

Cape May Court House, NJ
October 16, 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, Business Administrator Elizabeth Terenik, Township Clerk Kimberly Krauss, Municipal Solicitor Frank Corrado, and Township Engineer Edward Dennis.

1. 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.)

Stan Donegar, Rio Grande:

- Questioned item 6; Excessive Use Ordinance.
- Asked if the problem he experienced in his neighborhood would qualify.

Committeeman Donohue:

- Explained why his neighborhood would not qualify, being a single entity.

Stan Donegar, Rio Grande:

- Questioned further and provided another example.
- Questioned qualifications for an excessive use call.

Frank Corrado:

- Explained definitions of qualifying property or call

Stan Donegar, Rio Grande:

- Expressed concern over electrical bill.
- Questioned how bill was broken down

Committeeman DeVico:

- Explained how electrical bill was possibly broken down

Elizabeth Terenik:

- Further explained break downs of electrical bill
- Suggested setting up a meeting with finance about the bills with Mr. Donegar.

Stan Donegar, Rio Grande:

- Asked if too difficult to break down Electric Bill for every electric bill town receives

Mayor Clark:

- Responded yes

Stan Donegar, Rio Grande:

- Questioned amount on bill list for Billy Bob's Car Wash

Chief Leusner:

- Explained that the cost was for the police cars to be detailed.

2. RESOLUTION 439-17 – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – On motion by Committeeman Donohue seconded by Committeeman DeVico 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. \$378,977.99
3. RESOLUTION 440-17 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeeman DeVico seconded by Committeeman Donohue 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 09/18/2017 and Regular Meeting 10/02/2017.
4. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of September; Construction Department for the month of September; Sterback Harbor for the month of September; Tax Collector for the month of September; Sewer Collections for the month of September; Finance Department for the month of September

5. PUBLIC HEARING – PERSON TO PERSON TRANSFER – CAMPGROUND LICENSE NO. 3, CAPE SHORES RESORTS INC.

Charles Sandman:

- Explained the sale of the campground, along with the details of the property.

Stan Donegar, Rio Grande:

- Asked Chief Leusner if he was satisfied with the transfer

Chief Leusner:

- Confirmed no nuisance issues

Charles Sandman:

- Asked for copy of Resolution for closing

Kimberly Krauss:

- Confirmed copy of Resolution to be sent

6. RESOLUTION 441-17 – PERSON TO PERSON TRANSFER OF CAMPGROUND LICENSE NO. 3 – CAPE SHORES RESORTS INC. – On motion by Committeeman Donohue seconded by and Committeeman DeVico passed on roll call, the following resolution was adopted.

WHEREAS, William Herker is the holder in good standing of Campground License #3, Cape Shores Resorts Inc., located on Block 1523, Lot 2, also known as 4100 Route 9 South/4110 Route 9 South, Rio Grande, and

WHEREAS, Mr. Herker has made application to transfer said license from Cape Shores Resorts Inc. to KMK Vacations LLC, and

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

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Campground License #3 be and hereby is transferred into the name of KMK Vacations LLC.

7. ORDINANCE 1547-17 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 236-41 THEREOF, ENTITLED VEHICLES AND TRAFFIC SCHEDULE XIII "PARKING PROHIBITED AT ALL TIMES" – Following second reading, hearing, and consideration for adoption, Ordinance 1547-17 was adopted on motion by Committeeman Donohue seconded by Committeeman DeVico 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 State of New Jersey as follows:

SECTION 1. Section 236-41 of the Code of the township of Middle is hereby supplemented by the addition of the following:

NAME OF STREET	SIDE	LOCATION
School Lane	East	From Church Road proceeding North to Route 47

SECTION 2. All other ordinances in Conflict of inconsistent with this Ordinance are hereby repealed, to the extent of such conflict of inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions or this Ordinance shall no be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

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

8. ****TABLED**** ORDINANCE NO. 1548-17 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY CREATING MIDDLE TOWNSHIP EXCESSIVE USE REGULATIONS – Following second reading, hearing, and consideration for adoption, Ordinance 1548-17 was tabled on motion by Committeeman DeVico seconded by Committeeman Donohue 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 State of New Jersey as follows:

SECTION 1: Excessive use: findings and purpose.

A. The Township Committee finds and declares that there are properties located within the Township where nuisances exist and other activities occur which have resulted in the excessive consumption of municipal services.

B. The Township Committee finds and declares that the cost of the excessive consumption of municipal services relating directly to these nuisance properties should be paid by the property owner and, if applicable, the responsible tenant or occupant, and not by the public at large through taxes.

C. It is the purpose and intent of these regulations to identify these nuisance properties and provide for the timely payment of the cost of the excessive consumption of municipal services through summary proceedings pursuant to the due process requirements set forth in this article.

SECTION 2. Definitions.

As used in this article, the following terms shall have the following meanings unless the context clearly indicates a different meaning is intended. Those terms not defined herein shall have the meaning attributed to them in other provisions in the municipal code:

EXCESSIVE MUNICIPAL SERVICES — Any qualifying calls made to a property while that property is on probationary nuisance status shall constitute excessive municipal services.

HEARING OFFICER — The person selected by the Township to conduct the hearings required by this ordinance. The hearing officer shall be a neutral and impartial adjudicator.

NUISANCE PROPERTY — Properties on which activities occur that result in qualifying calls for municipal services during any sixty-day period in excess of the number of such calls shown on the

schedule in §5 shall be considered nuisance properties and shall be subject to the penalties and procedures as described in this article.

PROBATIONARY NUISANCE STATUS — Probationary nuisance status shall apply to a property during the twelve-month period beginning on the date of notice that the public officer has determined that the property has received the requisite number of qualifying calls within a sixty-day period and during which, depending on the outcome of a hearing, the property owner and tenant/occupant, if applicable, shall be liable to the City for user charges for each qualifying call.

QUALIFYING CALLS — Calls resulting from violations of state or local laws, regulations or ordinances shall be considered qualifying calls for purposes of the provisions of this article. The list below is not exhaustive, and the hearing officer is authorized to determine if any calls for violations not specifically identified below shall also constitute a qualifying call. However, calls for permitting, licensing, inspections or similar administrative functions shall not be considered qualifying calls. Qualifying calls shall include calls for violations of any law, regulation or ordinance relating to:

- A. The sale, service, or consumption of alcoholic beverages;
- B. Disorderly conduct, disturbing the peace, littering, or excessive noise;
- C. Damage to property or injury to a person;
- D. Improperly parking of a vehicle or any motor vehicle violation on private property;
- E. Possession of a barking, howling, biting or dangerous animal;
- F. Possession, distribution or usage of a controlled dangerous substance;
- G. Prostitution;
- H. Public urination, defecation or indecent exposure;
- I. Criminal activity; or
- J. Violation of municipal codes, including Property Maintenance, Zoning and Health violations.

USER FEE — The user fee shall be a fee of \$300 for each additional qualifying call made to the subject property within the twelve-month period following the date that a complaint is issued for the excessive consumption of municipal services.

SECTION 3. Designation of public officer.

The Township Business Administrator, or his designee, shall serve as the public officer authorized to follow the procedures as set forth in this article.

SECTION 4. Reporting of municipal services use.

A. Each department of Township government providing municipal services to properties is responsible for keeping and maintaining records detailing information regarding the municipal services provided, including the following information:

- (1) The exact location of the subject property;
- (2) The name and address of the property owners and tenants, if known and applicable;
- (3) The date and the nature of the call and services;
- (4) The nature of the violation or violations;
- (5) The name of each public employee providing the municipal services.

B. The department of Township government providing the excessive municipal services to the subject property shall coordinate its responsibilities under this article with the public officer responsible for enforcing these regulations.

SECTION 5. Criteria for determination of excessive use of municipal services.

Properties on which activities occur that result in qualifying calls for municipal services during any sixty-day period that exceed the number indicated on the schedule below shall be considered nuisance properties and shall be subject to the penalties and procedures as described in this article:

- A. Residential properties consisting of a one through four dwelling units: five qualifying calls;
- B. Multifamily dwelling and hotel/motel uses consisting of:
 - (1) Five through 40 units: 10 qualifying calls;
 - (2) Forty-one through 80 units: 20 qualifying calls;
 - (3) Over Eighty units: 30 qualifying calls;
- C. Convenience, grocery, liquor and retail stores: 10 qualifying calls;
- D. Restaurants, bars and similar uses: 30 qualifying calls;
- E. All other properties not specifically identified in this schedule: 10 qualifying calls.

SECTION 6. Notice requirements; complaint procedure.

A. Whenever the public officer shall determine that any property has become a nuisance property by its consumption of excessive municipal services, the public officer shall prepare a complaint and summons setting forth the location of the property and the allegation as to the excessive use of municipal services, and a notice of hearing setting forth the date, time and place of the hearing. The complaint shall also provide notice:

- (1) That the property is on probationary nuisance status for the 12 months following the date of the complaint;
- (2) That during such probationary nuisance status period, any additional qualifying calls made to the property shall result in an obligation for a user fee of \$300 per call;
- (3) Specifying the types and dates of qualifying calls made to the subject property; and
- (4) Of the Township's demand for the abatement of the activities resulting in the qualifying calls.

B. The complaint and notice of hearing shall be served upon the property owner and, if a requisite number of qualifying calls involve the same tenant or occupant on the property, also the tenant or occupant. Service shall be made personally or by regular and certified mail, return receipt requested, by mailing the complaint and notice of hearing to the last known address of such person.

C. If the whereabouts of the property owner or the tenant/occupant are unknown and cannot be ascertained in the exercise of reasonable diligence, then service of the pleadings on such person shall be made as follows:

- (1) By publishing the complaint and notice of hearing once in the official newspaper of the Township; and
- (2) By posting the complaint and notice of hearing in a conspicuous place on the building affected by the complaint.

D. Whenever an individual dwelling unit within a multifamily dwelling has received five qualifying calls within a sixty-day period, the public officer shall notify the property owner and tenant/occupant, in the same manner as provided in Subsection B and C above, of the fact so that the property owner can take appropriate action to abate the nuisance. This notification shall be made even though the multifamily dwelling has not received the required number of qualifying calls within a sixty-day period which would trigger a notice of violation.

E. The public officer may also, but is not required to, notify the owner, tenant or occupant of any property at any time that the number of qualifying calls to that property is in excess of 50% of the number specified in the schedule in §5.

SECTION 7. Hearing procedure; costs to be assessed; violations and penalties.

A. The public officer shall present evidence and testify at the hearing and may produce witnesses in support of the allegations contained in the complaint. The property owner and any party of interest shall have the right to appear at the hearing and testify, produce witnesses, and be represented by an attorney.

B. The hearing officer shall determine at the hearing whether the subject property received qualifying calls during the subject sixty-day period in excess of that as indicated in §5 for the type of property being considered. If so, the hearing officer shall confirm that the property was on probationary nuisance status from the date of the complaint. If the hearing officer also finds that there were qualifying calls made to the subject property during the time that the property was on probationary nuisance status, he shall so state in his findings and enter an order against the property owner or, if a requisite number of qualifying calls involve the same tenant or occupant on the property, against the owner and each involved tenant/occupant, as follows:

(1) The hearing officer shall determine the time that the subject property was on probationary nuisance status;

(2) The hearing officer shall determine the number of qualifying calls made to the subject property during that probationary nuisance status period; and

(3) The hearing officer shall assess a reasonable cost for the litigation against the property owner to include an administrative fee of \$100. He/she shall also assess a user fee of \$300 for each qualifying call made to the property during the sixty-day period in excess of the qualifying amount shown on the schedule in §5 herein, which user fee shall be entirely assessed against the property owner unless a requisite number of qualifying calls involve the same tenant or occupant on the property, in which case the user fee shall be divided and assessed, in equal parts, against the owner and each involved tenant/occupant.

(4) The order shall also indicate that each qualifying call made to the property subsequent to the date of the hearing but within 12 months from the date of the complaint shall be a further violation of this article and the property owner and tenant/occupant, if applicable under the conditions of Subsection B(3) above, shall be liable for a user fee of \$300 for each such violation. A summons and complaint for a proceeding in the Municipal Court shall be issued in connection with each such subsequent qualifying call, each being a separate violation. The penalty to be imposed upon a finding or plea of guilty to each such violation shall be the required payment of the user fee of \$300 by the appropriate party(ies).

(5) The hearing office shall have the discretion to order, in appropriate cases, that a property be required to retain and have on site, at appropriate hours, a fully licensed and qualified, uniformed security guard.

(6) A copy of the order shall be served on the property owner and, if applicable, tenant and occupant, personally or by regular and certified mail, return receipt requested, by mailing the order to their last known address.

(7) If the whereabouts of the property owner, tenant or occupant cannot be ascertained in the exercise of reasonable diligence, then service of the order shall be made on such person as follows:

(a) By publishing the order once in the official newspaper of the Township;

(b) By posting the order in a conspicuous place on the building affected by the order; and

(c) By recording the order in the Cape May County Clerk's office.

SECTION 8. Assessment of lien.

Upon the failure to comply with the terms of the order for the payment of money owed to the Township by any owner of property against which costs, fee or penalties was assessed in accordance with the provisions of this article, the total cost established shall be assessed as a lien against the subject property. The assessment shall be collected and the lien may be enforced in the same manner as real estate tax amounts and liens are assessed, collected and enforced. Such enforcement of unpaid moneys due under this article shall include the right by the Township to revoke, suspend or not issue or renew municipal licenses or permits related to the subject property in accordance with N.J.S.A. 40:52-1.2.

SECTION 9. Remedies; aggrieved persons.

Any person aggrieved by an order issued under this article may file an appeal with the New Jersey Superior Court, Law Division, within 45 days from the date of the adoption of the resolution in accordance with Rule 4:69 of the New Jersey Rules of Court.

Frank Corrado:

- Commented on letter received from Jeffery Brennan of Baron & Brennan
- Explained that letter raised concerns on the ordinance as it pertains to constitutional rights.
- Recommended public hearing and then contact Brennan to discuss matters brought up during hearing.
- Also suggested on holding off adopting ordinance
- Further exemplified effects of adopting the ordinance during current meeting.

Ed Dillio, Cape May Court House:

- Questioned the retaliation factor of the Ordinance
- Gave an example and asked if it would fall under the excessive use Ordinance

Mayor Clark:

- Responded no, stating why the example would not fall under the ordinance.

Committeeman DeVico:

- Explained what situations would qualify under the excessive use ordinance

Chief Leusner:

- Explained further what falls under the ordinance
- Explained process of deciding a property qualifies

Frank Corrado:

- Addressed Mr. Dillio, explaining the reasoning behind creating an excessive use ordinance.
- Further explained process for qualifying a property to be of excessive use
- Suggested to table the ordinance and have the second reading & hearing at the November 6 meeting.

Committeeman Donohue:

- Commented on hard work performed in creation of ordinance to make sure the ordinance is fair.
- Something needs to be done about the excessive calls

Committeeman DeVico

- Seconded the views of Committeeman Donohue

Mayor Clark:

- Agreed with Committeeman Donohue and Committeeman DeVico

9. RESOLUTION 442-17– ACKNOWLEDGEMENT OF RETIREMENT - On motion by Committeeman Donohue by Committeeman DeVico seconded by and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following retirement listed below is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Sandra Aponte	Public Safety	Emergency Medical Technician P/T	12/01/2017

10. RESOLUTION 443-17 THROUGH 444-17– APPOINTMENT (ITEMS A THROUGH B) – On motion by Committeeman DeVico seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

(A) 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 employees are hereby appointed to the following position at the salaries opposite their name:

NAME	DEPARTMENT	TITLE	SALARY/RATE	EFFECTIVE
John Edwards	Public Safety	Records Support Technician 1 P/T	\$15.00ph	10/16/2017

(B) WHEREAS, there are various terms of office that have expired; and

WHEREAS, the governing body of the Township of Middle would like to reappoint said positions; and

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 named persons be and hereby are appointed or reappointed to fill the following offices/terms:

NAME	POSITION / DEPARTMENT	TERM	TERM EFFECTIVE	SALARY
Ed Beamon	Crossing Guard / Public Safety	1 year	10/03/2017	\$1.00

11. RESOLUTION 445-17 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeeman DeVico seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following discontinuation of temporary appointment listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Brittany Linz	Municipal Court	Keyboarding Clerk 1 P/T	10/06/2017

12. RESOLUTION 446-17 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeeman Donohue seconded by Committeeman DeVico 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
Cipollono, Gloria J	6 Lola Lane	468 // 6	\$388.87
Toben, William B & Olga G	8 North 10 th Street	397 // 4	\$216.33
Key Star Capital Fund LP	303 South Main Street	254 // 14	\$244.16
Hadigan, William & Mercea P	7 Holly Drive	1431.04 // 9	\$244.16
Fiel, William G & Florence L	1455 Burleigh Avenue	1410.01 // 53	\$244.16
Mortgage Equity Conversion Trust	2000 Route 9 South	1048 // 2	\$263.63
Green Eco Solutions, Inc	513 Avalon Boulevard	118.02 // 18	\$202.42
Muller, Steven & Jordon, Muller	11 Pennsylvania Avenue	877 // 5	\$244.16

13. RESOLUTION 447-17 – CANCELLATION OF TAXES – On motion by Committeeman Donohue seconded by Committeeman DeVico 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 taxes are hereby cancelled due to tax exemption

ACCT	BLOCK	LOT	OWNER/LOCATION	2017	2018
18086	322.01	88	Bradbury, Joseph L & Suzanne L Property location: 208 Dias Creek Rd 100% Disabled Veteran as of 08/30/2017	\$2,264.81	\$2,804.92
2718	136	22	Bevan, Gary A & Dorothy Property location: 1106 Stone Harbor Blvd 100% Disabled Veteran as of 09/05/2017	\$2,328.55	\$3,519.52

14. RESOLUTION 448-17 – REFUND OF TAXES – On motion by Committeeman DeVico seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, that the following refunds are due as a result of overpayment of 2017 property taxes on exempt properties:

ACCT	BLOCK	LOT	OWNER/LOCATION	2017
18086	322.01	88	Bradbury, Joseph L & Suzanne L 208 Dias Creek Rd Cape May Court House, NJ 08210 Property location: 208 Dias Creek Rd Reason: 100% Disabled American Veteran	\$432.36
2718	136	22	Bevan, Gary A & Dorothy 1106 Stone Harbor Blvd Stone Harbor, NJ 08247 Property location: 1106 Stone Harbor Blvd Reason: 100% Disabled American Veteran	\$523.09

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 check in the above noted amounts payable to the above-mentioned party, as a refund of 2017 taxes.

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

15. RESOLUTION 449-17 – RELEASE OF PERFORMANCE BOND – GENESIS OPERATIONS – On motion by Committeeman DeVico seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.

WHEREAS, \$83,218.98 is being held as a performance guarantee for Genesis Operations for site improvements at Block 216, Lot 4, otherwise known as 144 Magnolia Drive; and
WHEREAS, the Township Engineer for the project has conducted his inspection and certified that all improvements have been completed; and
WHEREAS, the Land Use Administrator for the Township of Middle has recommended that the performance bond be released; and

WHEREAS, neglected and traumatized children face challenges that no child deserves, and damage caused by ACEs often results in young people who develop long lasting harmful behaviors that affect themselves, their families, and their communities; and
 WHEREAS, the Cape Regional Wellness Alliance expects that this pilot program of reducing the occurrences of ACEs in these four Cape May County communities will be used as a model for county-wide implementation; and
 WHEREAS, the Cape Regional Wellness Alliance will work in partnership with the Cape Regional Health Needs Coalition and other invested community members to achieve this goal; and
 WHEREAS, the Cape Regional Wellness Alliance will establish baseline data on the prevalence of ACEs in these four Cape May County communities; and
 WHEREAS, the Cape Regional Wellness Alliance will develop and implement a community education program about ACEs and its impact on the Culture of Health in these four Cape May County communities; and
 NOW, THEREFORE BE IT RESOLVED, that November be proclaimed Adverse Childhood Prevention Month in Cape May County; and
 BE IT FURTHER RESOLVED, that the Township of Middle pledges to promote safe and healthy environments for all children encouraging parents, caregivers, educators, and neighbors to provide children with love, security, emotional support, and a strong connection to their extended families and communities; and
 BE IT FURTHER RESOLVED, that all citizens, service agencies, organizations, medical facilities, schools, businesses, and government entities increase their participation efforts, to strengthen families and communities for the prevention of Adverse Childhood Experiences; and
 NOW, THEREFORE BE IT RESOLVED that the Cape May County Freeholders, School Boards and Town Councils be committed to raising awareness about ACEs and the need to emphasize the importance of providing protective factors and building resiliency among the population.

Chief Leusner:

- Explained background information and reasoning behind resolution

Frank Corrado:

- Questioned if other municipalities were adopting this resolution

Chief Leusner:

- Stated that the resolution was sent out to other municipalities

21. RESOLUTION 455-17 – APPROVING ECONOMIC DEVELOPMENT PROGRAM – REVOLVING LOAN FUND GUIDELINES – On motion by Committeeman DeVico seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, The Middle Township Economic Council has requested and approved changes made by Triad Associates to the Revolving Loan Fund Guidelines on October 3, 2018; and
 NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the attached Revolving Loan Fund Guidelines be and is hereby approved.
22. RESOLUTION 456-17 – AFFIDAVIT OF ASSIGNMENT POSTING – On motion by Committeeman DeVico seconded by Committeeman Donohue and passed on roll call, the following resolution was adopted.
 I, Sandra B. Beasley, BEING DULY SWORN ACCORDING TO LAW ON MY OATH STATE:
1. I am the Tax Collector of The Township of Middle, County of Cape May, State of New Jersey.
 2. A notice of assignment for tax title lien #2012-6606 was mailed to the assessed owner, Suzanne M. Marigliano for Block 42 Lot 1 CML 11, by certified and regular mail pre-postage paid.
 3. Notice of assignment was published in the Herald-Times, Rio Grande, New Jersey on September 27, 2017
 4. A Copy of the of Sale was set up in three of the public places in the Municipality namely:
 1. Middle Township Municipal Hall
 2. Rio Grande Post Office
 3. Cape May Court House Post Office
23. RESOLUTION 457-17 – CONFIRMATION OF SALE OF LAND – On motion by Committeeman Donohue seconded by Committeeman DeVico and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township Committee, the Governing Body of the Township of Middle, by proper resolution, directed that a public sale be held at the meeting room, 33 Mechanic Street, Cape May Court House, N.J., and that certain lands and premises owned by, and situated within, the Township of Middle, County of Cape May, State of New Jersey, be sold, as follows:
 Resolution No.: 399-17 Adopted: September 6, 2017 Sale Date: October 11, 2017
 WHEREAS, said public sale was held at the above time and place, and said premises were sold to the highest bidder, as set forth on the attached list of properties, purchasers and sale amounts.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, that the sale of said premises, upon the above consideration, be and is hereby confirmed, and the Mayor and Clerk of the Township of Middle are hereby authorized and directed to convey said premises as directed to said highest bidders, by Bargain and Sale Deed, free and clear of all taxes up to and including the calendar quarter during which said sale was held.

Block	Lot	Tax Map	Property	Bid Price
24	5	45.01	128 N. Beach Avenue	\$ 18,000
60	7	41.02	3 Ella Avenue	\$ 2,500
389	9.01	1.05	66 Bay Shore Road	\$ 9,000
428	10	2.01	25 Lafayette Avenue	\$ 6,000
469	6	2.03	7 Lola Lane	\$ 2,500
475.03	33	20.04	95 Indian Trail	\$ 5,000
851	2	16.01	Bates Street	\$ 2,000
922	1, 3, 5	17.01	218 Raleigh Avenue	\$ 5,000
966	4	15.01	Robert M Greene Way	\$ 5,000
1040	5	15.03	1909 Route 9 South	\$ 13,000
1047	8	15.03	Matthews Street	\$ 12,000
1058	13, 14	15.04	35 Cochran Street	\$ 5,000
1182	1	23.01	North Wildwood Road	\$ 5,000

ENGINEERING REPORT:



4507 New Jersey Avenue
Wildwood, NJ 08260
G: (609) 522-5150
F: (609) 522-5313

**ENGINEERING STATUS REPORT
MIDDLE TOWNSHIP**

October 16, 2017

Prepared For: TOWNSHIP COMMITTEE Prepared By: EDWARD DENNIS, P.E., P.P., C.M.E.
Township Engineer

CAPITAL IMPROVEMENTS

Middle Township/Lower Township Bike Path Connector

- The bike path has been completed and the project is being closed out.

USDA Rural Development Sanitary Sewer Application – Grassy Sound

- A contract has been awarded to Crown Pipeline Construction for \$2,503,900.00.
- A pre-construction meeting occurred on Thursday, July 6, 2017 at 11:00 AM.
- Construction is in progress.

Robert 'Ookie' Wislans Recreation Complex

- Contract work is complete with the exception of punchlist and closeout items.
- Change order work for additional parking lot improvements is complete.
- Change order work for the restroom pump system is complete.

2016 Road Program

- The project is complete with the exception of punchlist and closeout items.

Municipal Buildings Roof Replacement

- Our office completed coring on the roof to further define the scope of work.
- Bid documents are complete. BO advertisement to be scheduled.

Reconstruction of Hand Avenue

- A contract was awarded to Ricky Slade Construction Inc. for \$111,714.00.
- A pre-construction meeting was held on September 7, 2017.
- The project is complete with the exception of punchlist and closeout items.

Bike Path Northern Extension

- Kickoff meeting was held on October 4, 2017.
- Survey and wetlands delineation in progress.

Edward Dennis, Township Engineer:

- Discussed engineering report attached above.

Committeeman DeVico:

- Questioned the driveway issues on Beach Ave.

Edward Dennis, Township Engineer:

- Commented on the driveway issues and Beach Ave paving project.

Committeeman DeVico:

- Questioned if the township work on Beach Ave was causing the problem.

Edward Dennis, Township Engineer:

- Conveyed that there was a problem there.
- Further explained the Beach Ave job and as the drive way pertains to it.

Committeeman Donohue:

- Asked about driveway apron.

Elizabeth Terenik:

- Questioned what would have happened if they had paved to the original plan at the property line with the water.

Edward Dennis, Township Engineer:

- Explained what would have happened had they just paved to property line.

Committeeman DeVico:

- Questioned if potential flooding of drive way was over looked.

Edward Dennis, Township:

- Explained why the job was done the way it was.

- Explained that one problem was fixed while another problem can about.
- Committeeman DeVico:
-Questioned who's now responsible for the driveway problem.

24. PUBLIC COMMENT:

Stanley Donegar, Rio Grande:

- Commented on Beach Ave driveway repaving project.

Committeeman Donohue:

- Commented on a similar situation going on in Cape May.

Frank Corrado:

- Commented on the situation between the township and the project.

Dan Lockwood, Boyd Street:

- Commented on work session discussion about the RFP for landscaping services.
- Asked if Mayor Clark and Committeeman DeVico were on board with concept.

Committeeman DeVico:

- Agreed.

Mayor Clark:

- Also Agreed.

Committeeman DeVico:

- Discussed his stance on RFP.

Dan Lockwood, Boyd Street:

- Commented on article in the paper.

Committeeman DeVico:

- Unaware of said article.

Mayor Clark:

- Confirmed he and Committeeman DeVico both agree with Committeeman Donohue.

Stan Donegar, Rio Grande:

- Commented on properties the township shares with the schools.

Mayor Clark:

- Commented on which fields are shared.

Elizabeth Terenik:

- Commented that the schools maintain those fields.

Stan Donegar:

- Questioned if the schools shared in the financial responsibilities of the fields.

Committeeman Donohue:

- Confirmed that the schools ground keepers maintain the sports complex.

COMMITTEE COMMENTS

Committeeman DeVico:

- Commented on Volunteer Dinner.
- Thanked Volunteers.

Mayor Clark:

- Commented on the Rudy Callender Dinner.
- Commented on the Volunteer Dinner.
- Reminded of the Ribbon Cutting for Ockie Wisting on October 17, and that it was open to the public.
- Reminded of the Harvest Festival October 21.

Committeeman Donohue:

- Recognized the Volunteer Dinner.
- Recognized Jeff McCart who received Volunteer of the Year Award.
- Recognized Dr. Mark Logan, a Middle Township Veterinarian who served the Rabies clinic for 20+ years.
- Commented to the Ockie Wisting Ribbon Cutting event.
- Asked that people come out for the Ockie Wisting.
- Commented on weather for Harvest Fest.

Motion to adjourn meeting – 7:05PM

1st Committeeman Donohue

2nd Committeeman DeVico

Pass on Roll Call: Committeeman DeVico, Committeeman Donohue, Mayor Clark

Kimberly D. Krauss, Municipal Clerk