board members will be replaced at a later time and announced at a later meeting. Other board members were sworn in – Daniel Auld, Nancy Hagan, Catherine Lorentz, Michael McGurk, Bob Noel, Joseph O’Connor, Lamont R. Tibbits, Miles Truesdell, Jr. and Susan Van Rossum.

Steve Barry: When you take on a public obligation, you are supporting and defending the laws of the constitution and the State. This is a very hard job that you have all taken on and I thank you very much for taking on this hard work.

Susan DeLanzo: Last week we had the visioning meeting at the high school, which we concentrated on Cape May Court House. This week that meeting is Thursday, August 6th, again 6:30 to 7:00 is a preview of the maps and this week the hamlet is Rio Grande that will be discussed.

Mayor Doughty: Event at Goshen tomorrow night, National Night Out, starts at 6:00, food, games, give a ways, good evening, good fun.

Jim Pickering: Item #7, which was the ordinance regarding the road, as it is printed in the agenda, the price is blank. As it was introduced, the price was agreed to be \$4500 for this portion of the property along with \$1,000 in costs.

- 3. RESOLUTION NO. 351-09 – APPROVING PAYMENT FOR BILLS – BILL LIST A – On motion by Committeemember DeLanzo seconded by Committeemember Barry 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:

Dedicated Trust	\$ 1,818.86
Current Acct.	\$ 2,135,600.22

- 4. RESOLUTION NO. 352-09 – APPROVING PAYMENT FOR BILLS – BILL LIST B – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted. Mayor Doughty Abstained
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills for BILL LIST B in the amounts indicated are hereby approved:

Current Acct.	\$ 124,411.52
(FM - \$3,609.37 / AH - \$120,802.15)	

- 5. RESOLUTION NO. 353-09 – APPROVING MINUTES FOR PREVIOUS MEETING – On motion by Committeemember DeLanzo seconded by Committeemember Barry and passed on roll call, the following resolution was adopted.

- 6. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of July; Zoning Official for the month of July;

- 7. RESOLUTION NO. 354-09 – DEDICATE AND ACCEPT ROAD RIGHT OF WAY WHICH WAS FORMERLY PART OF BLOCK 871, LOT 6 AS FURTHER DESCRIBED HEREIN- On motion by Committeemember DeLanzo seconded by Mayor Doughty and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle is the owner of that parcel of land known as Block 871, Lot 6, a triangular shaped parcel located near Pennsylvania and Roosevelt Avenues in the Whitesboro section of the Township; and

WHEREAS, The Township of Middle vacated a portion of Roosevelt Avenue pursuant to Local Ordinance No.1328 - 09; and

WHEREAS, The Township of Middle desires to dedicate a portion of Block 871, Lot 6 as right of way to connect Roosevelt Avenue and Pittsburgh Avenues directly to Pennsylvania Avenue; and WHEREAS, The Township of Middle also desires to dedicate a portion of Block 871, Lot 6 as right of way to connect Detroit Avenue directly to Pennsylvania Avenue;

WHEREAS, The Township of Middle has determined to dedicate these certain lands as right of way and accept same for the benefit of the Township of Middle and the public in general;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey as follows:

1. The right of way set forth in the deed of dedication attached hereto as Exhibit A, being part of Block 871, Lot 6 on the Official Tax Map of the Township of Middle, is hereby dedicated by the Township of Middle and accepted as and for a public right of way; and

2. The right of way set forth in the deed of dedication attached hereto as Exhibit B, being part of Block 871, Lot 6 on the Official Tax Map of the Township of Middle, is hereby dedicated by the Township of Middle and accepted as and for a public right of way; and

3. The Township Solicitor and Township Clerk are hereby authorized and directed to accept the two Deeds of Dedication and to record same for the benefit of the Township.

- 8. ORDINANCE NO. 1332-09 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND TO CONTIGUOUS OWNER OF BLOCK 871, LOT 6 IN WHITESBORO – On motion by Committeemember DeLanzo seconded by Mayor Doughty and passed on roll call, Ordinance No 1332-09 passed first reading. Second reading, public hearing and consideration for adoption will be held on 9/21/2009 at 6:00 p.m.

9. RESOLUTION NO. 355-09 THROUGH 357-09 – REFUND OF TAXES (ITEMS A THROUGH C) – On motion by Mayor Doughty seconded by Committeemember Barry and passed on roll call, the following resolution was adopted.

(A)Refund due to overpayment made by a 100% disabled American Veteran

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
2231	107	4	Glacken, William T & Carol A 111 Birch Drive Cape May Court House, NJ 08210		342.38

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2009 taxes.

BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

(B)Refund due to appeals

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
3218	164.01	89	Heisler, James P 198 W Mountain RD Wind Gap, Pa 18091	43.78	
			152 Springers Mill Rd		
17438	1007	1	Mc Caffrey, Helen 33 Kings Lane Cape May Court House, NJ 08210	16.64	
			E Lena ST		

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2009 taxes.

BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

(C)Refund due to overbills

ACCT	BLOCK	LOT	OWNER/LOCATION	AMOUNT	ck#
2260	114	24.01	Bowman Walker Construction Inc 1417 Rte 9 N Cape May Court House, NJ 08210	3956.08	
			2 Seagrove Ave		
5690	348.01	12 Qfarm	Bright, Candyce L Trustee 531 Shunpike Cape May Court House, NJ 08210	10.39	
			531 Shunpike		
15215	440	7.01	Schatzman, James R 73 N Savanna Drive Pottstown, Pa 19465	679.89	
			101 Oak Ave		
18907	440	7.02	Schatzman, James R 73 N Savanna Drive Pottstown, Pa 19465	679.89	
			103 Oak Ave		

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw checks in the above noted amounts payable to the above mentioned parties, as a refund of 2009 taxes.

BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

10. RESOLUTION NO. 358-09 – CANCELLATION OF TAXES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

Cancellation of taxes due to owner eligible for 100% Veteran status as of May 8, 2009

ACCT #	BLOCK	LOT	NAME/LOCATION	2009	
2231	107	4	Glacken, William T & Carol A 111 Birch Drive	2189.38	1761.45

11. RESOLUTION NO. 359-09 – APPOINTMENT – HOUSING ADVISORY BOARD – On motion by Committeemember DeLanzo seconded by Committeemember Barry and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle wishes to create a Housing Advisory Board, who's main objective is to advise and provide recommendations on how to meet Middle Township's COAH Obligations and to provide safe, quality housing to low and moderate income families while addressing the overall needs of the entire community.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following individuals be and are hereby appointed to the Housing Advisory Board:

Brent Anderson
Daniel Auld
Nancy Hagan
Catherine A. Lorentz
Michael McGurk
Bob Noel
Josephine O'Connor
Lamont R. Tibbits
Miles Truesdell, Jr.
Susan Van Rossum

BE IT FURTHER RESOLVED, that the board and its members shall serve at the discretion of Township Committee.

12. RESOLUTION NO. 360-09 – CLOSED SESSION – MATTERS OF PENDING LITIGATION (RAVITZ V. TWP. OF MIDDLE); PERSONNEL MATTERS (CHIEF OF POLICE POSITION) – On motion by Committeemember Barry seconded by Committeemember DeLanzo 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,
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: MATTERS OF PENDING LITIGATION (RAVITZ V. TWP OF MIDDLE); PERSONNEL MATTERS (CHIEF OF POLICE POSITION)
 - 2.) The general nature of the subject matter to be discussed is as follows: MATTERS OF PENDING LITIGATION (RAVITZ V. TWP OF MIDDLE); PERSONNEL MATTERS (CHIEF OF POLICE POSITION)
 - 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.

13. RESOLUTION NO. 361-09 – TABULATION COMMITTEE – STREET HOCKEY RINK LIGHTING – CLARENCE AND GEORGIANA DAVIES SPORTS COMPLEX – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted. Mayor Doughty abstained
NOW THEREFORE 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 Mark Mallett, Township Clerk Kimberly Tomkinson, Chief Finance Officer Tracey Taverner, and Municipal Engineer Vincent Orlando be and hereby are appointed to tabulate the bids to be taken on Tuesday, August 25, 2009 at 1:00 PM in the Middle Township Municipal Building, 2ND Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:
STREET HOCKEY RINK LIGHTING – CLARENCE AND GEORGIANA DAVIES SPORTS COMPLEX

14. RESOLUTION NO. 362-09 – AMENDING RESOLUTION 321-09 – RELEASE OF PERFORMANCE BOND – FCF REALTY LLC. – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, Resolution No. 321-09 inadvertently indicated the incorrect amount of bond to be released, therefore constituting an amendment, and
WHEREAS, \$194,821.20 is being held as a Performance Guarantee for FCF Realty, LLC. for site plan improvements at the Old Rio Grande Avenue, Rio Grande, and
WHEREAS, the Engineer for the Township of Middle has conducted his inspection and certified that all improvements have been completed, and
WHEREAS, the Zoning Officer for the Township of Middle has recommended that the performance bond be released, and
WHEREAS, the Land Use Law of the State of New Jersey (NJS 40:55D-1 et seq) requires such a release upon recommendation by the Township Engineer,
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the performance bond with Commerce Bank in the name of FCF Realty LLC. be and is hereby released.

15. RESOLUTION NO. 363-09 – AWARD CONTRACT UNDER NON-FAIR AND OPEN PROCESS – WAYNE MOUNTS – TELECOMMUNICATIONS SERVICES – On motion by Mayor Doughty seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, the Township has determined that the value of the following contract will not exceed \$17,500.00, and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A: 11-1 et seq.) provides for the award of contracts for professional services without advertising for bids, and
 WHEREAS, these contracts are not therefore subject to the provisions of N.J.S.A. 19:44A-20.4 or 20.5, and

WHEREAS, the Township of Middle requires said services, and funds are available for said purpose,

NOW THEREFORE 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 persons are hereby appointed to the positions designated below for the calendar year 2009.

BE IT FURTHER RESOLVED, that a contract be executed by the Township of Middle with each of said persons to supply professional services for the calendar year 2009.

Wayne Mounts – Telecommunications Services – not to exceed \$17,500.00

FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Herald Times for publication.

FURTHER RESOLVED that these contracts are contingent upon the certification of availability of funds and submission of State Affirmative Action Certification.

As the Chief Financial Officer of the Township of Middle, I acknowledge the sum of \$ not to exceed \$17,500.00 has been bid for the following service or items telecommunications services. It is further certified that sufficient funds are available from the following appropriation or ordinance to cover this contract: various (see attached)

PO# see attached

16. RESOLUTION 364-09 – AUTHORIZING THE DONATION OF SURPLUS VEHICLES- On motion by Mayor Doughty seconded by Committeemember Barry and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle wishes to donate the following vehicles to the Board of Education, and

WHEREAS, N.J.S.A 40A:12-21 permits the Township of Middle to donate the vehicles to the Board of Education do to the fact that they are Incorporated as non-profit.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle that the donation of the following vehicles to the Middle Township Board of Education be and is hereby approved.

2000 Ford Crown Victoria VIN# 2FAFP71W2YX195815

1999 Ford Crown Victoria VIN# 2FAFP71WXXX142729

17. RESOLUTION NO. 365-09 – AUTHORIZING THE ACCEPTANCE OF A DONATED VEHICLE – On motion by Committeemember DeLanzo seconded by Mayor Doughty and passed on roll call, the following resolution was adopted.

WHEREAS, the Middle Township Board of Education wishes to donate a 1997 International VIN # 1HVBBABP1VH469894, to the Township of Middle, and

NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May, New Jersey, that acceptance of a donated vehicle from the Middle Township Board of Education is hereby authorized.

18. RESOLUTION NO. 366-09 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeemember Barry seconded by Mayor Doughty 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.

WHEREAS, in absence of compliance by said owners, the Township of Middle commenced and completed abatement of these violations, and

WHEREAS, the Public Works Supervisor 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	PROP. LOCATION	BLOCK / LOT	AMOUNT
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Danielle Mc Cauley	206 Stites	240/ 17	\$155.88
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19. RESOLUTION NO. 367-09 – RELEASE OF PERFORMANCE BOND – AVALON DEVELOPMENT AND GOLF INC. – On motion by Mayor Doughty seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted. Committeemember Barry abstained.

WHEREAS, \$4,000.00 is being held as a Performance Guarantee for Avalon Development and Golf Inc. for site plan improvements at Block 114 Lot 10, and
 WHEREAS, the Conflict Engineer for the Township of Middle has conducted his inspection and certified that all improvements have been completed, and
 WHEREAS, the Zoning Officer for the Township of Middle has recommended that the performance bond be released, and
 WHEREAS, the Land Use Law of the State of New Jersey (NJS 40:55D-1 et seq) requires such a release upon recommendation by the Township Engineer,
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the tri-Party Allocation Category Agreement in the name of Avalon Development & Golf Inc. be and is hereby released.

20. RESOLUTION NO. 368-09 – AUTHORIZE APPLICATION FOR GYPSY MOTH EGG MASS SURVEY – 2010 – On motion by Mayor Doughty seconded by Committeemember DeLanzo 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 authorization is hereby granted to submit the 2010 application for a gypsy moth egg mass survey, and
 BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.
21. RESOLUTION NO. 369-09 – RELEASE MAINTENANCE BOND – LAWRENCE PRAY, INC. – On motion by Committeemember DeLanzo seconded by Mayor Doughty and passed on roll call, the following resolution was adopted.
 WHEREAS, \$30,471.38 is being held as a maintenance bond for Lawrence A. Pray Inc. for Block 168, Lots 33.01, 40.15 and p/o 40.12 also known as Jessica Court, and
 WHEREAS, the Engineer for the Township of Middle has conducted his site observation of the referenced area, and
 WHEREAS, the Engineer for the Township of Middle has recommended that the bond be released, and
 WHEREAS, it should be noted that Jessica Court has already been accepted into the Township Road System via Resolution 310-07, and
 WHEREAS, the Zoning Officer has certified that the Bond in the amount of \$30,471.38 be released.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Maintenance Surety Bond in the amount of \$30,471.38 be and is hereby released.
22. RESOLUTION NO. 370-09 – ESTABLISHING PETTY CASH FUNDS (AMENDMENT) – On motion by Committeemember Barry seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
 WHEREAS, NJSA 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution, and
 WHEREAS, it is the desire of the Township of Middle, County of Cape May to establish such funds for various departments in the following amounts, and
 WHEREAS, the custodian for this funds shall be as follows, who is bonded for the amount of blanket bond; such custodians shall maintain records for these funds in a manner conducive to proper accounting and auditing procedures, and
 WHEREAS, it is necessary to set a maximum disbursement per transaction, the maximum being of \$10.00 (ten dollars) with the exception of the Sewer and Water Department which shall not exceed \$25.00 (twenty five dollars).

Custodian	Department	Fund Amount
Marilyn Miller	Senior Citizen Center	\$100.00
Charles McDonnell	Recreation Department	\$150.00
Chief Joseph Evangelista	Police Department	\$100.00
Kathy K. Meers	Sewer & Water	\$300.00

23. **TABLED ** RESOLUTION – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – GRANT PREPARATION AND SUBMISSION – PHASE III WHITESBORO WATER PROJECT (2009 SMALL CITIES PROGRAM) – BLAUER ASSOCIATES –** On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 Blauer Associates – Grant Preparation and Submission –FY 2009 Small Cities Programs – Phase III Whitesboro Water Project - \$17,500.00
24. **TABLED ** RESOLUTION – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – GRANT PREPARATION AND SUBMISSION – DCA PHASE III HOME REHABILITATION PROJECT (2009 SMALL CITIES PROGRAM) – BLAUER ASSOCIATES –** On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 Blauer Associates – Grant Preparation and Submission –FY 2009 Small Cities Programs – Housing Rehabilitation Project -- \$17,500.00

25. PUBLIC COMMENT:

Dan Lockwood: Question on #7, giving away one piece or splitting the lot up, is that how that works?

Jim Pickering: Nothing is being given away. Part is being kept for roadway, another part is contiguous to another parcel, which was to be developed as a single family home already, to do so would have extended a roadway; rather than have more roads for the Township to maintain, we are getting some revenue as well as avoiding that road. The principal is BJ Nichols.

Dan Lockwood: When you calculated the value of the lot it looks like you based it on the current assessed value of a worthless lot per square foot.

Jim Pickering: This particular lot had been sold at a public auction in 2005, it was returned to the municipality because when he had it surveyed, the buyer at that point, there was a very significant overlap with the neighboring property. Probably of this value, probably a good third to forty, fifty percent of the property is on another person's property. So, the Township took the property back.

Dan Lockwood: Why wouldn't you value it at the square foot price of what it is worth today? Why wouldn't its square foot price be based on its future value instead of some sort of handicap?

Jim Pickering: The other lot is already a buildable lot. This is merely adding to an already buildable lot and cleaning up the property.

Dan Lockwood: Why were the rehab projects tabled?

Tracey Taverner: I had some questions on them before they could be certified.

Frank Brad: Saw copy in the Press where someone wants to create a Certified Recyclable Manager by this January. My concern is I am sure we have qualified people in the Township that would know how to separate trash. My concern is that we don't create another position for somebody that is unnecessary.

Mayor Doughty: That will not happen.

Frank Brad: Another article in the paper on the number of police; the national average is 2.6 police officers per 1,000 residents. In 2006 I see we had about 16,000 people in the Township. Do we stand by that formula?

Chief Evangelista: That is exactly what it is, it's an average, it doesn't mean that a community needs to be there.

Frank Brad: If someone is on their cell phone are they supposed to be stopped? I have seen people driving and on their cell phones.

Chief Evangelista: That is all over, no matter where you go.

Frank Brad: How is Albrecht & Heun doing business with the Township now? Is there some kind of formula?

Jim Pickering: There is not a formula. A couple of meetings ago the municipality introduced a Request for Proposal, it went out, the Request for Proposals came back, there were bids submitted and I believe at the last meeting we approved the resolution authorizing to use the people who responded to the Request for Proposal. The only people who did respond were Albrecht & Heun and Future Mining at the 2 facilities; one in Goshen and one in

Frank Brad: Well how are they paying them?

Jim Pickering: The way it is being done is we take things to them; we pay them at the end of the month. If we buy things from them then we pay them at the end of the month and on the Host Community Benefits they submit a check at the end of each quarter.

Frank Brad: What does a whole health care coverage plan cost the taxpayers?

Mark Mallett: On average around \$15,000.

Jim Pickering: It depends if there is an individual being covered, a husband and wife, a family. Tracey for a family of 4, what is the cost.

Tracey Taverner: It doesn't matter whether it is a family of 3 or a family of 12. It is the same cost. I would have said \$13,000.

Frank Brad: Who owns the firehouse next door?

Jim Pickering: I believe it is the Middle Township Fire Commissioners #1.

Frank Brad: So we didn't buy that, the taxpayers in the past didn't buy that?

Jim Pickering: I do not know how it was originally purchased.

Frank Brad: Well, obviously we didn't buy it if we have to buy it now.

Jim Pickering: No, make no mistake, it is a different entity. Just as the school board is a different entity from the Township, the fire districts are separate entities from the Township. So, the Township has a contract to purchase that building from a different political subdivision.

Frank Brad: I am a little confused. We have fire taxes, I think ours are 5.28%. That doesn't include the purchases of anything?

Jim Pickering: I can't tell you what your fire district tax is for, ok. I just don't know how it is done in Fire District #1 or the other fire districts in Middle Township. They have elections in February and their budget is published every year.

Frank Brad: What I am getting at is if the taxpayers already paid for that, why do we have to buy it?

Jim Pickering: That is like asking if the township buys a parcel from the county, why they have to pay for it. Because they are different entities.

Frank Brad: Doesn't know why we have to go to that expense.

Mark Mallett: Looking at the long term it is adjacent to town hall, the growth of Middle Township. There are some opportunities to relocate some offices there, which will give us more space, which we could use in certain offices.

Jim Pickering: Middle Township has been here since 1798 and we can't just plan for the next 2 or 3 years, this is something long term.

Susan DeLanzo: One of the visioning suggestions that we just discussed last week, when we discussed Cape May Court House, that the residents that were there list their priorities and assets that they felt and one of the assets that they wanted to keep and preserve was to keep the municipal buildings in Cape May Court House, so this kind of goes hand in hand with what the residents view for the future of Middle Township.

Rosalie Begley: I live in the Manor and my zip code is 08202. Where I am staying is 08210 and that shouldn't be a problem except Avalon is also 08202 and they also have a street named the same as mine. Needless to say I don't get all my mail and the post office said they can't do anything about it. When it goes through there it goes to the other address. I spoke with Mark and he said yes we could change the name of our street, which is fine, but he said I have to pay for it. Our taxes have more than doubled; I am paying over \$12,000 a year. So I think the \$100 that you expect me to pay should come out of our enormous tax bill. It is one street and it has 2 different names on it.

Mayor Doughty: Ok, we will take this under advisement.

Dan Lockwood: What is happening with Albrecht & Heun, Future Mining and Recycling and the litigation, the special master and the likes of that?

Jim Pickering: It is still in the process of being determined as to who the special master is and when he or she will begin hearing.

Dan Lockwood: So there is no change since 3 or 4 months ago?

Jim Pickering: Well, I don't think that is the case at all. A list of potential special masters has been selected, the judge has contacted various ones of them, at least as far as I understand it and one has been nearly selected.

We are now going to go into Executive Session as the resolution indicated and during the Executive Session matters will be discussed and after the Executive Session we will return to the regular session and it is possible that action will be taken.

8:13 PM.

COMMITTEE ENTERED CLOSED SESSION. AFTER COMPLETE:

9:50 PM

Jim Pickering: We are back on the record, we were in Executive Session for a period of time. There were a couple of matters discussed, one of them had to do with some litigation, Ravitz vs the Township of Middle and I received instructions from the members of Township Committee on how to proceed from here as has the municipal administrator.

The other matter that was discussed; there were members from the citizens committee that Township Committee had asked, who had participated in interviewing the candidates for police chief. There was lengthy discussion with them and Township Committee about that position and I believe someone from Township Committee desires to make a motion.

Mayor Doughty: I'll make that motion.

Committeewoman DeLanzo: Second

Jim Pickering: The motion would be

Committeewoman DeLanzo: The motion is we are going to name the chief.

Jim Pickering: The motion as I understand it, the motion is what Mayor?

Committeewoman DeLanzo: The motion is to name Chris Leusner as the new Chief of Police.

Jim Pickering: Is that your understanding Mayor?

Mayor Doughty: That's right.

Passed on Roll Call.

26. RESOLUTION NO. 370-09B– APPOINTMENT OF CHIEF OF POLICE – On motion by Mayor Doughty seconded by Committeemember DeLanzo and passed on roll call, the following resolution was adopted.
WHEREAS, current Chief of Police Joseph Evangelista has submitted his letter of intent to retire effective September 1, 2009, and
WHEREAS, it has been deemed necessary to replace said chief upon retirement, and
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon retirement of current Chief Joseph Evangelista, it is the decision of this governing body to appoint Lieutenant Christopher Leusner as Chief of Police of the Middle Township Police Department.

Meeting adjourned 9:51 PM

Kimberly Tomkinson, Twp. Clerk

Minutes prepared by D. Stimmel, Deputy Clerk