

Cape May Court House, NJ  
July 16, 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 PAUL MIOLA – ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND EXECUTIVE DIRECTOR
2. PRESENTATION BY MAYOR – PROCLAMATION – REVEREND MCCLURKIN
3. 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.)
4. 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. \$681,521.43*
5. 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: 07/02/2018 Work Session and Regular Meetings.*
6. REPORTS: The following departments have submitted their reports for the months indicated: Sewer for the month of June; Construction for the month of June; Clerk for the month of June; Sterback Harbor for the month of June; Tax Collector for the month of June; Finance for the month of June
7. ORDINANCE NO. 1571-18 - AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY AUTHORIZING GRANT OF TENURE FOR ROBERT FLYNN, MUNICIPAL SUPERINTENDENT OF PUBLIC WORKS FOR THE TOWNSHIP OF MIDDLE – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, Ordinance No.1571-18 passed first reading. Second reading, public hearing and consideration for adoption will be held on 08/20/2018 at 6:00 p.m.  
*WHEREAS, N.J.S.A. 40A:9-154.6 authorizes the grant of tenure by the governing body of a municipality to a person holding office, position or employment as a full-time municipal superintendent of public works who has held the office, position or employment continuously for five (5) years or more; and*  
*WHEREAS, on July 15, 2013, via Resolution No. 368-13, Robert Flynn was appointed as Superintendent of Public Works for the Township of Middle, effective August 19, 2013; and*  
*WHEREAS, Robert Flynn has served continuously in such supervisory capacity since the appointment date of August 19, 2013; and*  
*WHEREAS, Robert Flynn was awarded Certification as a Certified Public Works Manager, number M-1170, by the State of New Jersey Department of Community Affairs, Division of Local Government Services on April 25, 2008; and*  
*WHEREAS, the Township Committee of the Township of Middle has determined that Robert Flynn is qualified, as of August 20, 2018, to receive tenure as Municipal Superintendent of Public Works pursuant to the requirements of N.J.S.A. 40A:9-154.6.*  
*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, and it is hereby enacted and ordained by the authority of same as follows:*  
*Section 1. Tenure Appointment.*  
*1. In accordance with, and subject to, the provisions of N.J.S.A. 40A:9-154.6, Robert Flynn, Superintendent of Public Works for the Township of Middle, is hereby authorized as having acquired tenure in said position, effective August 20, 2018.*  
*2. A certified copy of this Ordinance shall be forwarded by the Township Clerk to Robert Flynn.*  
*Section 2. Severability.*  
*Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.*  
*Section 3. Repealer.*  
*All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.*

*Section 4. Effective Date.*

*This Ordinance shall take effect immediately upon final passage and publication in accordance with law.*

8. RESOLUTION – ACCEPTING CORRECTIVE ACTION PLAN – AUDIT 2017 – 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 resolution is hereby accepted as the Corrective Action Plan for the 2017 Audit for the Township of Middle and be it further resolved that a copy of the Corrective Action Plan be forwarded to the Department of Community Affairs, Division of Local Government Services as well as a copy of this Resolution be forwarded to Bowman & Company LLP, Fred S. Caltabiano, Registered Municipal Accountant:*
- Finding No. 2017-001:*
- Finding/Condition: N.J.S.A 40A:5-15 requires the Construction Code Office to deposit receipts or turnover receipts to the CFO within 48 hour of collection.*
  - Recommendation: That all Construction Code Office receipts are deposited within 48 hours of collection.*
  - Explanation and Corrective Action: Limited Township staff in the Construction Office has contributed to a longer than allowable timeframe for deposits. A new daily close-out procedure has been implemented which is expected to remediate this finding. All departments have been reminded of the requirements of N.J.S.A 40A:5-15 via an email dated April 4, 2018, as well as have been verbally reminded at a Township work session meeting that took place in Fall 2017.*
  - Implementation Date: Changes implemented as of January 1, 2018.*
- Unresolved Prior Year Audit Findings:*
- *None – All have been resolved*
9. RESOLUTION – LOCAL FINANCE BOARD – ANNUAL AUDIT OF BOOKS, ACCOUNTS & TRANSACTIONS – CERTIFYING REVIEW OF ANNUAL AUDIT – On motion by seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted. *WHEREAS, N.J.S.A. 40A:5-4 requires that governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and WHEREAS, the Annual Report of Audit for the year ending December 31, 2017 has been filed by a Registered Municipal Accountant with the Township Committee and also Kimberly Krauss, Township Clerk, as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:*
- Findings and Questioned Costs or  
Findings and Recommendations  
and*
- WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:*
- Findings and Questioned Costs or  
Findings and Recommendations*
- As evidenced by the group affidavit form of the governing body, and WHEREAS, such resolution of certification shall be adopted by the governing body no further than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed o the affidavit, as provided by the Local Finance Board, and WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject he members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:*
- R.S. 52:27BB-52 – “A local officer of member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”*
- NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said board to show evidence of said compliance.*

10. RESOLUTION – APPOINTMENTS - ECONOMIC DEVELOPMENT COUNCIL – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, the following volunteer board has vacancies to fill:*  
**ECONOMIC DEVELOPMENT COUNCIL**  
*NOW THEREFORE BE IT RESOLVED, that the following individuals shall be appointed to the board as indicated:*

<i>Member</i>	<i>Volunteer Board</i>	<i>Term Expiration</i>
<i>Robin Salasin Mets</i>	<i>Economic Development Council – Mayor’s Designee (non-voting member)</i>	<i>12/31/2018</i>
<i>Joanne Carrocino</i>	<i>Economic Development Council – Alt. Member #1</i>	<i>12/31/2019</i>

11. RESOLUTION – ACKNOWLEDGMENT 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.*

<i>NAME</i>	<i>BOARD/DEPARTMENT</i>	<i>POSITION</i>	<i>EFFECTIVE</i>
<i>Andrew Garcia</i>	<i>Public Safety</i>	<i>Special Class II Police Officer</i>	<i>07/12/2018</i>
<i>Joni Frangieh</i>	<i>Public Safety</i>	<i>Special Class II Police Officer</i>	<i>07/12/2018</i>
<i>William Mulligan</i>	<i>Public Safety Communications</i>	<i>Public Safety Communications Operator P/T</i>	<i>07/23/2018</i>

12. RESOLUTION – AUTHORIZING 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:*

<i>NAME</i>	<i>DEPARTMENT</i>	<i>PREVIOUS STATUS</i>	<i>AMENDED STATUS</i>	<i>SALARY</i>	<i>EFFECTIVE DATE</i>
<i>Lauren Cajigas</i>	<i>Public Safety Communications</i>	<i>Public Safety Telecommunications Operator P/T</i>	<i>Public Safety Telecommunications Operator F/T</i>	<i>\$28,500.00</i>	<i>07/23/2018</i>

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 Nakisha Wakefield, from July 30, 2018 through January 1, 2019 is hereby approved, as outlined in the PPM of the Township of Middle.*

14. RESOLUTION – INSERTION OF A SPECIAL ITEM OF REVENUE – CAPE MAY COUNTY OPEN SPACE RECREATION GRANT – MARTIN LUTHER KING COMPLEX TENNIS COURTS – 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:*  
*Cape May County Open Space – MLK Complex Tennis Courts \$120,565.00*  
*BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:*  
*Cape May County Open Space – MLK Complex Tennis Courts \$120,565.00*

15. RESOLUTION – RELEASE OF PERFORMANCE BOND – MARTINDALE’S INC. – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted. WHEREAS, \$26,838.16 is being held as a performance guarantee for Martindale’s Inc. for site improvements at Block 12.01, Lot 121, otherwise known as 1609 Route 9 North; and WHEREAS, the Township Engineer and Zoning Official have recommended the release of said bond, as outlined in P.L. 2017, Chapter 312 amendment. 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 \$26, 838.16 is hereby released.

16. RESOLUTION – INACTIVE SEWER STATUS – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted. WHEREAS, the following properties have attained inactive sewer status in accordance with The Township of Middle Code 204-32 application, 204-33 documentation, 204-34 certificate of eligibility, 204-35 fee; and WHEREAS, the bills have been adjusted effective July 1, 2018:

ACCT	BLOCK	LOT	OWNER/LOCATION	ADJUSTMENT AMOUNT
2150	99.02	123	Cape May County Property location: 703 Rte 9 N	\$126.00
2152	99.02	125	Cape May County Property location: 619 Rte 9 N	\$126.00
2151	99.02	124	Cape May County Property location: 701 Rte 9 N	\$126.00
2153	99.02	126	Cape May County Property location: 617 Rte 9 N	\$126.00

The Municipal fee for this is \$308.00 per year.

17. RESOLUTION – TAX SALE CERTIFICATE PREMIUM – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted. WHEREAS, N.J.S.A. 54:5-33 13 requires that premiums for liens that are not redeemed in five years escheat to the Municipality or is foreclosed by the lien investor and becomes a part of the foreclosure. WHEREAS, if redemption is not made within five years from date of sale the premium payment shall be turned over to the treasurer of the municipality and become a part of the funds of the municipality.

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 following tax sale certificate is now eligible to be turned over to the Chief Financial Officer in accordance with the above:

Account	block/lot	certificate#	date of tax sale	amount
5531	333/13	2014-7431	3/5/2014	\$1,000.00

BE IT FURTHER RESOLVED, that a check in the amount of \$1,000.00 be accepted by the Chief Financial Officer from the Collector’s lien redemption account

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

18. 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
Adams, Joseph	1305 South Carolina Ave.	991//3	\$743.52
Mama Dees Soul Food Restaurant LLC	111 West Main Street	938//6	\$250.50
Hopkins, Joyce A	114 West Main Street	935//13	\$289.44
Collett, Suzette	220 Hand Avenue	236//24	\$250.50
McCray, Lorraine	5 Wayne Avenue	56.06//3	\$576.54

Rourke, Elizabeth A	803 Goshen Road	52//15	\$524.84
JP Morgan Chase Bank	229 Route 47 South	143//9.01	\$317.27

19. RESOLUTION – AUTHORIZING EMERGENCY CONTRACT –DRAINAGE REPAIR ON SEABREEZE LANE – AVALON MANOR – On motion by                   seconded by                   and passed on roll call, the following resolution was adopted.

*WHEREAS, it has been declared by the Township Engineer that an emergency exists due to failing drainage on the easements between lots 39 and 40, as well as 52 and 53, at Seabreeze Lane; and WHEREAS, pursuant to N.J.S.A.40A:11-6 a contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and*

*WHEREAS, based on said emergency immediate action was required for the repair of the existing drainage system to further avoid damage to property, as well conduct mandatory service on the RCP piping; and*

*WHEREAS, the Chief Financial Officer has certified that sufficient funding exists for this purpose. NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, Cape May County, State of New Jersey, that contracts are hereby authorized under NJSA 40A:11-6 to the contractors listed below:*

*Channel Marine \$84,000.00*

20. RESOLUTION – AUTHORIZING THE EXECUTION OF A CONTRACT RENEWING MEMBERSHIP IN THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND – On motion by                   seconded by                   and passed on roll call, the following resolution was adopted.

*WHEREAS, the Township of Middle (hereinafter the "MUNICIPALITY") is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND"); and WHEREAS, the MUNICIPALITY'S membership terminates as of January 1, 2019 unless earlier renewed by a Contract between the MUNICIPALITY and the FUND; and*

*WHEREAS, N.J.S.A. 40A:11-5 (1) (m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and*

*WHEREAS, N.J.S.A. 40A:11-6.1(b) provides that the MUNICIPALITY shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the MUNICIPALITY, has filed a certificate with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and*

*WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the MUNICIPALITY requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and*

*WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the MUNICIPALITY; and*

*WHEREAS, it is the goal of the MUNICIPALITY to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and WHEREAS, the FUND has provided comprehensive insurance coverage to member municipalities since 1987; and*

*WHEREAS, since 1987, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and*

*WHEREAS, the FUND has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and*

*WHEREAS, the FUND provides the MUNICIPALITY with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal services; and*

*WHEREAS, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and*

*WHEREAS, as an existing member of the FUND, the MUNICIPALITY would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and*

*WHEREAS, the membership of the FUND includes many neighboring municipalities that have uniquely similar exposures to the MUNICIPALITY, and with whom the MUNICIPALITY has existing inter-local arrangements; and*

*WHEREAS, all of the aforementioned factors categorize the award of this Contract as an "extraordinary, unspecifiable service" that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY'S membership in the FUND; and*

*WHEREAS, for all of the aforementioned reasons, it is impracticable for the MUNICIPALITY to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and*

*WHEREAS, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and*

*WHEREAS, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and*

*WHEREAS, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and*

*WHEREAS, for all of the aforementioned reasons, the MUNICIPALITY desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.*

*NOW THEREFORE, be it resolved by the governing body of the MUNICIPALITY as follows:*

*1. The MUNICIPALITY agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.*

*2. The Mayor and Clerk of the MUNICIPALITY shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.*

*3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.*

*4. The Clerk of the MUNICIPALITY is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the MUNICIPALITY.*

21. RESOLUTION – ADOPTION OF STATE MODEL CITIZEN PARTICIPATION PLAN FOR DCA SMALL CITIES PROGRAM – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.

*WHEREAS, the Township of Middle is an applicant for Department of Community Affairs Fiscal Year 2019 funds for (1) up to \$400,000 from the NJ DCA Small Cities Program to undertake ADA Compliance Improvements at Norbury Landing and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and*

*WHEREAS the Township will enter into grant agreement(s) for said grant(s) if approved; and*

*WHEREAS, that grant agreement(s) will require the Township of Middle to comply with all federal regulations with respect to citizen participation; and*

*WHEREAS, the Township of Middle has reviewed the State Model Citizen Participation Plan prepared for Small Cities CDBG grantees;*

*NOW THEREFORE BE IT RESOLVED, that the Mayor and the Township Committee of the Township of Middle, County of Cape May and State of New Jersey, that;*

*The State Model Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG is adopted by the Township of Middle; and*

*BE IT FURTHER RESOLVED, that the Township of Middle will follow all regulations set forth in that document throughout the term of the grant agreement cited above.*

22. RESOLUTION – ADOPTING HOUSING REHABILITATION POLICIES AND PROCEDURES MANUAL – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.

*WHEREAS, the Township of Middle will apply for \$200,000 for a Housing Rehabilitation project to be implemented in 2019 within the Township;*

*WHEREAS, the Housing Rehabilitation project will be governed by a Policies and Procedures Manual;*

*WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Policies and Procedures Manual;*

*WHEREAS, the Township has prepared a Policies and Procedures Manual for its Fiscal Year 2019 Housing Rehabilitation program;*

*NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Policies and Procedures Manual for the Fiscal Year 2019 Housing Rehabilitation program.*

23. RESOLUTION – IDENTIFYING SMALL CITIES FAIR HOUSING AND EQUAL OPPORTUNITY OFFICER – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.

*WHEREAS, the Township of Middle is applying for Fiscal Year 2019 Small Cities Community Development Block Grant applications for (1) up to \$400,000 from the NJ DCA Small Cities Program to undertake ADA Compliance Improvements at Norbury Landing and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and*

*WHEREAS, the Township of Middle must make efforts to affirmatively further fair housing; and*

*WHEREAS, the Township of Middle has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and*

*WHEREAS, the Township of Middle has made assurances in the grant agreement that;*

*1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issues thereto; and*

*2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and*

*3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and*

*4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.*

*NOW THEREFORE BE IT RESOLVED, that the Township Treasurer shall be designated as the Small Cities Program Fair Housing Officer for the Township of Middle; and  
BE IT FURTHER RESOLVED, that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and  
FURTHER RESOLVED, that the Fair Housing Officer shall provide fair housing and equal opportunity advisory services and assistance and referral advice to persons requesting such assistance from the Township of Middle; and  
FURTHER RESOLVED, that the Township of Middle will publish in the local newspaper of record and post at the Township Municipal Building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.*

24. RESOLUTION – APPROVING HOUSING REHABILITATION GRANT MANAGEMENT PLAN – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, the Township of Middle will apply for a Housing Rehabilitation project to be implemented in 2019 throughout the Township;  
WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;  
WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;  
WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2019 Housing Rehabilitation program;  
NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2019 Housing Rehabilitation program.*
25. RESOLUTION – APPROVING PUBLIC FACILITIES GRANT MANAGEMENT PLAN – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, the Township of Middle will apply for up to \$400,000 in Fiscal Year CDBG fund for a Public Facilities project to be implemented in 2019 to undertake ADA Compliance Improvements at Norbury Landing;  
WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;  
WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;  
WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2019 Public Facilities project;  
NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2019 Public Facilities project.*
26. RESOLUTION – AUTHORIZING APPLICATION SUBMISSION – FY 2019 NJ DCA GRANT – PUBLIC FACILITIES – NORBURY LANDING – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, the Township of Middle desires to apply for and obtain a FY 2019 grant from the New Jersey Department of Community Affairs for up to \$400,000 to carry out a Public Facilities project to undertake ADA Compliance Improvements at Norbury Landing.  
NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey that,  
1) that the Township of Middle does hereby authorize the application for such a grant, and,  
2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and the New Jersey Department of Community Affairs.  
BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement to sign the agreement, and any other documents necessary in connection therewith.*
27. RESOLUTION – AUTHORIZING APPLICATION SUBMISSION – FY 2019 NJ DCA GRANT – HOUSING REHABILITATION PROGRAM – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, the Township of Middle desires to apply for and obtain a FY 2019 grant from the New Jersey Department of Community Affairs for approximately \$200,000 to carry out a housing rehabilitation program to assist low and moderate-income homeowners; and  
NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey that:  
1) that the Township of Middle does hereby authorize the application for such a grant, and,  
2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and the New Jersey Department of Community Affairs.  
BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are*

