

**Cape May Court House, New Jersey
TOWNSHIP OF MIDDLE
TOWNSHIP COMMITTEE
WORKSESSION AGENDA
October 16, 2017 4:00 PM (prevailing time)**

CALL TO ORDER:

Mayor's Announcement: 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).

Notice of this meeting was properly given in Resolution No. 16-17 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 2, 2017.

Members present are Mayor Clark, Deputy Mayor DeVico, and Committeemember Donohue

Business Administrator Elizabeth Terenik, Township Clerk Kimberly Krauss & Municipal Solicitor Frank Corrado.
Municipal Engineer Edward Dennis was absent.

FLAG SALUTE:**SPECIAL PRESENTATIONS OR DISCUSSIONS:****ITEMS OF DISCUSSION:****DEPARTMENTAL REPORTS AND PROJECT UPDATES:****Administration:****Finance:****Public Works:****Engineering:****Legal:****Tax Collection:****Tax Assessment:****Construction/Planning/Zoning:****Recreation:**

RFP - Landscaping of Recreation Facilities

Committeeman Donohue:

- Commented on the reasoning behind consideration of RFP; not a lay-off plan.
- Need information to make an informed decision.

Josh Niemann, QPA:

- Provided particulars on process of obtaining Request for Proposals.
- Purpose is to compare and determine which option will save the most money.

Elizabeth Terenik:

- Spoke of focus being on sports complex.
- Discussed other Township properties as well as cut-and-bill maintenance properties that will remain in-house.

Committeeman Donohue:

- Expressed end goal to bring in more expertise to areas that get the most attention.

Dan Lockwood, Boyd Street:

- Expressed concern of oversight if RFP does not include properties that can be put on auto-pilot like sewer pump stations.

Josh Niemann, QPA:

- Explained that some right of ways are partially held by an association; goal would be for responsibility to be of land owner.

Dennis Roberts, Cape May Court House:

- Commended Committee for looking into this.
- Spoke of RFP for Township schools for maintenance of buildings.
- Mentioned 2 full-time staff members that handle maintenance of schools.

Committeeman DeVico:

- Discussed seasonal aspect and hiring of part-time staff to fulfill duties.

Frank Corrado:

- Asked Mr. Roberts if he could provide a copy of the School District's RFP specifications to Mr. Niemann for review.

Police / Animal Control/ Code Enforcement:

Buildings and Grounds:

Sewer:

Economic Development:

Personnel:

Zoning:

Township Clerk:

Liquor Licenses – Various Topics

Elizabeth Terenik:

- Discussed Township's eligibility to auction off new liquor license; ABC confirmed.

Frank Corrado:

- Summarized the law surrounding issuance of licenses and types of licenses available through the NJ ABC.
- Discussed various options available to issue new license such as a sealed bid or auction.

Elizabeth Terenik:

- Spoke of restrictions that can be placed on the issuance of licenses such as parking or restaurant requirements.

Committeeman Donohue:

- Asked about particulars surrounding restaurant restrictions; minimum sales amounts or percentage of food versus alcohol sales.

Frank Corrado:

- Discussed the minimum bid and further discussed restaurant restrictions; minimum number of seats.
- Spoke of zoning requirements required as part of application process; use variances and proper requirements.

Committeeman Donohue:

- Questioned population requirements.

Frank Corrado:

- Number comes from State Statute.
- Confirmed by census.

Elizabeth Terenik:

- Discussed zoning code definitions for bar and restaurant.
- Spoke to zoning and locations authorized within the Township's code for restaurants.
- Suggested that the town review definitions for brew pubs and breweries.

Frank Corrado:

- Stated that the ABC Statute would provide such definitions.

Elizabeth Terenik:

- Discussed BYOB terms and enforcement of brew pubs.

Chief Leusner:

- Police Department mandated by Statute to have an ABC officer.
- Involvement is limited; further explained.
- Discussed brewery regulations; possible regulation changes.

Committeeman DeVico:

- Asked about particulars on food and zoning.

Elizabeth Terenik:

- Discussed zoning as "retail".

Frank Corrado:

- Stated that the Committee needs to take a closer look; regulations promulgated by the ABC director.

Dan Lockwood, Boyd Street:

- Asked Chief Leusner what the reason was to focus on breweries versus wineries and distilleries.

Chief Leusner:

- Discussed ways different entities are regulated.
- If a compliant is received, would partner with ABC.

Frank Corrado:

- Winery is different than a brewery.

Elizabeth Terenik:

- Discussed zoning for wineries.

Frank Corrado:

- Farm wineries are controlled by the County Agricultural Development Board.

Dan Lockwood, Boyd Street:

- Discussed noise ordinance complaints at wineries.

Louis Altobelli:

- Questioned difference between brewery operating with ballgames and food versus a bar.
- Stated that he believes that the Township should have an Ordinance regulating brew pubs and breweries.

Frank Corrado:

- Stated that changes would have to come from the legislature; Township cannot pass an Ordinance that contradicts a Statute.

Louis Altobelli:

- Believes activity needs to be regulated; cheap way to get a license.
- Expressed his belief that the State has not looked at reality of how people will take advantage of brewery licenses; intention was that they would sell wholesale.
- Stated loopholes are being exploited.
- Local breweries not operating as they should be; now operating as a bar.
- Suggested Committee should review local regulations to regulate operations.

Committeeman Donohue:

- Hind sight is 20/20; valid points, however breweries are still operating within the law.
- Township wants everyone to succeed.

Michelle Hughes, Bucket Brigade Brewery:

- Discussed misconception of breweries; patrons bring in food from local restaurants.
- Partnering together would drive more business into the Township.

Dennis Roberts, Bellevue Tavern:

- Discussed recent conversation with new director of the ABC; 85/15 agreement with breweries.
- Also commented on County population in the winter and lack of business; believes census number has gone down since last review.
- School enrollment down 500 students.
- Cautioned the Committee to review the numbers again before moving forward.

Jay Menz, Menz Restaurant:

- Discussed local Ordinance by Sea Isle that restricted numbers of bars in town.

Rick Rutherford, Rio Station:

- Questioned what prompted consideration of sale of new license.

Committeeman DeVico:

- Discussed inquiries about breweries and regulations.
- Economic Development being explored in the Township.

Elizabeth Terenik:

- Spoke of intent of economic development; responsibility to have a discussion regarding income to Township budget; worthy of discussion.
- Reiterated that the ABC confirmed the eligibility for the new license.

Dennis Roberts, Bellevue Tavern:

- Asked if anyone has approached the Township for a Club license.
- Explained fees would not be significant revenue for the Township.

Frank Corrado:

- Explained qualifications for a Club license; population.

Mayor Clark:

- Stated the reason for the meeting was to have stakeholders involved.
- Called the ABC to see what the regulations are; doing due-diligence as public officials.
- Spoke of being shocked that a license is available.

Dennis Roberts, Bellevue Tavern:

- Explained population requirements.

Michelle Menz, Menz Restaurant:

- Expressed concern of effect on other businesses.

Committeeman DeVico:

- Committee not taking it lightly; further explained.

Committeeman Donohue:

- Spoke of moving parts; capitalism.

Jay Menz, Menz Restaurant:

- Spoke to chain restaurants not being able to survive in Cape May County during the winter.

Louis Altobelli:

- Discussed his experience in reaching out to some chain restaurants and none being interested; too seasonal.

Committeeman Donohue:

- Demographic argument is correct.

Dennis Roberts, Bellevue Tavern:

- Spoke of chains closing due to saturation.
- Thanked committee for open discussion.

Mayor Clark:

- Appreciates input of audience.
- Reiterated importance of having the discussion; due-diligence.

Committeeman Donohue:

- Also thanked audience.
- Assured no action would be taken without further discussion.

PUBLIC COMMENT:

No public comment.

Motion to Adjourn Meeting – 5:05PM

1st: Committeeman Donohue

2nd: Committeeman DeVico

Roll Call Vote: Committeeman DeVico, Committeeman Donohue, Mayor Clark

Kimberly D. Krauss, Municipal Clerk

Minutes prepared by Andrea N. Bruno, Deputy Clerk