

Cape May Court House, NJ
May 21, 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. 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.*)
2. 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. \$1,096,905.52
3. 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: 05/07/2018 regular, works session and closed session meetings.
4. REPORTS: The following departments have submitted their reports for the months indicated: Sterback Harbor for the Month of April; Sewer Utility Collector for the Month of April; Tax Collector for the Month of April; Finance for the Month of April; Clerk for the Month of April.
5. ORDINANCE NO. 1565-18 – AN ORDINANCE TO PROVIDE FOR AN ADDITIONAL NAME AND DESIGNATION OF ATLANTIC AVENUE IN MIDDLE TOWNSHIP AS “BISHOP WILLIAM L. MCCLURKIN WAY” IN RECOGNITION OF BISHOP WILLIAM L. MCCLURKIN– Following second reading, hearing, and consideration for adoption, Ordinance 1565-18 was adopted on motion by seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.
WHEREAS, BISHOP WILLIAM L. MCCLURKIN, longtime Pastor, departed this life on December 31, 2017. He was 78 years old; and
WHEREAS, BISHOP MCCLURKIN pastored the Mount Olive Baptist Church in Cape May Court House for 37 years; and
WHEREAS, BISHOP MCCLURKIN was a chairman and member of eight civil and ministerial associations; and
WHEREAS, the Governing Body of the Township of Middle desires to recognize the life and legacy of BISHOP WILLIAM L. MCCLURKIN and commend his dedicated and devoted community efforts by designation an additional street name in his honor; and
NOW THEREFORE 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: Atlantic Avenue, off of U.S. Route 9 in Middle Township, shall also be designated as “BISHOP WILLIAM L. MCCLURKIN WAY” in recognition of the many contributions BISHOP WILLIAM L. MCCLURKIN made to the community.
SECTION 2: The appropriate Township Department shall post proper street signs setting forth the designation stated herein.
SECTION 3: All Ordinance or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.
SECTION 4: This Ordinance shall become effective immediately upon final passage and publication, according to law.
6. ORDINANCE NO. 1566-18 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1566-18 was adopted on motion by _____ seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office
Amended to include new title and range:

<i>Keyboarding Clerk 3</i>	<i>\$ 25,000.00</i>	<i>\$80,000.00</i>
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7. RESOLUTION – APPOINTMENT (ITEMS A THROUGH B) - On motion by seconded by 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 individual is hereby appointed to the volunteer board opposite their name:

NAME	POSITION	Board	TERM EXPIRES
Joe Stackhouse	Advisor – Fire Advisor	Traffic Committee	12/31/2018*

*filling unexpired term.

- (B) 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 names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Paul Mueller	Public Safety	Special Class II Police Officer	\$13.00 ph	05/31/2018
Dustin G. Klemovitch	Public Safety	Emergency Medical Technician P/T	\$12.60 ph	05/22/2018
Lisa Price	Public Works	Laborer 1 P/T T/A	\$11.00 ph	05/21/2018
James Clark	Public Works	Laborer 1 P/T T/A	\$11.00 ph	05/21/2018
Edward Hayes III	Public Works	Laborer 1 P/T T/A	\$11.00 ph	05/21/2018
David Tomkinson	Public Safety	Records Support Technician P/T	\$15.00 ph	05/22/2018
Maria Pearson	Recreation	Recreation Aide P/T T/A	\$10.00 ph	05/21/2018
Hannah Loftus	Recreation	Recreation Aide P/T T/A	\$10.00 ph	05/21/2018

8. 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
Kendra Karstens	Traffic Advisory Committee	Secretary	05/21/2018

9. RESOLUTION – SOCIAL AFFAIRS PERMIT – FRIEND IN NEED – On motion by seconded by and passed on roll call, the following resolution was adopted.
 WHEREAS, Friend in Need, has applied for approval to sell alcoholic beverages at an event to be held at the Stone Harbor Golf Club, 905 Route 9 North, Cape May Court House, New Jersey 08210 on June 3, 2018 from 8:00am until 11:00pm; 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 Social Affairs Permit.

10. RESOLUTION – INSERTION OF A SPECIAL ITEM OF REVENUE 2017/18 FEDERAL BODY ARMOR GRANT – On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount.

NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2018 in the sum of:

2017/2018 Division of Criminal Justice Body Armor Grant \$4,290.00

BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption

2017/2018 Division of Criminal Justice Body Armor Grant \$4,290.00

11. RESOLUTION – RATIFY AGREEMENTS/CONTRACT (ITEMS A THROUGH C) – On motion by seconded by and passed on roll call, the following resolution was adopted.

(A) WHEREAS, the Township and Middle Township Ambulance Corps. seek to enter into an agreement for the joint providing of emergency medical services to the people of the Township of Middle, and
 WHEREAS, it has been deemed necessary and desirable to reduce the understanding and agreement of the parties to writing.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the contract between the Township of Middle and Middle Township Ambulance Corps. is hereby ratified.

BE IT FURTHER RESOLVED, that this position designated below shall be for a period of one year, from March 1, 2018 to February 28, 2019, and shall continue in effect on these same terms until renegotiated by the parties, but in no event shall it remain in effect beyond February 28, 2021 for a sum of \$40,000.00 annually for the term of this contract.

BE IT FURTHER SOLVED, that a contract be executed by the Township of Middle with the following group to supply services for the period from March 1, 2018 to February 28, 2019:

Middle Township Ambulance Corps.

PO Box 331

202 South Main Street

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Township of Middle, that in accordance with N.J.A.C. 5:30-9A.6 and 5:31-4.1 the Township of Middle will no longer require a Claimant's "Vendor" Certification, with the exception of the following:

Exception(s) in which Vendor Claimant Certification is still required:

a. Reimbursement of employee expenses.

b. Services provided exclusively and entirely by an individual (sole proprietor).

c. Goods, materials, services over \$3,000.00, or other quote threshold so noted in the Township Purchasing Manual.

BE IT FURTHER RESOLVED, those Claimant's Certification so still required, may be executed by a vendor or claimant by signature stamp, facsimile signature, or electronic signature in addition to an original "wet" signature.

15. RESOLUTION – AUTHORIZING PLACEMENT OF “POD” STORAGE UNIT – 301 COURT HOUSE SO. DENNISVILLE RD – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the homeowner of 301 Court House South Dennisville Rd. has requested the placement of a temporary POD storage unit within the driveway of the residence located in Middle Township, and WHEREAS, said request has been reviewed with the Zoning Official, and the position of the unit will meet all required property setbacks and will not impact any sight triangles.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that a temporary storage unit, known as a POD, shall be authorized to be placed in the driveway of 301 Court House South Dennisville Rd. in Middle Township through October 31, 2018.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forward to all appropriate departments for notification.

16. RESOLUTION – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH THE NON-FAIR AND OPEN PROCESS – SUASION COMMUNICATIONS GROUP – BRANDING AND COMMUNICATIONS CONSULTING – 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 Suasion Communications Group and the Township of Middle for Branding and Communication Consulting 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.

*Suasion Communications Group
Branding & Communication Consulting Services
Not to Exceed \$10,000.00*

17. RESOLUTION - AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH SALE OF LAND TO NATURE CONSERVANCY – 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 all appropriate Township Officials are hereby authorized to sign the Post-Sale Statement of Just Compensation, and all other relative sale documentation, in connection with the sale of land to the Nature Conservancy, as authorized by Resolution No. 302-16.

18. RESOLUTION – AUTHORIZATION TO ADVERTISE FOR QUALIFICATIONS AND PROPOSALS FOR SPECIAL PROJECT ENGINEERS – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., provides that contracts for professional services can be awarded without public advertising but, on January 1, 2006, a series of statutes found at N.J.S.A 19:44A-20.4, et seq became effective and those statutes provide that municipal contracts having a value in excess of \$17,500 must either be awarded pursuant to a "fair and open process or pursuant to a "non-fair and open" process; and

WHEREAS, it is deemed to be in the best interest of the Township of Middle that, as to the subject of Special Engineer Projects, a "fair and open" process be utilized

WHEREAS, the Township wishes to create a list of qualified firms from which it may choose to enter into a contract to provide professional services in the future, as needed; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Middle does hereby authorize to advertise for qualifications and proposals for the following 2018 professional services agreements:

Special Projects Engineers

WHEREAS, all of the statements of the preamble are repeated and incorporated herein by this reference thereto as though the same were set forth at length.

WHEREAS, upon preparation of an appropriate Notice, the Township Clerk is authorized to post all Notices and Specifications in the Township's website and the Township Clerk be and is hereby authorized to receive proposals for the aforementioned professional services agreement and, upon the opening of proposals on the date indicated in the subject Notice, is directed to forward proposals received to the Mayor and Township committee for review.

19. 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
Friell, William G & Florence L	1455 Burleigh Avenue	1410.01//53	345.10
Hopkins, Joyce A	114 W Main Street	935//13	317.27

20. RESOLUTION - CLOSED SESSION – CONTRACT NEGOTIATIONS (MODICATION OF CONTRACT - GRASSY SOUNDS) - 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 NEGOTIATIONS (MODICATION OF CONTRACT - GRASSY SOUNDS)

2.) The general nature of the subject matter to be discussed is as follows: CLOSED SESSION – CONTRACT NEGOTIATIONS (MODICATION OF CONTRACT A GRASSY SOUNDS)

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.

Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the above referenced topic in closed session.

This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist.

The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.

21. RESOLUTION - AMENDING VENDOR FEES - 2018 4th OF JULY CELEBRATION – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, it is in the best interest of the Township of Middle to establish a structured fee schedule for vendors for the 2018 4th of July Celebration, and

WHEREAS, said fees should be established via resolution.

WHEREAS, due to the shortened hours of the 2018 4th of July Celebration it is necessary to amend registration fees for various vendor categories.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that it has been deemed necessary for the Township to charge the following amended fees for various vendor categories at the 2018 4th of July Celebration:

<u>Category</u>	<u>Prior Registration Fee</u>	<u>2018 Registration Fee</u>
CRAFTERS	\$50.00	\$35.00
FOOD VENDOR	\$100.00	\$75.00

22. PUBLIC COMMENT:

Motion to adjourn meeting –
 1st: _____ 2nd: _____
 Pass on Roll Call: