

Cape May Court House, NJ
December 3, 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. ORDINANCE 1577-18 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 175, ARTICLE II, REGARDING RENT CONTROL - Following second reading, hearing, and consideration for adoption, Ordinance 1577-18 was adopted on motion by _____ and passed on roll call. Complete Ordinance is on file in the Clerk's Office. *WHEREAS, Chapter 175, Article II, of the Middle Township Municipal Code establishes requirements for rent control; and WHEREAS, Section 175-18 provides for increases in rent based on Consumer Price Index (CPI) increases; and WHEREAS, Section 175-17 defines Consumer Price Index as "The percentage increase in social security payments as specified annually by the United States Department of Labor. It is the intention of this Article that said percentage shall represent the average yearly growth in the CPI of the United States, all citizen's index, for July, August and September of the prior year"; and WHEREAS, the Township Committee believes it is in the best interests clarify the definition to confirm the intent of the Township and the percentage to be utilized in CPI increase applications; 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. Chapter 175-17, of the Code of the Township of Middle is hereby amended as follows (strikethroughs indicating deleted portions, and bold and underlined indicating additions):
175-17. Definitions.
CONSUMER PRICE INDEX (CPI)
~~*The percentage increase in social security payments as specified annually by the United States Department of Labor. It is the intention of this Article that said percentage shall represent the average yearly growth in the CPI of the United States, all citizen's index, for July, August and September of the prior year.*~~
The percentage increase in Cost-Of-Living Adjustment (COLA) for Social Security benefits and SSI payments for the prior year as published by the Social Security Administration.
SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.
SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of 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.
SECTION 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.
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. \$3,988,309.58
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: 11/05 Closed Session Meeting, 11/19 Work Session, Regular and Closed Session Meetings and 11/27 Special Meeting.*
5. REPORTS: The following departments have submitted their reports for the months indicated: Municipal Clerk for the month of November; Construction Official for the month of November;

6. RESOLUTION – APPOINTMENT – 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 names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Joshua Tozer	Public Safety	Telecommunications Operator P/T	\$10.46 per hour*	11/26/2018
Patrick Vendetta	Police	Special Class II Police Officer	\$8.85 per hour**	12/14/2018
Dom Jones	Public Works	Laborer 1 P/T T/A	\$11.00 per hour	12/5/2018
Dion Mitchell	Public Works	Laborer 1 P/T T/A	\$11.00 per hour	12/5/2018
Richard Garrison	Public Works	Laborer 1 P/T T/A	\$11.00 per hour	12/5/2018

*Increase to \$15.00 per hour upon completion of training

**Increase to \$13.00 per hour upon graduation from Police Academy

7. RESOLUTION – CANCEL TAXES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, A cancellation is due to the below referenced property owned by United States of America.

ACCT	BLOCK	LOT	OWNER/LOCATION	2018	2019
7023	472	108	United States of America <i>Property location: 147 Indian Trail</i>	\$45,214.80	\$22,607.40

8. RESOLUTION – REFUND OF TAXES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, a refund of taxes is due for overpayment made on a tax-exempt property.

ACCT	BLOCK	LOT	OWNER/LOCATION	2018
17753	114	13 C0127	Egan, Dennis M & Nancy J 1012 St Andrews Drive Cape May Court House, NJ 08210	\$1,330.58

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw check in the above noted amounts payable to the above-mentioned party, as a refund of 2018 taxes.

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

9. RESOLUTION – TRANSFER OF FUNDS – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, it is legal and lawful to make budget transfers on and after the first day of November in any budget year; and
NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that the following transfers of budget appropriations be made in the budget of Middle Township for the year 2018:

Account Number	Name	From	To
8-01-20-101-101-111	Board Stipends	2,000.00	
8-01-20-120-121-200	Codification OE	2,000.00	
8-01-20-132-132-200	Info. Tech OE	1,000.00	
8-01-23-215-215-400	Workers Comp Insurance	28,000.00	
8-01-25-262-262-100	EMS-Emergency Medical S&W	15,000.00	
8-01-25-265-265-200	Fire Protection OE	2,000.00	
8-01-27-340-340-200	Animal Control OE	500.00	
8-01-31-435-435-475	Street Lighting Costs	2,000.00	
8-01-31-450-450-475	Internet	2,000.00	
8-01-36-471-471-457	DCRP	2,000.00	
8-01-20-105-105-200	Human Resources OE		600.00
8-01-20-105-106-299	Timekeeping Software		800.00
8-01-20-130-131-200	Grants Administration OE		4,000.00
8-01-20-132-133-299	Telecom Software, Support		3,635.00
8-01-20-155-156-200	Legal Services OE		4,000.00
8-01-23-221-221-411	Health Care Waiver		3,000.00
8-01-25-262-262-200	EMS - Emergency Medical OE		15,000.00
8-01-27-340-340-100	Animal Control S&W		600.00
8-01-28-370-370-100	Recreation S&W		10,000.00
8-01-28-370-370-200	Recreation OE		4,000.00
8-01-31-440-440-475	Telephone Costs		3,865.00
8-01-32-465-465-373	Sanitary Landfill-Contract		3,000.00
8-01-36-471-471-453	Social Security		4,000.00
	Totals:	56,500.00	56,500.00

10. RESOLUTION – APPROVAL FOR PAYMENT OF CASH OUT SICK LEAVE – VARIOUS EMPLOYEES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the Township allows the cash out of accumulated sick time by employees who meet the guidelines set forth in the personnel policy manual; and
WHEREAS, the personnel office has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time.
NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that payment be issued to the employees in the amount referenced on the attached. (attached sheet available in the clerk's office)
11. RESOLUTION – LEASE AGREEMENT WITH CONCERNED CITIZENS OF WHITESBORO – USAGE OF MARTIN LUTHER KING CENTER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between the Concerned Citizens of Whitesboro and the Township of Middle for use of premises located at the Martin Luther King Center for office space from which to operate certain programs that benefit the community, January 1, 2019 until December 31, 2019, be and is hereby ratified.
BE IT FURTHER RESOLVED that the appropriate Township Officials are hereby authorized to execute any documents necessary to carry out the purpose and intent of this Resolution.
12. RESOLUTION – RELEASE OF PERFORMANCE BOND – WILLIAM HERKER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, \$27,000.00 is being held as a performance guarantee for William Herker for site improvements at Block 1136, Lot 1, otherwise known as 1000 Edgewood Ave.; 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 \$27,000.00 is hereby released.
13. RESOLUTION – RELEASE OF PERFORMANCE BOND – POSTING OF MAINTENANCE BOND – ACCEPTANCE OF STREET IMPROVEMENTS – LANGFORD BOULEVARD – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, the improvements located at Block 335.01 Lot 5.03, otherwise known as The Fairways constructed by Frederick Langford is complete, and
WHEREAS, the Engineer for the Township of Middle has conducted his inspection and certified that all improvements have been completed, and
WHEREAS, the Engineer has recommended that the performance bond, in the amount of \$299,969.40 be released, and
WHEREAS, the applicant has also submitted a maintenance bond in the amount of \$100,532.63 for a two-year period effective December 3, 2018.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the release of the performance bond and acceptance of the maintenance bond and guarantee are hereby authorized.
BE IT FURTHER RESOLVED, that Langford Boulevard improvements have been accepted and said street is not dedicated.
14. RESOLUTION - APPROVAL FOR PAYMENT TERMINAL LEAVE – STEVE NOVSAK – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
WHEREAS, Steven Novsak retired with an effective date of December 1, 2018; and
WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated vacation, compensation, sick and personal time; and
WHEREAS, the Human Resources Department has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time; and
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employee in the amount referenced below:
- | | |
|---|----------------------|
| <i>Steven Novsak</i> | |
| <i>Vacation Hours:</i> | <i>194.00</i> |
| <i>Personal Hours:</i> | <i>26.00</i> |
| <i>Comp Hours:</i> | <i>304.25</i> |
| <i><u>Total Hours:</u></i> | <i><u>524.25</u></i> |
| <i>\$27,213.60 (inclusive of payroll tax expense to the Township)</i> | |

15. PUBLIC COMMENT:

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