

Cape May Court House, NJ
June 3, 2019
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 Donohue, Deputy Mayor Gandy, Committeemember Clark, Business Administrator/Township Clerk Kimberly Krauss, Deputy Township Clerk Andrea Singley & Municipal Solicitor Marcus Karavan

1. PRESENTATION BY MAYOR AND COMMITTEE – MIDDLE TOWNSHIP DRUM FISH TOURNAMENT AWARDS
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. \$3,223,581.13

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: 5/20/2019 Work Session, Regular and Closed Session Meetings.
5. REPORTS: The following departments have submitted their reports for the months indicated:
6. ORDINANCE 1584-19 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND BY A PRIVATE AUCTION TO BE HELD AMONG CONTIGUOUS OWNERS OF BLOCK 99.02, LOT 6 - Following second reading, hearing, and consideration for adoption, Ordinance 1584-19 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 of the Township of Middle, County of Cape May and State of New Jersey that it is necessary that Township owned land be sold by a private auction among contiguous owners.

SECTION 1.

WHEREAS, New Jersey Statute 40A:12-13 provides the procedure for the sale of Township owned land, and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Township owned parcel, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and also provided that any such sale shall be for not less than the fair market value of the real property; and
WHEREAS, the Township owns a parcel of land identified as Block 99.02, Lot 6 in the Swanton Section of the Township; and
WHEREAS, the subject parcel is land locked and cannot be developed without access; and
WHEREAS, there are five owners who are contiguous to this said portion of the lot, specifically listed as follows:

- | | | |
|---------------------------|---|---|
| <i>Block 99.02, Lot 3</i> | - | <i>Gwendolyn D. Williams
61 Siegtown Road
Cape May Court House, NJ 08210</i> |
| <i>Block 99.02, Lot 5</i> | - | <i>Craig Cunningham
1573 Rte 9 N
Cape May Court House, NJ 08210</i> |
| <i>Block 99.02 Lot 10</i> | | <i>James R. Dodd, Jr.
5 Antina Lane
Cape May Court House, NJ 08210</i> |
| <i>Block 99.02 Lot 11</i> | | <i>Kurt & Colleen Himstedt
7 Antina Lane
Cape May Court House, NJ 08210</i> |

Block 99.02 Lot 12 Robin Cramer
11 Antina Lane
Cape May Court House, NJ 08210

Block 99.02 Lot 13 Robin Cramer
11 Antina Lane
Cape May Court House, NJ 08210

WHEREAS, the five owners shall be noticed and given an opportunity to participate in an open (public) auction limited to just the five of them participating to purchase the parcel but at a price which is no less than the fair market value of the parcel; and

WHEREAS, the assessment of the parcel is \$11,000.00, and the Township Tax Assessor has stated in writing that the fair market value of the land is \$11,000.00, which the Township therefore makes the minimum bid; and

WHEREAS, the statute also requires that the municipality file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of advertisements for the Ordinance;

NOW, THEREFORE, BE IT ORDAINED,

1. The Township Committee of the Township of Middle shall sell a portion of real property identified as Block 99.02, Lot 6 to the highest bidder of an open (public) auction to be held on July 3, 2019 at 10:00 a.m. in the meeting room of the Township Hall, 33 Mechanic Street, Cape May Court House, New Jersey, at which time only those five owners of property contiguous to that portion of Block 99.02, Lot 6 which is offered for sale shall participate; and

2. The minimum bid shall be \$11,00.00; and

3. The auction shall be conducted by the Township Chief Financial Officer, Susan Quinones; and

4. The winning bidder shall sign a contract of sale which is attached hereto as Exhibit A and the terms of which are incorporated herein in full; and

5. The winning bidder shall be provided a deed in the form attached hereto as Exhibit B; and

6. That the Clerk or the Clerk's representative is to file the necessary affidavits with the Director of the Division of Local Government Services, and

7. The Mayor, Clerk, and any and all other Township Officials, are hereby authorized to sign those documents necessary to effectuate this transaction; and

8. Any and all costs associated with this transaction, including advertising and postage, are to be paid by the winning bidder.

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 phrase 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.

7. ORDINANCE 1585-19 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND BY A PRIVATE AUCTION TO BE HELD AMONG CONTIGUOUS OWNERS OF BLOCK 401, LOT 18 - Following second reading, hearing, and consideration for adoption, Ordinance 1585-19 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 of the Township of Middle, County of Cape May and State of New Jersey that it is necessary that Township owned land be sold by a private auction among contiguous owners.

SECTION 1.

WHEREAS, New Jersey Statute 40A:12-13 provides the procedure for the sale of Township owned land, and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Township owned parcel, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and also provided that any such sale shall be for not less than the fair market value of the real property; and

WHEREAS, the Township owns a parcel of land identified as Block 401, Lot 18 in the Del Haven Section of the Township; and

WHEREAS, the parcel to be sold contains a substantial encroachment from a neighboring parcel and is to be sold in "AS IS /WHERE IS" condition, with Buyer assuming all responsibility and liability for removal of the encroachment; and

WHEREAS, there are three owners who are contiguous to this said portion of the lot, specifically listed as follows:

Block 401 Lot 2 - Christopher & Shannon Hagan
4 N. 15th Street
Del Haven, NJ 08251

Block 401, Lot 17- William Hanna
590 24th Street
Avalon, NJ 08202

Block 401, Lot 19-

Barry F II & Jennifer Spaulding
200 Millman Blvd.
Del Haven, NJ 08251

WHEREAS, the three owners shall be noticed and given an opportunity to participate in an open (public) auction limited to just the three of them participating to purchase the parcel but at a price which is no less than the fair market value of the parcel; and

WHEREAS, the assessment of the entire Lot 18 is \$22,500.00, and the Township Tax Assessor has stated in writing that the fair market value of the land is \$22,500.00, which the Township therefore makes the minimum bid; and

WHEREAS, the statute also requires that the municipality file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of advertisements for the Ordinance;

NOW, THEREFORE, BE IT ORDAINED,

1. The Township Committee of the Township of Middle shall sell a portion of real property identified as Block 401, Lot 18 to the highest bidder of an open (public) auction to be held on July 3, 2019 at 10:00 a.m. in the meeting room of the Township Hall, 33 Mechanic Street, Cape May Court House, New Jersey, at which time only those three owners of property contiguous to that portion of Block 401, Lot 18 which is offered for sale shall participate; and

2. Existing Encroachments. The property being sold herein is being sold "As Is / Where Is". There is a substantial, pre-existing encroachment on the property consisting of a portion of a single-family home, from a neighbor's property which abuts the subject lot.

3. It shall be the Buyer's sole responsibility to address all issues relative to said encroachment. By signing the agreement Buyer shall agree to be solely responsible for all costs and legal responsibilities incurred with regard to addressing said encroachment. Buyer shall affirmatively release Seller of any obligation with regard to same. Additionally, the successful Buyer must file a deed of consolidation.

4. Transfer of title from Township to Buyer will be by Quit Claim deed.

5. The minimum bid shall be \$22,500.00; and

6. The auction shall be conducted by the Township Chief Financial Officer, Susan Quinones; and

7. The winning bidder shall sign a contract of sale which is attached hereto as Exhibit A and the terms of which are incorporated herein in full; and

8. The winning bidder shall be provided a deed in the form attached hereto as Exhibit B; and

9. That the Clerk or the Clerk's representative is to file the necessary affidavits with the Director of the Division of Local Government Services, and

10. The Mayor, Clerk, and any and all other Township Officials, are hereby authorized to sign those documents necessary to effectuate this transaction; and

11. Any and all costs associated with this transaction, including advertising and postage, are to be paid by the winning bidder.

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 phrase 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.

- 8. ORDINANCE 1586-19 - AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE - Following second reading, hearing, and consideration for adoption, Ordinance 1586-19 was adopted on motion by [redacted] seconded by [redacted] and passed on roll call. Complete Ordinance is on file in the Clerk's Office.

Adding following title and range:

Systems Analyst P/T	15.00 p/h	30.00 p/h
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- 9. ORDINANCE 1592-19 - AN ORDINANCE REQUIRING MANDATORY CONNECTION OF CERTAIN PROPERTIES WITHIN THE TOWNSHIP TO THE LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY PUBLIC WATER SUPPLY SYSTEM - On motion by [redacted] seconded by [redacted] and passed on roll call, Ordinance No. 1592-19 passed first reading. Second reading, public hearing and consideration for adoption will be held on 07/01/2019 at 6:00 p.m.

WHEREAS, properties identified on EXHIBIT A hereto within the Township of Middle (the "Township") currently receive water service through private potable wells; and

WHEREAS, the Township has determined that such private potable water wells are failing; and

WHEREAS, in order to protect the health, safety and general welfare of current and future residents, the properties identified on EXHIBIT A hereto need be connected to a public water supply system; and

WHEREAS, the Township has entered into an agreement with the Lower Township Municipal Utilities Authority (the "LTMUA") for the construction of a public water supply system that includes the construction of service connections to the properties within the Township identified on EXHIBIT A hereto; and

WHEREAS, the public health, safety, and welfare of Township and its current and future resident requires that all currently occupied properties and all of the properties within the Township identified on EXHIBIT A hereto that may be developed in the future must be connected to a public water supply system; and

WHEREAS, pursuant to the County and Municipal Water Supply Act, N.J.S.A. 40A:31-1 et. seq., once a public water supply is available to these properties, to ensure that water provided and supplied to the residents and the properties within the Township identified on EXHIBIT A hereto will at all times meet all governmental quality standards and will protect the health, safety and welfare of all its residents, all existing properties within the Township identified on EXHIBIT A hereto must be connect to a water supply system.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middle in the County of Cape May and the State of New Jersey as follows:

Section 1. Definitions.

As used in this Ordinance, the following terms shall have the meanings indicated:

CONNECTION FEES

The cost charged by the LTMUA and required to be paid by each property owner who is required to connect to the LTMUA's public water supply system pursuant to this Ordinance.

LTMUA

The Lower Township Municipal Utilities Authority, established by the Township of Lower in the County of Cape May pursuant to N.J.S.A. 40:14B-1 et seq. and by Lower Township Ordinance No. 68-10, adopted July 4, 1968.

USER FEES

The annual fees charged by the LTMUA for water supplied to the property owners who are required to connect to the LTMUA's public water supply system pursuant to the provisions of this Ordinance.

PUBLIC WATER SUPPLY SYSTEM

Capital projects that have been or will in the future be undertaken by the LTMUA to provide water to the owners of the properties that are identified on Exhibit A.

Section 2. Connection required.

The owners of the properties within the Township that are identified on EXHIBIT A hereto shall be required to connect all buildings and water facilities located on said properties to the LTMUA's public water supply system at the property owner's sole cost and expense, including payment to LTMUA of all appropriate connection fees and applicable user fees for such water services.

The requirement to connect to the LTMUA's public water supply system shall also apply to those currently undeveloped properties once they are developed. On lots with two or more buildings, each building shall be separately connected to the LTMUA's public water supply system.

Section 3. Time for Connection to LTMUA's Public Water Supply System.

Upon notification of the completion of the LTMUA's public water supply system servicing their respective properties, the owners of said properties described in this Ordinance, shall be required to connect to the LTMUA's public water supply system within one year of notification.

Section 4. Rules of Connection; User Fees and Connection Fees

The property owner and the connection shall be subject to the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1, et. seq., the rules and regulations of the LTMUA as well as the obligation to apply for and obtain a house connection permit, as may be required by the Middle Township Construction Office, all as may be hereafter adopted and as amended from time to time. The property owners shall be pay the user fees as and when due in accordance with the rules and regulations of the LTMUA. The connection fee shall be the amount of the connection fee that is established by §660-5 of the Code of the Township of Lower, as amended from time to time, which, at the time of adoption of this Ordinance was \$1,600.00 per single family residence.

Section 5. Property owner responsible for connection.

The obligation to comply with the terms of this Ordinance shall be the obligation of the record owner of the property, at the owner's sole cost and expense, regardless of any lease provision.

Section 6. Metering.

All properties required by this Ordinance to connect to the LTMUA's public water supply system shall utilize water meters to be provided by the LTMUA. Any plumbing configuration that is installed in such a manner as to bypass the water meter is prohibited and shall be considered a theft of services under the provisions on N.J.S.A. 2C:20-8 as well as a violation of this Ordinance. Similarly, tampering with a meter shall be considered a theft of services under the provisions on N.J.S.A. 2C:20-8 as well as a violation of this Ordinance.

Section 7. Proper Abandonment and Sealing of Private Potable Wells.

All properties required by this Ordinance to connect to the LTMUA's public water supply system shall properly abandon and seal their existing private potable water well in accordance with applicable state and local law and regulations. Notwithstanding the above, property owners may maintain their existing wells for the sole purpose of irrigation provided that there is no physical connection between the irrigation well and the LTMUA's public water supply system.

Section 8. Notice.

All notices required by this Ordinance shall be sent first class regular mail and certified mail, return receipt requested, to the last known property address for the owner of the affected property as contained in the then current Township tax records.

Section 9. Penalties

Any person violating or failing to comply with any provisions or requirements of this Ordinance or its implementing regulations shall, upon a conviction, be punishable by a fine of no more than one thousand two hundred fifty dollars (\$1,250.00), by imprisonment for a term not to exceed ninety (90) days, or by community service as determined in the discretion of the Municipal Court Judge. Each day that the violation continues shall be a separate offense and the person or persons allowing or permitted such

violation to continue may be punished as provided for above with respect to each separate day of violation.

In addition to the above, if the owner of any property that has been identified for mandatory connection by this Ordinance fails to make such connection by the required time, then the LTMUA may proceed to make such connection or installation or cause the same to be made and assess the costs and charges against the property in accordance with the delinquency provisions of the LTMUA and applicable state law statutory authority.

In the event that the property owner fails to make such connection to the LTMUA's public water supply system or pay such connection fee or user fees within the applicable period of time set forth in this Ordinance and the LTMUA makes or causes the connection to the LTMUA's public water supply system to be made, then the unpaid permit fee, connection fee, and user fees shall constitute a lien on the affected property when approved by the LTMUA and filed with the Middle Township Tax Collector. Property owners shall be obligated to pay the user fees, as set forth in the rules and regulations of the LTMUA, and the connection fees, as set forth in §660-5 of the Code of the Township of Lower, as amended from time to time, regardless of whether such properties connect to the LTMUA's public water supply system.

Section 10.

A copy of this Ordinance shall be placed on file with the Township Clerk and with the Tax Assessor and with the Tax Collector of the Township of Middle.

Section 11.

Notice of the adoption of this Ordinance shall be published in a newspaper of general circulation in the Township of Middle and a newspaper of general circulation in Cape May County.

Section 12.

All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 13.

Should any section, paragraph, sentence, clause or phrase 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 14.

This Ordinance shall become effective twenty (20) days after final passage and publication, according to law.

10. ORDINANCE 1593-19 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 158 SECTION 10 OF THE TOWNSHIP CODE REGARDING COLLECTION OF RECYCLABLE MATERIALS; SOURCE SEPARATION - On motion by seconded by and passed on roll call, Ordinance No. 1593-19 passed first reading. Second reading, public hearing and consideration for adoption will be held on 07/01/2019 at 6:00 p.m. WHEREAS, Section 158-10 Middle Township Municipal Code, a part of the Township garbage and recycling ordinance, regulates the collection of recyclable materials; source separation; and WHEREAS, having reviewed that article it has been deemed necessary to amend said chapter to clarify which household items are permitted for recycling. NOW THEREFORE, be it ORDAINED by the Township Committee of the Township of Middle County of Cape May, State of New Jersey, that Chapter 158, Section 10, Subsection C of the local code is hereby amended and revised as follows (additions underlined; deletions [in brackets]):
- SECTION 1.
- § 158-10 Collection of recyclable materials; source separation
- C. The following materials must be source separated and recycled through the municipal recycling program in the following manner:
- (1) Leaves and grass. Leaves shall be raked to the curbside for bulk pickup beginning on or about November 1 of each year and ending on or about January 15 of each year. All other times of the year leaves shall be in biodegradable paper leaf bags or in open containers and placed at curbside with the recyclables. Grass clippings shall be in a biodegradable leaf paper bag or open container and placed at curbside with the recyclables. The weight of the bag/container is not to exceed 50 pounds.
 - (2) Christmas trees. Natural Christmas trees shall be placed at curbside for collection free of all decorations, tree stands and plastic bags starting on or about December 26 of each year and ending on or about February 15 of each year.
 - (3) Brush, tree branches and small trees. Brush, branches and small trees shall be placed at curbside for pickup by the Township of Middle. They must be freshly cut and are not to exceed three inches in diameter and no longer than eight feet. All brush and small trees must be free of roots, dirt and soil.
 - [(4) White goods (appliances). Ferrous and nonferrous scrap metal shall be placed at curbside on regularly scheduled trash day.]**
 - [(5) Ferrous and nonferrous scrap shall be placed at curbside on regularly scheduled trash day.]**
 - (7) Tires shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.
 - (8) Antifreeze shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.
 - (9) Lead acid batteries shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.
 - (10) Used motor oil shall be placed at curbside for pickup by the Township of Middle on your regularly scheduled trash day.

Section 2. Upon introduction, and before second reading and final adoption, this Ordinance shall be referred to the Middle Township Planning Board for review pursuant to N.J.S.A. 40:55D-26 and -64.

Section 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

Section 4. Should any section, paragraph, sentence, clause or phrase 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 5. This Ordinance shall become effective immediately upon final passage and publication, according to law.

11. RESOLUTION – ACKNOWLEDGEMENT OF RESIGNATION (ITEMS A THROUGH B) – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

(A) *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 resignation listed below, is hereby acknowledged.

NAME	DEPARTMENT	POSITION	EFFECTIVE
Nakisha Wakefield	Recreation	Recreation Aid FT	05/25/2019

(B) *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 resignation/discontinuation of temporary appointment listed below, is acknowledged.

NAME	BOARD/DEPARTMENT	POSITION	EFFECTIVE
Matthew Quinlan	Public Safety	Special Class II Police Officer	05/24/2019

12. RESOLUTION – ACKNOWLEDGEMENT OF DISCONTINUATION OF TEMPORARY APPOINTMENT – 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 discontinuation of temporary appointment listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Dominick Jones	Public Works	Laborer 1 P/T T/A	5/20/2019

13. RESOLUTION – AMEND DONATION OF TIME FOR FELLOW EMPLOYEE – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, Resolution No. 223-19 was approved on May 29, 2019 authorizing the donation of time for Paul Mahan by a fellow employee, and

WHEREAS, while reconciling time for the Sewer Department the Personnel Director noticed an error in the calculation of time for Paul Mahan, and

WHEREAS, due to this error additional hours must be donated to Paul Mahan.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, that the request from the following Middle Township employee, to relinquish the following amount of time to Paul Mahan, be and hereby is approved:

EMPLOYEE NAME	TYPE OF DAY	TIME DONATED
Dawn Perdomo	Sick	8 hours
Steve Mills	Sick	80 hours

NOW THEREFORE BE IT FURTHER RESOLVED, that the total amount of contributed time be credited to Paul Mahan as Sick Days.

14. RESOLUTION – APPOINTMENT – 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
Steven Myers	Public Safety	Systems Analyst P/T	\$25.00 per hr	06/05/2019

15. RESOLUTION – RENEWAL OF ALCOHOLIC BEVERAGE LICENSES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, certain licensees have filed for renewal of their Alcoholic Beverage License for one (1) year beginning July 1, 2019; and

WHEREAS, the said applications are in due and proper form with the fee of \$720.00 for each Plenary Retail Consumption License and Retail Distribution License; \$188.00 for each Club License and with no objection filed with all \$200.00 State Filing Fees received; and,

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, issue a Plenary Retail Consumption License to:

Rio Station Inc.	0506-33-001-008
Avalon Development & Golf, Inc.	0506-33-005-008
Cape Hospitality Group LC dba Bellevue Tavern	0506-33-002-006

9 South Bar & Restaurant, LLC 0506-33-009-008
 Menz Restaurant Inc 0506-33-012-002
 BE IT FURTHER RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Plenary Retail Distribution License to:
 Mattera's Liquor trading as Joe Canals Discount Liquor 0506-44-003-007
 Acme Markets, Inc. T/A Acme 0506-44-013-005
 BE IT FURTHER RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Club License to:
 Cape May County Chapter 44 Disabled American Veterans 0506-31-010-001
 Jersey Devil Country Club Inc. T/A The Links Club 0506-31-008-002
 Royal Oaks Club Inc. 0506-31-011-001
 BE IT FURTHER RESOLVED, that these licenses be signed, sealed and delivered by the Clerk of the Township of Middle in accordance with the rules and regulations of the State Department of Alcoholic Beverage Control and appropriate Ordinances of the Township of Middle.

16. 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
1511	52/15	2014-7338	3/5/2014	\$2,000.00

BE IT FURTHER RESOLVED, that a check in the amount of \$2,000.00 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.

17. RESOLUTION – FAILURE TO SURRENDER CERTIFICATE – On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 54:5-57.1 section 13 requires that if the owner of a tax lien fails to surrender a tax sale certificate within five years of being notified of redemption, the unclaimed redemption monies will escheat to 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 after the due diligence of the tax collector's office to notify the owner (s) of the tax lien certificate(s), the following redemption monies from same shall now be turned over to the Chief Financial Officer in accordance with the above:

Account	block/lot	certificate #	date of redemption	amount
10620	831/4	2005-4642	10/17/2012	\$228.90
12828	1080/4	2008-5431	11/12/2013	\$3,838.74

BE IT FURTHER RESOLVED, that a check in the amount of \$4,067.64 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 – AFFIDAVIT OF FORECLOSURE #197 POSTING – On motion by seconded by and passed on roll call, the following resolution was adopted.

State of New Jersey
 Ss
 County of Cape May

I Sandra B. Beasley, BEING DULY SWORN ACCORDING TO LAW ON MY OATH STATE:

1. I Sandra Beasley, tax collector of The Township of Middle, County of Cape May, State of New Jersey of full age, by way of certification in accordance with R.1:4-4(b), says
2. I am an agent of the plaintiff in foreclosure action #F-006803-19
3. On May 30, 2019 I posted a copy of the Notice of In Rem Tax Foreclosure of Tax Lien Titles, dated and published on May 29, 2019 in five locations set forth on the list below, the same being conspicuous places within the Township of Middle.
4. I certify that the foregoing statements made by me are true.
5. A Copy of the Notice of Sale was set up in five of the public places in the Municipality, namely:

Township of Middle Tax Collector's Office
 33 Mechanic St.
 Cape May Court House, NJ 08210
 Posted 5/30/2019

Martin Luther King Center

207 W Main St
Whitesboro, NJ 08252
Posted 5/30/2019

Rio Grande Post Office
1087 Route 47 S
Rio Grande, NJ 08210
Posted 5/30/2019

Green Creek Post Office
501 Route 47 S
Green Creek, NJ 08219
Posted 5/30/2019

Cape May Court House Post Office
615 Route 9 S
Cape May Court House, NJ 08210
Posted 5/30/2019

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
Tyler, Wilton S	2 N George Street	935 // 17	\$426.37
King Estates LLC	462 Route 47 North	5 // 20	\$499.72
113 East Crocus Road LLC	201 Hirst Avenue	1503 // 1	\$499.72
Toland, Joseph D	204 School Lane	1447 // 9	\$388.42
Rourke, Elizabeth A	803 Goshen Road	52 // 15	\$464.32

20. RESOLUTION – RELEASE OF TRUST ACCOUNTS – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid; and
WHEREAS, the applicants are entitled to a refund of this money.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts, as listed on the attached sheets, shall be released
21. RESOLUTION – INSERTION OF A SPECIAL ITEM OF REVENUE (ITEMS A THROUGH C) – On motion by seconded by and passed on roll call, the following resolution was adopted.
(A) 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 2019 in the sum of:
2019 Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund \$3,295.36
BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:
2019 Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund \$3,295.36
(B) 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 2019 in the sum of:

FY2019 Clean Communities Grant \$57,282.69

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

FY2019 Clean Communities Grant \$57,282.69

(C) 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 2019 in the sum of:

NJDOT 2019-MA-CMC-MIDDLE TWP – South 4th Street \$125,699.00

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

NJDOT 2019-MA-CMC-MIDDLE TWP – South 4th Street \$125,699.00

22. RESOLUTION – TABULATION COMMITTEE - FURNISHING, INSTALLING, SUPPLYING AND SERVICING OF VENDING MACHINES FOR VARIOUS TOWNSHIP COMPLEXES – On motion by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, on May 6, 2019, Township Committee established a Tabulation Committee to accept bids for the furnishing, installation, and supply and servicing of vending machines at various township complexes at Township Hall on Wednesday, May 29, 2019; and

WHEREAS, no bids were received for furnishing, installing, supplying and servicing of vending machines for various Township complexes; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Township Officials be and hereby are appointed to tabulate bids to be taken on June 26, 2019 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

FURNISHING, INSTALLING, SUPPLYING AND SERVICING OF VENDING MACHINES FOR VARIOUS TOWNSHIP COMPLEXES

23. RESOLUTION – AWARD OF BID – ABANDONED PROPERTY REGISTRATION AND MANAGEMENT – 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 Abandoned Property Registration and Management, and

WHEREAS, sealed bids were received on May 29, 2019, and

WHEREAS, it appears that the following bid submitted 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, the governing body thereof, that the contract for Abandoned Property Registration and Management be awarded to Preferred Neighborhood Solutions, LLC. as follows:

Township – Receipt of Sixty-Five Percent (65%) of fees collected

Preferred Neighborhood Solutions, LLC. – Receipt of Thirty-Five Percent (35%) of fees collected

BE IT FURTHER RESOLVED, that this award is for a one (1) year term, with the option to extend for an additional one (1) year.

FURTHER RESOLVED, that this award is conditioned upon submission of Treasurer's Certification of availability of funds.

24. PUBLIC COMMENT:

Motion to adjourn meeting–

1st: _____ 2nd: _____

Pass on Roll Call: