

Cape May Court House, NJ
March 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. PRESENTATION BY MAYOR AND COMMITTEE – MIDDLE TOWNSHIP MIDDLE MATTERS AWARD – DAVID BENSON
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 seconded by _____ and passed on roll call, the following resolution was adopted.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$2,299,013.15
4. RESOLUTION – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by seconded by _____ and passed on roll call, the following resolution was adopted.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: 02/21/2018 regular and work session meetings.
5. REPORTS: The following departments have submitted their reports for the months indicated: Construction Official; Municipal Clerk; Sewer Utility Collector; Sterback Harbor; Tax Collector;
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 – Following second reading, hearing, and consideration for adoption, Ordinance 1555-18 was adopted on motion by _____ seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
BE IT ORDAINED by the TOWNSHIP COMMITTEE, 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 – 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
Andrew Bevis	Sewer	Sewer Repairer 1 T/A	\$10.00 per hour	03/05/2018
Allison Onofrietti-Cox	Sewer	Sewer Repairer 1 T/A	\$10.00 per hour	03/05/2018
Jenna M. Cuomo	Public Safety	Special Police Officer – Class II	\$13.00 per hour	03/06/2018

8. RESOLUTION – AUTHORIZING CANCELLATION OF LIENS (ITEMS A THROUGH B)– On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

(A) WHEREAS, the Middle Township Tax Collector has received final judgement for Foreclosure Group 195, and

WHEREAS, it is hereby deemed necessary to cancel tax title liens and also the current taxes for said foreclosure group.

NOW THEREFORE BE IT RESOLVED, that the following tax title liens and property taxes as listed below are hereby cancelled:

Certificate	Account #	Block	Lot	Former Owner	Location	Lien Amount	2018 1st 1/2
2013-7089	17149	401	18	Diehl, Donald K & Nicole J	3 N 15 th St	4966.46	425.25
2014-7950	10414	816	1	Hanes, Beatrice	Newark Ave	500.60	55.51
2009-5688	10415	816	2,4	Chazray Builders Inc	Newark Ave	1086.77	55.51
2014-7534	10468	820	1	Trovarelli, Michael	615 Newark Ave	104.24	49.14
2014-7535	10475	820	20	De Marco, Linda	611 Newark Ave	653.88	71.89
2008-5353	10472	820	10	Wright, Synthia Wall	Trenton Ave	379.40	18.20
2008-5356	10488	821	3	Jackson Baldwin Realty Corp	Newark Ave	376.32	18.20
2009-5692	10486	821	4	Chazray Builders Inc	507 Newark Ave	449.79	118.30
2009-5693	10494	821	5	Pensco Inc	Newark Ave	536.60	27.30
2009-5694	10495	822	2	Chazray Inc	Gibbs St	1,003.13	50.96
2014-8003	11982	968	5	Trovarelli, Michael	701 S George St	1,215.39	147.42
2014-8004	11986	969	1	Trovarelli, Michael	S George St	2,009.59	255.71
2014-8017	12186	1007	2	SMS Acquisitions LLC	E Lena St	9,339.16	693.42
2014-7586	12258	1017	1	Bostic, George & Sylvia	205 E Lena St	742.83	647.92
2014-7587	12262	1017	7	Gray, Frances	E Dunbar St	608.86	55.51

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

(B) WHEREAS, the properties listed below were included in the tax sale held on December 20, 2017 and WHEREAS, the owner of the properties filed Chapter 13 on December 19, 2017 but notice was not received by the collector until January 2018.

NOW THEREFORE BE IT RESOLVED, the tax liens listed below become null and void and monies collected shall be refunded to the holder of the certificate.

ACCOUNT	BLOCK	LOT	OWNER/LOCATION	LIEN	AMOUNT
6679	428	7	US Bank Cust for PC7 Firstrust Bank 50 S 16 th St #2050 Philadelphia, PA 19102 Property Location: 19 Lafayette Ave Assessed Owner: Bartleson, James	2017-9030	\$1,134.12
18442	426	11.01	Cape Investors LLC PO Box 2695 Wildwood, NJ 08260 Property Location: 18 Lafayette Ave Assessed Owner: Bartleson, James & Tina	2017-9026	\$431.14

9. RESOLUTION – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by seconded by and passed on roll call, the following resolution was adopted.
 WHEREAS, N.J.S.A. 40:48-2.13 authorizes the governing body of every municipality the power to make, enforce, amend and repeal ordinances requiring the owner or tenant of a dwelling or of lands lying within the municipality to provide for the removal or destruction of brush, weeds, debris, etc. constituting fire hazard or injurious to public health or safety and to provide for the imposition of penalties for the violation of any such ordinance; and
 WHEREAS, N.J.S.A. 40:48-2.14 authorizes the municipality the right to place a lien against such dwelling or lands to provide for the cost of removing brush, weeds, debris, etc.; and
 WHEREAS, the Township of Middle has adopted Ordinance No. 316-76 known as Article I of Chapter 193 of the Code of the Township of Middle “Property Maintenance;” and
 WHEREAS, the Township of Middle has noticed the following property owners as indicated below and furthermore these violations had not been remedied; and
 WHEREAS, in absence of compliance by said owners, the Township of Middle commenced and completed abatement of these violations; and
 WHEREAS, the Code Enforcement Officer of the Township of Middle has certified the following cost as listed.
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that it hereby imposes a lien on the properties listed below as indicated.
 FURTHER RESOLVED, that a copy of this lien shall be filed in the Office of the Tax Collector of the Township of Middle.

OWNER	PROPERTY LOCATION	BLOCK // LOT	AMOUNT
Rourke, Elizabeth A	803 Goshen Road	52//15	\$462.09

10. 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
2151	99.02	124	County of Cape May Property Location: 701 Route 9 North	\$1,613.71

11. RESOLUTION – RENEWAL OF GRAVEL PIT PERMITS – 2017 – On motion by seconded by and passed on roll call, the following resolution was adopted.
 WHEREAS, the gravel pit permit renewal applications listed below have been found to be in proper form, and the fee paid in each case, and
 WHEREAS, the Township Committee finds and concludes that the excavation and soil removal work originally authorized has been in continuous operation during the period of the permit and has been performed in accordance with the conditions under which the original permit was granted, and
 WHEREAS, the Township Engineer undertook an inspection of the subject premises and has stated in his letter that recertification is currently recommended, and
 WHEREAS, said applicants listed below have also received all necessary site plan review and approvals for their operations as set forth in Chapter 132 of the Township code.
 NOW, THEREFORE, BE IT RESOLVED, that each of the following permits be and are hereby renewed for the calendar year 2017, and this permit is subject to the rules and regulations as set forth in the code of the Township of Middle known as Chapter 132, including but not limited to all parameters set forth by the Middle Township Planning Board as expressed in their approving resolutions:

NO.	NAME OF LICENSE	BLOCK/LOT	ACREAGE	FEE
4	Cape Mining and Recycling LLC	98 / 2	35.37	\$600.00

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

12. RESOLUTION – AUTHORIZING THE EXECUTION OF AN AGREEMENT – On motion by seconded by and passed on roll call, the following resolution was adopted.
 NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute the final settlement agreement and general release, as reviewed and approved by counsel, Brian L. Vergantino, Jennifer M. Perrotta and the Township of Middle.

13. RESOLUTION – RELEASE OF PERFORMANCE BOND – RIO GRANDE 9 LLC – On motion by seconded by and passed on roll call, the following resolution was adopted.
 WHEREAS, \$296,776.20 is being held as a performance guarantee for Rio Grande Investors for site improvements at Block 1436.01, Lot 6, otherwise known as 3150 Route 9 South; 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, the Land Use Law of the State of New Jersey (N.J.S.A. 40:55D-1 et. seq.) requires such a release upon recommendation by the Township Engineer; and
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of \$296,776.20 (includes interest) is hereby released.

14. RESOLUTION – CHANGE ORDERS (ITEMS A THROUGH B) – On motion by seconded by and passed on roll call, the following resolution was adopted.
*(A)WHEREAS, Grassy Sound Sewer Force Main Phase IIIA Project was awarded May 1, 2017 via Resolution No. 225-17 to Crown Pipeline Construction Co.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the attached Change Order #1 for the project awarded to Crown Pipeline Construction Co. and is hereby approved, and that the change order results in a increase of \$19,188.00 to the original contract amount of \$2,503,900.00 for an amended contract amount of \$2,523,088.00.*
*(B)WHEREAS, the above listed project was awarded May 1,2017 via Resolution No 225-17 to Crown Pipeline Construction Co. in the amount of \$2,503,900.00
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for the following Grassy Sound Sewer Force Main Phase IIIA be and hereby changed in work scope as reflected in the attached Change Order #2 for the project awarded to Crown Construction Co. be and is hereby approved.*
15. RESOLUTION – AUTHORIZE MAYOR TO EXECUTE WATER AND WASTE SYSTEM GRANT AGREEMENT – USDA RURAL UTILITIES SERVICE – 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 Mayor and appropriate officials are hereby authorized to sign the above referenced grant agreement, and any and all documentation in connection therewith.
16. RESOLUTION – AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS SEWER SYSTEM – On motion by seconded by and passed on roll call, the following resolution was adopted.
*WHEREAS, it is necessary for the Township of Middle (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of \$755,000.00 pursuant to the provisions of State Bond Law 40A:63-1 et. Seq., and
WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture (herein called the Government), acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:
NOW THEREFORE, in consideration of the premises the Association hereby resolves:*
1. *To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.*
 2. *To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).*
 3. *To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.*
 4. *To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.*
 5. *That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.*
 6. *Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.*
 7. *Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.*
 8. *To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.*

9. *To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.*
10. *To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.*
11. *To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.*
12. *To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.*
13. *To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.*
14. *That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.*
15. *To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.*
16. *To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.*
17. *To accept a grant in an amount not to exceed \$375,000.00 under the terms offered by the Government; that the Mayor of the Township of Middle and the Township Clerk/Registrar of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).*

17. RESOLUTION – SUPPORTING APRIL 13TH AS “WEAR PURPLE DAY” IN RECOGNITION OF ALCOHOL AWARENESS MONTH- On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, Alcohol is the most commonly used addictive substance in the United States; and
WHEREAS, more than half of all adults have a family history of alcoholism or problem drinking; and
WHEREAS, Alcohol is responsible for about 88,000 deaths in the United States each year; and
WHEREAS, Teens who start drinking before the age of 15 are 5 times more likely to develop alcohol problems than those who start at 21; and
WHEREAS, the month of April has been recognized as Alcohol Awareness Month by NCADD (National Council on Alcoholism and Drug Dependence), the founder and sponsor of Alcohol Awareness Month; and
WHEREAS, the color that NCADD uses is in the purple/violet family – a color that is similar to the amethyst. Here is the reasoning behind the amethyst color: AMETHYST is the most beautiful and valuable form of Quartz. The word ‘amethyst’ stems from a Greek word meaning without drunkenness,” for in ancient times it was believed that anyone carrying or wearing this stone could not become intoxicated.” Anyone who displays the amethyst color announces that they know someone whose life has been improved through alcoholism treatment; and
WHEREAS, that The New Jersey Association of County Alliance Coordinators has declared that Friday April 10th is “Wear Purple Day” in recognition of Alcohol Awareness Month and encourages all of the members, partners, contributors, and participants of the nearly 400 Municipal Alliance Committees throughout the State of New Jersey to join in wearing purple.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Middle hereby supports “Wear Purple Day” on April 13th in recognition of Alcohol Awareness Month.

18. RESOLUTION – AUTHORIZING A COMMUNITY SAFE SURRENDER EVENT IN MIDDLE TOWNSHIP – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township Committee of Middle Township believes it in the best interest of its residents, and the residents of Cape May County, to encourage persons subject to outstanding bench warrants to address the issues raised by those outstanding warrants, whether issued by Superior Court or the Middle Township Municipal Court; and
WHEREAS, that objective is best attained by establishing a process in which persons subject to such warrants can surrender themselves to the appropriate courts so that the warrants can be addressed or recalled in a safe, efficient, fair and compassionate way; and
WHEREAS, the Middle Township Committee believes that this objective can be best addressed through a process that has come to be known as “Community Safe Surrender,” in which the township, in conjunction with other stakeholders, sponsors and organizes an event at which persons subject to such warrants can surrender themselves to the appropriate court, can address or resolve issues raised by the outstanding warrants, and obtain information on other related criminal justice and social welfare services; and
WHEREAS, having obtained the input of its Chief of Police, the Township Committee wishes to move forward with the organization and scheduling of such an event.

NOW, THEREFORE, be it RESOLVED by the Township Committee of Middle Township as follows:

1. The averments of the preamble are incorporated by reference.
2. The Township of Middle hereby authorizes the holding of a "Community Safe Surrender Event," at a time and place to be determined by the appropriate Township officials.
3. In scheduling and arranging the Event, township officials shall seek input, and participation from all interested stakeholders, including the Middle Township Police Department, the Middle Township Municipal Court, Vicinage 1 of the Superior Court of New Jersey, and any other interested parties.
4. The Middle Township Chief of Police is hereby authorized to take the lead role in organizing and scheduling this Event.
5. The Chief of Police shall report regularly to the Township Committee on his progress in organizing this Event, and will present final plans to the Committee for its approval once they are completed.
6. This resolution shall take effect immediately, according to law.

19. RESOLUTION - AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – IN REM FORECLOSURES – KEITH BONCHI – 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 Keith Bonchi, of Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill and the Township of Middle for In Rem Foreclosure preparation, 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.

Keith Bonchi – In Rem Foreclosure – Not to Exceed \$17,500.00

20. RESOLUTION - CLOSED SESSION –CONTRACT NEGOTIATION (CONTRACT WITH MIDDLE TOWNSHIP AMBULANCE CORPS - JOINT PROVIDING OF EMERGENCY MEDICAL SERVICES TO PEOPLE OF THE TOWNSHIP OF MIDDLE) – On motion by seconded by 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; and

WHEREAS, said Closed Session shall be held directly after this open session.

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: CLOSED SESSION – CONTRACT NEGOTIATION (CONTRACT WITH MIDDLE TOWNSHIP AMBULANCE CORPS - JOINT PROVIDING OF EMERGENCY MEDICAL SERVICES TO PEOPLE OF THE TOWNSHIP OF MIDDLE)*
- 2.) *The general nature of the subject matter to be discussed is as follows: CLOSED SESSION – CONTRACT NEGOTIATION (CONTRACT WITH MIDDLE TOWNSHIP AMBULANCE CORPS - JOINT PROVIDING OF EMERGENCY MEDICAL SERVICES TO PEOPLE OF THE TOWNSHIP OF MIDDLE)*
- 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.*

21. RESOLUTION - OPPOSING OFFSHORE OIL AND GAS ACTIVITIES - On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, on January 8, 2018, the federal Bureau of Ocean Energy Management (BOEM) announced in the Federal Register notice the release of their Draft Proposed Program (DPP) for the 2019-2024 Outer Continental Shelf Oil and Gas Leasing Program. BOEM is requesting public comment on the DPP as well as formal scoping for a Programmatic Environmental Impact Statement for the 2019-2024 Program; and WHEREAS, this new plan includes the entire Atlantic Ocean from Maine to Florida, including the waters off New Jersey within 3 miles of beaches, as well as including other ocean areas totaling some 90% of US ocean waters; and

WHEREAS, New Jersey boasts over 127 miles of beautiful ocean coastline and hundreds of miles of back-bays, estuaries, and other waterways connected to the Atlantic Ocean; and

WHEREAS, the Jersey Shore is essential to the health of our communities, environment and the thriving economy of New Jersey; and

WHEREAS, the physical, hydrodynamic, and biological characteristics of the ocean off the Jersey Shore are unique in the world, as more than 300 species of fish, nearly 350 species of birds, 5 species of sea turtles, and many marine mammals such as 20 species of whales and dolphins, 1 species of porpoise, and 4 species of seals, frequent this region. Nine endangered species, four of which are whales, can be found in these ocean waters, including the Atlantic Right Whale, one of the world's most endangered marine mammals. The region also serves as an essential migratory pathway for many of these species; and

WHEREAS, the Jersey Shore sustains the economy of the region with its bounty of natural resources and intrinsic values for millions of people through tourism. Tourism brings more than \$32 billion to NJ's economy each year and provides jobs to more than 500,000 people; and

WHEREAS, recreational and commercial fisheries in NJ provide enormous economic benefits, including revenue, food production, and recreational activities. In 2014, recreational fishing supported nearly 20,000 jobs and resulted in \$2 billion of retail sales. Commercial fishing supports nearly 7,300 jobs and provides \$152 million in landings, not including restaurant and retail sales; and

WHEREAS, current estimates of the amount of technically recoverable oil off the entire Atlantic coast from

Maine to Florida would only last the nation approximately 229 days, and the amount of technically recoverable gas would only last approximately 562 days; and
WHEREAS, offshore oil and gas development, causes substantial environmental impacts, including: (a) onshore damage due to infrastructure, (b) water pollution from drilling muds and the water brought-up from a well with oil and gas (called "produced waters"), (c) noise from seismic surveys, (d) air pollution, and (e) oil spills; and
WHEREAS, the harmful environmental consequences of offshore oil and gas exploration and development are serious and threatens the environmental and economic assets of New Jersey; and
WHEREAS, the BP Horizon disaster in the Gulf of Mexico (2010) is clear evidence of the dangers associated with offshore drilling, including costing the lives of 11 people, devastating coastal economies and countless livelihoods, and killing countless marine animals, as well as continuing to cause harm to marine life as documented by a steady flow of studies; and
WHEREAS, oil spills travel vast distances, and the Gulf Stream and Labrador Ocean Current all flow toward New Jersey making the region vulnerable to impacts from spills anywhere in the Atlantic Ocean; and
WHEREAS, within 5 days of the release of the DPP Governor Scott from Florida was able to convince Department of Interior Secretary Zinke to remove Florida from further consideration for drilling due to the importance of coastal tourism to that state and NJ shares this same economic dependence on tourism and clean ocean economies; and
WHEREAS, bi-partisan opposition against drilling off the New Jersey coast has included every Governor since 1985, and a majority of the congressional delegation and most coastal towns; and
WHEREAS, energy conservation and efficiency measures can significantly reduce the nation's need to explore and drill for nonrenewable resources, such as oil and natural gas; and
WHEREAS, coastal municipalities have a profound interest in maintaining strong federal protections for our nation's coastal environment, as well as the economic and social benefits it supports.
WHEREAS, the elected representatives of the Township of Middle, have a significant responsibility to provide leadership which will seek to protect our coastal economy and a healthy ocean to strengthen our New Jersey coast and ocean.
NOW THEREFORE BE IT RESOLVED, that on this date, the Township Committee of the Township of Middle, does hereby oppose offshore oil and gas exploration and drilling activities that would affect the coast of New Jersey, and calls upon Secretary of the Interior Ryan K. Zinke who oversees the Bureau of Ocean Energy Management to withdraw New Jersey and the entire Atlantic Ocean from consideration for the offshore oil and gas exploration, development, or drilling.

22. PUBLIC COMMENT:

Motion to adjourn meeting –

1st

2nd

Pass on Roll Call: