

Cape May Court House, NJ
 October 1, 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 approve:*

Current Acct. \$3,016.161.60
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: 09/17/2018 Work Session, Board of Health, Regular and Closed Session Meetings.*
4. REPORTS: The following departments have submitted their reports for the months indicated:
5. RESOLUTION – APPOINTMENTS NEW HIRE – 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 names:*

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Paige Gorski	Police Secretaries	Keyboarding Clerk 1	\$22,000.00	09/24/2018

6. 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
Jamar Mack	Recreation	Recreation Aide P/T	08/31/2018
Paige Gorski	Police Secretaries	Keyboarding Clerk 1	09/25/2018
Kathleen Bittner	Municipal Court	Keyboarding Clerk 1 P/T	10/17/2018

7. RESOLUTION – ADOPTING UPDATED PERSONNEL POLICY MANUAL/HANDBOOK – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, it has been deemed necessary to amend and update several sections personnel policy manual/handbook, as previously adopted.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Personnel Policy Manual/Handbook is hereby adopted.
BE IT FURTHER RESOLVED, that a copy of said updated manual/handbook shall be distributed to each Township Committeemember, Township Administrator, Township Solicitor, and Head of each Department and further shall be utilized by the Human Resources & Training Department accordingly.
FURTHER RESOLVED, that should any section, paragraph, sentence, clause or phrase of this manual be declared unconstitutional or invalid for any reason, the remaining portions of said manual shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of mentioned manual are hereby declared to be severable.

8. RESOLUTION – AUTHORIZING CREATION OF LIEN ON PROPERTY - On motion 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
Tyler, Wilton S	2 North George Street	935//17	\$317.26
Selene Finance LP	14 Goshen Road	215//8	\$278.13
Diedrich, Armon Jr.	1 Bobwhite Lane	48//35	\$499.81
Wildwood Boulevard LLC	1705 Route 47 South	1512//1	\$364.79
Markham, Christopher C & Re Miller	5 Cresse Street	1442//2	\$317.27
113 East Crocus Road LLC	201 Hirst Avenue	1503//1	\$437.29
Davie, Jessica F Etals Co-Trustees	200 Hirst Avenue	1493//12	\$317.26
Winward, Robert R	1152 Golf Club Road	356.01//27	\$289.43
King Estates LLC	462 Route 47 North	5//20	\$400.75

9. RESOLUTION – CANCEL SEWER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, after further research it is concluded that the 2nd unit on block 350 lot 46 located at 1015 Route 9 South is not required to connect to the sanitary sewer system;
 NOW THEREFORE BE IT RESOLVED, that the bill for 2018 has been reduced from 2 units to 1 unit and the bill reduced by \$560.00.
10. RESOLUTION – ALLOWING CONSUMPTION OF ALCOHOL IN OPEN CONTAINERS AT HARVEST FESTIVAL – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle is conducting a “Harvest Festival” between 10:00am and 5:00pm on October 27, 2018 (with a rain date of October 28, 2018 from 12 noon until 5:00pm); and
 WHEREAS, certain purveyors have acquired one day licenses for the sale of alcoholic beverages at said Harvest Festival; and
 WHEREAS, Section 84-10 of the Code of the Township of Middle prohibits the carrying or consumption of alcoholic beverages in open containers in public areas within the Township of Middle; and
 WHEREAS, it has been deemed in the best interest of the Township of Middle to permit the carrying or consumption of alcoholic beverages in an open container at the Harvest Festival.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Section 84-10 of the Code of the Township of Middle be and hereby is suspended on October 27, 2018 between the hours of 10:00am and 5:00pm (or as stated in event a “rain date” is utilized) in the Municipal Parking Lot behind the Township Hall at 33 Mechanic Street, Cape May Court House, New Jersey.
 FURTHER RESOLVED that this lifting of the aforescribed prohibition shall apply only to the time and place described above.
11. RESOLUTION – ORDER REMOVAL OF VEHICLES FROM MUNICIPAL PARKING LOT – HARVEST FESTIVAL – 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 an Order to Remove Vehicles from the Municipal Parking Lot from the close of business on Friday, October 26, 2018 until 7:00 AM on Sunday October 28, 2018 for the Harvest Festival is hereby approved.
12. RESOLUTION – AUTHORIZATION TO CLOSE BOYD STREET – HARVEST FESTIVAL - 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 authorization to close the section of Boyd Street from Hand Avenue to Church Road on October 27, 2018 from 6:00am until 7:00pm (rain date October 28, 2018) for the Harvest Festival is hereby approved.

13. RESOLUTION – RATIFY PROMISE OF DEFENSE AND INDEMNIFICATION AGREEMENT WITH CAPE MAY COUNTY FOR USE OF COUNTY PARKING LOT – HARVEST FESTIVAL – 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 Promise of Defense and Indemnification Agreement between the County of Cape and the Township of Middle for the use of the County Parking Lot on October 27, 2018 (rain date October 28, 2018) for the Harvest Festival, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.
14. RESOLUTION – ADD VENDOR CATEGORY – HARVEST FESTIVAL – 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 add a Small food vendor category and establish a structured fee schedule for said vendors for the annual Harvest Festival, and
WHEREAS, a small food vendor shall be defined as a vendor selling no more than one type of food item, and
WHEREAS, said fees should be established via resolution.
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 add the following vendor category with the following fees for the annual Harvest Festival.
- | <u>Category</u> | <u>2018 Registration Fee</u> |
|--------------------|------------------------------|
| *SMALL FOOD VENDOR | \$150.00 |
- *A vendor selling no more than one type of food item*
15. RESOLUTION – SOCIAL AFFAIRS PERMIT – JERSEY CAPE DIAGNOSTIC, TRAINING AND OPPORTUNITY CENTER, INC. – HARVEST FESTIVAL – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, Jersey Cape Diagnostic, Training and Opportunity Center, Inc. has applied for approval to sell alcoholic beverages in the municipal parking lot at Middle Township’s Harvest Festival to be held at 33 Mechanic Street, Cape May Court House on October 27, 2018 from 10:00am to 5:00pm, with a rain date of October 28, 2018 from 12:00pm to 5:00pm. and
WHEREAS, they have also provided the Township of Middle with the following, which have been reviewed and approved by the ACJIF, as required:
- COI with liquor liability coverage
 - NJ Hold Harmless Agreement
- NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.*
16. RESOLUTION – ACKNOWLEDGING FIREWORKS DISPLAY AT STONE HARBOR GOLF CLUB – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, Stone Harbor Golf Club, through Schaefer Fireworks, has requested permission to conduct an outdoor firework display on October 13, 2018; and
WHEREAS, as part of the approval Union League National Golf Club must comply with all conditions as set forth in Chapter 142-8 Subsections C, D, and E of the code of the Township of Middle as well as apply for and receive the appropriate permits in connections with the regulations of the Bureau of Fire Prevention, Fire District No 1; and
WHEREAS, Schaefer Fireworks has provided the Township of Middle with the following, which have been reviewed and approved by the ACJIF, as required:
- COI with NJ workman’s insurance certificate
 - NJ Hold Harmless Agreement
 - NJ Surety Bond
- NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey does hereby acknowledge a firework display at Stone Harbor Golf Club on October 13, 2018.*
17. RESOLUTION – APPROVE CHANGE ORDER NO. 2 – 2018 ROAD PROGRAM - On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, Landberg Construction, LLC was awarded the 2018 Road Program on March 19, 2018 via Resolution 140-18; 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 attached Change Order #1 for the project awarded to Landberg Construction LLC, be and is hereby approved in an **increase** amount of \$8,391.41 for an amended contract price of \$869,502.73.*
18. RESOLUTION – AWARD OF BID - CONTRACT NO. 2018-S2- MIDDLE TOWNSHIP SEWER ASSISTANCE PROJECT – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, it has been deemed necessary and desirable to solicit bids for the Sewer Assistance Project Contract No. 2018-S2, and
WHEREAS, bids were received September 11, 2018, and
WHEREAS, it appears that the following bid submitted below represents a figure equal to the lowest bid received, which complies with specifications.
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey the governing body thereof, that the contract for the following Sewer Assistance Project be and hereby is awarded as described:

<i>Contract No.</i>	<i>Awarded To:</i>	<i>Total Bid Amount</i>
2018-S2	Jonathon Hand Excavating	\$1,790.00

FURTHER BE IT RESOLVED, that these awards are conditioned upon certification of availability of funds.

19. RESOLUTION - ORDERING THE DEMOLITION AND REMOVAL OF STRUCTURES LOCATED AT 407 SOUTH BOYD STREET AND ORDERING THAT PREMISE BE BROUGHT INTO COMPLIANCE WITH THE LAW, ALL PURSUANT UNDER THE AUTHORITY OF THE "UNSAFE STRUCTURES" CHAPTER OF THE CODE OF THE TOWNSHIP OF MIDDLE – On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, it is hereby found and determined that there exists in the Township of Middle a building or buildings which are unfit for human habitation, as outlined in Chapter 100 of the Township Code, and that a public necessity exists for the repair, closing or demolition of such building, and

WHEREAS, pursuant to N.J.S.A. 40:48-2.3 et seq., the Construction Official of the Township of Middle has hereby been designated and appointed as the public officer to exercise the powers prescribed by this chapter, and

WHEREAS, if, after notice and hearing, said public officer determines that the building under consideration is unfit for human habitation or occupancy or use, he shall state, in writing, his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order requiring the repair, alteration or improvement of said building to be made by the owner within a reasonable time, which time shall be set forth in the order, or, at the option of the owner, to vacate or have said building vacated and closed with the time set forth in the order, and

WHEREAS, if the building is in such a condition as to make it dangerous to the health and safety of persons on or near the premises and the owner fails to repair, alter or improve said building within the time specified in the order, then the owner shall be required to remove or demolish said building within the reasonable time specified in the order of removal.

WHEREAS, said need exist for the demolition of a building located at Block 253 Lot 12, otherwise known as 407 South Boyd Street, Cape May Court House, and

WHEREAS, the public officer, or other official designated under this chapter, may exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including but not limited to the following powers, in addition to the others herein granted.

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 does hereby acknowledge that the above referenced procedures, as outlined in Chapter 100 of the Township Code, have been followed, and further directs the public officer to proceed with the repair, alteration, improvement, removal or demolition of 407 South Boyd Street, Cape May Court House, NJ.

20. PUBLIC COMMENT

Motion to adjourn –

1st:

2nd:

Pass on Roll Call: