

Cape May Court House, NJ
February 5, 2018
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, Business Administrator Elizabeth Terenik, & Municipal Solicitor Frank Corrado

1. SPECIAL RECOGNITION BY TOWNSHIP COMMITTEE – ACKNOWLEDGING RETIREMENT OF JAMES COLLINS
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.*)
3. RESOLUTION – APPROVING PAYMENT FOR BILLS – BILL LIST A (General Bills) – On motion 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. \$ 5,559,008.90*
4. RESOLUTION – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion 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: 01/17/2018 regular and work session meetings.
5. REPORTS: The following departments have submitted their reports for the months indicated: Chief Financial Officer for the month of December, 2017; Construction Official for the month of January;
6. ORDINANCE NO. 1555-18 - AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 265, ARTICLE 1, ENTITLED FEES, BIRTH, DEATH, MARRIAGE AND DOMESTIC PARTNERSHIP RECORDS – On motion by _____ seconded by _____ and passed on roll call, Ordinance No. 1555-18 passed first reading. Second reading, public hearing and consideration for adoption will be held on 03/05/2018 at 6:00 p.m.
BE IT ORDAINED by the TOWNSHIP COMMITTEE, the governing body of the Township of Middle that Chapter 265, Article 1 of the CODE OF THE TOWNSHIP OF MIDDLE shall be deleted and replaced in its entirety as follows:
Article I: Birth, Death, Marriage and Domestic Partnership Records
§ 265-1 Fees established.
A. The following fee schedule is hereby established:
(1) Certified copy of birth, marriage, domestic partnership or civil union:
 - a. *\$25.00 for initial page of certified copy. Additional copies of the same record ordered at the same time: \$2.00 per copy.*
 - b. *Long Form (includes certified copies of amended records and copies used for Apostle Seals): \$25.00 for the initial page, \$2.00 for each additional page of the document. Additional copies of the same record ordered at the same time: \$2.00 per copy, per page.**(2) Certified copy of death:*
 - a. *\$25.00 for initial page of certified copy. Additional copies of the same record ordered at the same time: \$2.00 per copy.**(3) Verifications:*
 - (a) Cape May County: \$0.50 each.*
 - (b) Out of county; out of state: \$1.00**(4) A correction fee be and is hereby is established as follows:*
 - (a) Corrections for all vital records \$25.00**All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.*
Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions or this Ordinance shall not 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.
This Ordinance shall become effective immediately upon final passage and publication, according to law.

7. RESOLUTION – SEWER ADJUSTMENT – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, this resolution serves to correct an inadvertent error in billing:
 NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the sewer adjustment below is hereby acknowledged:

Account	block	lot	owner/location	amount adjusted 2018
4816	254	13	Seabrook, Carl <i>Property location: 301S Main St</i>	\$1,120.00
14308	1435	3	Sturm, Rosalie <i>Property location 3015 Rte 9 S</i>	\$308.00

8. RESOLUTION – REFUND OF SEWER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, the following refund is due to an overpayment of sewer:

ACCT	BLOCK	LOT	OWNER/LOCATION	2018
14308	1435	3	Sturm, Rosalie 3019 Rte 9 S Rio Grande, NJ 08242 <i>Property location: 3015 Rte 9 S</i>	\$77.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey 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 2018 sewer.
 BE IT FURTHER RESOLVED that a certified copy of this resolution be given to the Chief Financial Officer of the Township of Middle.

9. RESOLUTION – CANCELLATION OF TAXES – 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 cancellation is due to property tax exemption for 2018:

ACCT	BLOCK	LOT	OWNER/LOCATION	2018
38	2	2	State of NJ Dept of Env Protection <i>Property location: Rte 47 N</i>	\$59.87
6043	388	45	State of NJ Dept of Env Protection <i>Property location: 283 Rte 47 S</i>	\$1,220.00
6042	388	50	Mae Enterprises LLC <i>Property location: 271 Rte 47 S</i>	\$6,537.51

10. RESOLUTION - AUTHORIZE CHANGE IN EMPLOYMENT STATUS – 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 that the following employee is hereby designated to the employment status listed below:

NAME	DEPARTMENT	PREVIOUS STATUS	AMENDED STATUS	SALARY	EFFECTIVE DATE
Steve Smearman Jr.	Sewer Department	Laborer 1 T/A Seasonal	Laborer 1 F/T	\$23,500.00	01/22/2018

11. RESOLUTION - ACKNOWLEDGEMENT OF RESIGNATION – On motion by _____ 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 resignations listed below, are acknowledged.

NAME	BOARD / DEPARTMENT	POSITION	EFFECTIVE
Melissa Holroyd	Animal Advisory Brd	Member	02/05/2018
Jacob Zeller	Public Safety	Special Class II Police Officer	01/28/2018
John Hotaling	Sewer Department	Sewer Repairer 1	01/22/2018
Cory Hofmann	Public Safety	Special Class II Police Officer	02/01/2018

12. RESOLUTION – ACKNOWLEDGEMENT OF TERMINATION – On motion by _____ 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 termination listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Shelina Flanders	Recreation	Recreation Aide PT/ TA	01/29/2018

13. RESOLUTION - APPROVE LEAVE OF ABSENCE – On motion by seconded by and passed on roll call, the following resolution was adopted.
 WHEREAS, an employee may request an unpaid leave of absence from the Township in writing on a form prescribed by the Human Resources & Training Department, whereas it shall be made timely and in advance whenever possible, and
 WHEREAS, employees may be granted a personal leave of absence at the sole discretion of the Township Committee if the leave does not cause undue operational disruption, and
 WHEREAS, the leave must include the use of any accrued vacation and sick leave time, regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of vacation and sick leave will be without pay or longevity credit.
 NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the Leave of Absence without pay for Sharon Spencer, from January 10, 2018 through February 21, 2018 is hereby approved, as outlined in the PPM of the Township of Middle.

14. RESOLUTION - APPOINTMENT – VOLUNTEER BOARD – 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 individual is hereby appointed to the volunteer board opposite their name:

NAME	POSITION	Board	TERM EXPIRES
Tarin Mason	Alt. Member #2	Environmental Commission	12/31/2018*

*filling unexpired term.

15. RESOLUTION – APPOINTMENTS – NEW HIRES – 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 employees are hereby appointed to the following position at the salaries opposite their name:

NAME	DEPARTMENT	TITLE	SALARY/RATE	EFFECTIVE
Thomas Ferrence	Public Safety	P/T Emergency Medical Technician	\$11.60/hr	02/06/2018

16. 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.

17. RESOLUTION - TABULATION COMMITTEE – 2018 ROAD IMPROVEMENT PROJECT - On motion by seconded by and passed on roll call, the following resolution was adopted.
 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 Officials be and hereby are appointed to tabulate the bids to be taken on March 13, 2018 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

2018 ROAD IMPROVEMENT PROJECT

18. RESOLUTION - SOCIAL AFFAIRS PERMIT – THE MID-ATLANTIC CENTER FOR THE ARTS AND HUMANITIES – On motion by seconded by and passed on roll call, the following resolution was adopted.
 WHEREAS, the Mid-Atlantic Center for the Arts and Humanities has applied for approval to sell alcoholic beverages at events to be held at 221 Rte 47 N, Cape May Court House, New Jersey, on February 17th, April 28th, May 5th, September 14th, September 21st, October 13th, December 29th, 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 above referenced Social Affairs Permits.

19. RESOLUTION - RATIFY LEASE AGREEMENT – WAR GAMERS AT MIDDLE TOWNSHIP SENIOR CITIZEN CENTER – On motion by seconded by and passed on roll call, the following resolution was adopted.
 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, 2018 through December 31, 2018, 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.

20. RESOLUTION – AMENDING RESOLUTION 521-17 – SALARY AMENDMENT 2017/2018 – CLARIFICATIONS AND REQUIRED REVISIONS – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle has previously adopted Resolution No. 207-17 setting forth various salaries and hourly rates of pay for employees; and

WHEREAS, the Township of Middle further approved salaries for 2018 at its Reorganizational meeting held 01/01/2018, and

WHEREAS, this amendment resolution further serves to clarify and correct salaries for 2017 and further designate salaries thus far in 2018.

WHEREAS, most of these changes have already taken place for payroll purposes, as per current contracts and/or rates as specified for specific departmental titles.

NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that the following salaries be amended as such:

<i>Employee Name:</i>	<i>Resolution 207-17 data</i>	<i>Correction(s):</i>
<i>Robert Flynn</i>	<i>Effective salary date: 01/01/2017</i>	<i>Effective Salary Date: 8/19/2017</i>
<i>Jackie Marriner</i>	<i>Omitted in error</i>	<i>1/1/2017 Rate \$12.70 per hour</i>
<i>Bernadette DelCorio</i>	<i>3/1/2017 Rate: \$9.00 per hour</i>	<i>3/1/2017 Rate \$10.00 per hour *</i>
<i>Jamar Mack</i>	<i>2/22/2017 Rate: \$9.00 per hour</i>	<i>2/22/2017 Rate: \$10.00 per hour*</i>
<i>Mark DeVico</i>	<i>\$15.00 per hour</i>	<i>Effective 12/18/2017 Rate: \$20.00 per hour</i>
<i>Special Note: All Laborer 1 PT and T/A Hourly Rate from \$9.00 per hour to \$10.00 per hour</i>		

**Hourly rate until increase after 6 months.*

21. RESOLUTION - AUTHORIZING THE SUPPORT OF APPLICATIONS BY MIDDLE TOWNSHIP FIRE DISTRICT NO. 1 / BOARD OF FIRE COMMISSIONERS TO PARTICIPATE 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, Middle Township Fire District No. 1/Board of Fire Commissioners desires to participate in the aforesaid Joint Insurance Fund, and other fire districts of the Township of Middle may desire to so participate; and

WHEREAS, under the rules and regulations of the Municipal Excess Liability Joint Insurance Fund, the Township of Middle must 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; and

WHEREAS, the Township of Middle finds that the participation of fire districts within the municipality in the Joint Insurance Fund would be advantageous to the taxpayers of the Township of Middle and that the respective obligations of the Township of Middle and the fire districts should be set forth in a written agreement.

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 does hereby express its support for the participation of Middle Township Fire District No. 1/Board of Fire Commissioners in the Municipal Joint Insurance Fund.

BE IT FURTHER RESOLVED, that the Township of Middle expresses to the Atlantic County Municipal Joint Insurance Fund its agreement to assume financial responsibility for the participation of Middle Township Fire District No. 1/Board of Fire Commissioners.

BE IT FURTHER RESOLVED that the Township of Middle be and is hereby authorized to convey this expression of support to the Atlantic County Municipal Joint Insurance Fund upon the execution of an Agreement by Middle Township Fire District No. 1/Board of Fire Commissioners governing the fire district's fiscal responsibilities in connection with its participation in the Joint Insurance Fund and indemnifying the Township of Middle from any and all losses or expenses in connection therewith.

BE IT FURTHER RESOLVED that the appropriate Township officials be and are hereby authorized to execute such an Agreement between the Township of Middle and the Middle Township Fire District No. 1/Board of Fire Commissioners, and that the Township of Middle does hereby further express its support for the participation of any other Fire District within the Township of Middle, which determines to participate in the Joint Insurance Fund under the same terms and conditions as noted herein.

22. RESOLUTION - AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – ARCHITECTURAL SERVICES – SPIEZLE GROUP, INC. – 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 Agreement between Spiezle Group, Inc. and the Township of Middle for architectural services, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

Spiezle Group, Inc. – Not to exceed \$5,000.00

23. RESOLUTION - AUTHORIZING EXECUTION OF FAIR AND OPEN CONTRACT (ITEMS A THROUGH B) – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

(A)WHEREAS, the Township Committee has previously instituted a Fair and Open Process for the award of contract pursuant to N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the Township Committee has followed the procedures that it has previously set forth for the award of specific contracts; and

WHEREAS, the Township Committee has solicited proposals, and has publicly opened each proposal submitted, and has considered each proposal in light of criteria previously established by the Township, and has made a decision on each proposal submitted in light of those criteria;
WHEREAS, the Planning Board has formally passed Resolution No. 01092018ATTY, appointing David A. Stefankiewicz, Esquire, of Stefankiewicz and Belasco, LLC, as Planning Board Solicitor for 2018.
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 submission shall be awarded as follows:

David A. Stefankiewicz – Planning Board Solicitor – Not to Exceed \$30,000.00
BE IT FURTHER RESOLVED, that this contract shall be effective until December 31, 2018.
(B)WHEREAS, the Township Committee has previously instituted a Fair and Open Process for the award of contract pursuant to N.J.S.A. 19:44A-20.4 et. seq.; and
WHEREAS, the Township Committee has followed the procedures that it has previously set forth for the award of specific contracts; and
WHEREAS, the Township Committee has solicited proposals, and has publicly opened each proposal submitted, and has considered each proposal in light of criteria previously established by the Township, and has made a decision on each proposal submitted in light of those criteria;
WHEREAS, the Zoning Board of Adjustment has formally passed Resolution No. 8-2018, appointing Ms. Steffen.

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 submission shall be awarded as follows:

Victoria A. Steffen, Esquire
Zoning Board Solicitor
Not to Exceed \$23,000.00

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts with each of the above-mentioned individuals as necessary, to be followed with a resolution of award and certification as attached hereto.

BE IT FURTHER RESOLVED, that this contract shall be effective until December 31, 2018.

24. RESOLUTION - ACKNOWLEDGING ROAD CLOSURE – MUDHEN HALF MARATHON (FORMALLY KNOWN AS the WILD HALF WEEKEND) – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, DelMoSports, LLC. is orchestrating an event on April 29, 2018, and
WHEREAS, said applicant has requested that State Highway 147 be temporarily closed from the North Wildwood border to Ocean Drive and also Ocean Drive, from SH147 to the Stone Harbor border, and
WHEREAS, the applicant has completed the required Special Events Application, Hold Harmless Agreement and Insurance certifications for this event.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey does hereby support the MudHen Half Marathon sponsored by DelMoSports LLC.

BE IT FURTHER RESOLVED, that the Middle Township Police Department has been notified of said event and has endorsed the closure.

BE IT FURTHER RESOLVED, that the closure of the roads as indicated above are hereby acknowledged.

25. RESOLUTION - RATIFY SHARED SERVICES AGREEMENT BETWEEN TOWNSHIP OF MIDDLE AND BOROUGH OF AVALON – COURT ROOM VIDEO CONFERENCING SYSTEM AND MAINTENANCE – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes municipalities to enter into agreements for the purposes of exchanging, sharing and cooperating with regard to services common to said communities through Uniform Shared Services and Consolidation Act, and

WHEREAS, the Borough of Avalon is in need of services relating Court Room Video Conferencing System and Maintenance: and

WHEREAS, the Township of Middle has certain equipment and personnel available to meet the needs of the Borough of Avalon in this area; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference;

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute the attached Shared Services Agreement between the Township of Middle and the Borough of Avalon for Court Room Video Conferencing System and Maintenance, which is hereby incorporated by reference, pursuant to N.J.S.A. 40A:65-1 et seq.

26. RESOLUTION – AUTHORIZING REQUEST FOR PROPOSALS – PUBLIC INFORMATION AND SPECIAL EVENTS SERVICES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

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 Chief Finance Officer Susan Quinones, Township Clerk Kimberly Krauss, and Business Administrator Elizabeth Terenik are hereby appointed to receive proposals, on March 7, 2018 at 10:30am in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

PUBLIC INFORMATION AND SPECIAL EVENTS SERVICES

27. PUBLIC COMMENT:

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

2nd