Rio Grande, NJ
September 16, 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 & Municipal Solicitor Marcus Karavan

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.)
   No public comment

2. RESOLUTION 376-19 – APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) – On motion by Committeeman Clark seconded by Committeeman Gandy 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. $924,867.03

3. RESOLUTION 377-19 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeeman Clark seconded by Committeeman Gandy 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: 9/04/2019 Regular and Closed Session Meetings.

4. REPORTS: The following departments have submitted their reports for the months indicated: Tax Collector for month of August, Sewer for month of August, Sterback Harbor for month of August, Finance for month of August

5. ORDINANCE NO. 1597-19 – REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE "TOWNSHIP") PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP DATED FEBRUARY 19, 2009 TO PROVIDE DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,750,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR – Following second reading, hearing, and consideration for adoption, Ordinance 1597-19 was adopted on motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call. Complete Ordinance is on file in the Clerk's Office.
   WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the Township of Middle, in the County of Cape May, State of New Jersey (the "Township"), had previously issued $4,365,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2009 on February 19, 2009 (the "Original Bonds"); and
   WHEREAS, $2,605,000 outstanding Original Bonds maturing in the years 2020 through 2031 (the "Refunded Bonds") are currently subject to redemption, either in whole or in part, prior to their stated maturity; and
   WHEREAS, the Township Committee has determined that the current tax-exempt interest rate environment would enable it to realize debt service savings for the Township taxpayers by refunding all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds in an aggregate principal amount not to exceed $2,750,000 (the "Refunding Bonds"); and
   WHEREAS, the Township Committee now desires to adopt this Refunding Bond Ordinance (the "Refunding Bond Ordinance") authorizing the issuance of the Refunding Bonds in an aggregate principal amount not exceeding $2,750,000, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds.
   BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:
   SECTION 1. The refunding of all or a portion of the Refunded Bonds is hereby authorized.
   SECTION 2. In order to refund the Refunded Bonds and to pay all related costs associated therewith, the Township is hereby authorized to issue the Refunding Bonds in an aggregate principal amount not to exceed $2,750,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 et seq., and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Obligation Refunding Bonds" with such series designation as may be necessary to identify such bonds.
   SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve debt service savings by refunding all or a portion of the Refunded Bonds.

SECTION 4. An aggregate amount not exceeding $75,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b) including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.
SECTION 5. A certified copy of this Refunding Bond Ordinance has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.
SECTION 6. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.
SECTION 7. The Chief Financial Officer of the Township is hereby authorized and directed to determine all matters and terms in connection with the Refunding Bonds, all in consultation with the Township bond counsel, municipal advisor and auditor, and the manual or facsimile signature of the Chief Financial Officer of the Township upon any documents shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer of the Township, the Township Clerk and any other Township official, officer or professional including, but not limited to, the Township bond counsel, municipal advisor and auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Refunding Bonds, including the refunding report required to be filed pursuant to N.J.A.C 5:30-2.5, and to take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds, in consultation with Township bond counsel, municipal advisor, and auditor, and any and all actions taken heretofore with respect to the sale and issuance of the Refunding Bonds are hereby ratified and confirmed.
SECTION 8. This Refunding Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Mayor Donohue:
- *Gave Brief explanation regarding the ordinance*

6. ORDINANCE NO. 1598-19 AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 146, ARTICLE IV, SECTION 3, ENTITLED ESTABLISHMENT OF DEVELOPMENT PERMIT – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, Ordinance No.1598-19 passed first reading. Second reading, public hearing and consideration for adoption will be held on 10/21/2019/2018 at 6:00 p.m.
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. Section 146-13 of the Code of the Township of Middle is hereby amended by the addition of the following (additions underlined):
A development permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in § 146-8. Application for a development permit shall be made on forms furnished by the Township and may include, but not be limited to plans, in duplicate, drawn to scale, showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
A. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
B. Elevation, in relation to mean sea level, to which any structure has been floodproofed;
C. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in § 146-18B(2)(a); and
D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
E. A plan review fee for new construction and substantial improvement in Flood Zone shall be $100.00. Plan review fee for mechanical and accessory uses in Flood Plain shall be $35.00
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 serverable.

Mayor Donohue:
- *Introduced construction official, Sal DeSimone*

Sal DeSimone:
- *Spoke of building inspectors meeting*
- *Explained twenty percent of Middle is in a flood zone area*
- *Further explained FEMA wants to have proof the job is being done*
- *Gave brief background of the current ordinance*
- *Discussed cost, application and low to help provide proof of the work; explained the change will help with the audit by the government as well*
- *Spoke of various municipalities that have already adopted the cost and municipalities in which it is pending*

- *Explained process for public which implement vents and will give them reductions of about 20-40 percent*

Mayor Donohue:

- *Asked if it was a one-time cost*

Sal DeSimone:

- *Stated yes, usually have cost back within 5 years*

7. ORDINANCE NO. 1599-19 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE - On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, Ordinance No. 1599-19 passed first reading. Second Reading, public hearing and consideration for adoption will be held on 10/21/2019 at 6:00 p.m.
   Amending Range for Titles listed below:

Construction Official P/T	$	1.00	to $45.00 ph
Construction Official /Director of Inspections	$	1.00	$ 30,000.00

8. RESOLUTION 378-19 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeeman Clark seconded by Committeeman Gandy 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
Judy Bickel	Public Safety	P/T Telecommunication Operator Trainee	09/04/2019
Robert Matthew	Recreation Advisory Board	Advisor	09/04/2019

9. RESOLUTION 379-19 THROUGH 380-19– APPOINTMENTS – (ITEMS A THROUGH B) – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
   (A) NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Nicole Day	Public Safety	PS Telecommunications Operator Trainee P/T	$10.46 per hour*	09/10/2019
Kyle Morinelli	Recreation	Recreation Program Coordinator ** Recreation Leader F/T	$40,000.00	TBD
Donna Lombard	Recreation	Recreation Leader F/T	$24,500.00	TBD

*Increase to $15.00 per hour upon completion of training
**In-house title

(B) WHEREAS, there are various terms of office that have expired; and
WHEREAS, the governing body of the Township of Middle would like to reappoint said positions; and
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 named persons be and hereby are appointed or reappointed to fill the following offices/terms:

NAME	POSITION / DEPARTMENT	TERM	TERM EFFECTIVE	SALARY
Stencler, Tiffany	Crossing Guard / Public Safety	1 year	09/01/2019	$1.00
Rollo, Tim	Crossing Guard / Public Safety	1 year	09/01/2019	$1.00

10. RESOLUTION 381-19 – PROMOTIONAL TITLE CHANGE – On motion by Committeeman Clark seconded by Committeeman Gandy 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 following employee is hereby promoted to the civil service title opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Dustin Sturm	Recreation	Acting Superintendent of recreation	$49,000.00	09/16/2019

11. RESOLUTION 382-19 – SALARY AMENDMENT – On motion by Committeeman Clark seconded by Committeeman Gandy 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 employee salary is hereby amended:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Salvatore DeSimone	Construction	Construction Official/Director of Inspections/Fire Sub code Official	$30,000.00	08/12/2019

12. RESOLUTION 383-19 – APPROVE DONATION OF TIME FOR FELLOW EMPLOYEE – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
    BE IT RESOLVED, by the Township Committee of the Township of Middle, that the request from the following Middle Township employees, to relinquish the following amount of time to Robert Eagan, be and hereby is approved:

EMPLOYEE NAME	TYPE OF DAY	TIME DONATED
Dawn Stimmel	Sick	35 hours

Nancy McDevitt	Sick	35 hours
Deborah Becker	Sick	35 hours
Kendra Karstens	Sick	21 hours
Patricia Cornwell	Sick	12 hours
William Candell	Sick	80 hours
Christopher Leusner	Sick	40 hours
Douglas Osmundsen	Sick	40 hours
James Loftus	Sick	40 hours
Tracey Super	Sick	16 hours
Len Larkin	Sick	16 hours
Joshua Bryan	Sick	16 hours
Matthew Martino	Sick	24 hours
Phillip Johnson	Sick	16 hours

NOW THEREFORE, BE IT FURTHER RESOLVED, that the total amount of contributed time be credited to Robert Eagan, as Sick Time.

13. RESOLUTION 384-19 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeeman Clark seconded by Committeeman Gandy 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
Carroll, Eldora	214 Schoolhouse Lane	245//18	$464.32
Hogan, John P, Joan M & Diane	7 King Street	1464.02//34	$413.72
Rourke, Elizabeth A	803 Goshen Road	52 // 15	$464.32

14. RESOLUTION 385-19 THROUGH 386-19 – SOCIAL AFFAIRS PERMIT (ITEMS A THROUGH B)– On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
(A) WHEREAS, Cape May County Chapter 44 Disabled American Veterans has applied for approval to sell alcoholic beverages at an event to be held at the DAV Ch 44 Cape May County, 1010 Bayshore Road, Del Haven, New Jersey 08251 on September 28, 2019 from 1:00pm until 8:00pm; and
WHEREAS, they have provided proper documentation to the Township of Middle.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.
(B) WHEREAS, the Cape May Forum Chautauqua at the Shore has applied for approval to sell alcoholic beverages at an event to be held at Kindle Auto Plaza, 525 Stone Harbor Boulevard, Cape May Court House, New Jersey 08210 on October 5, 2019 from 12:00pm until 8:00pm; and
WHEREAS, they have provided proper documentation to the Township of Middle.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.

15. RESOLUTION 387-19 – CATERING PERMIT – CAPE HOSPITALITY GROUP LP – HARVEST FESTIVAL – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
WHEREAS, Cape Hospitality Group LP has applied for approval to sell alcoholic beverages at Middle Township's Harvest Festival to be held at 33 Mechanic Street, Cape May Court House, on October 26, 2019 from 10:00am to 5:00pm, with a rain date of October 27, 2019 from 12:00pm to 5:00pm, and
WHEREAS, they have provided proper documentation to the Township of Middle,
NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Catering Permit.

16. RESOLUTION 388-19 – AUTHORIZING THE PUBLIC SALE OF ONE (1) PLENARY RETAIL CONSUMPTION LICENSE – On motion by Mayor Donohue seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
WHEREAS, N.J.S.A 33:1-12.14 authorizes the issuance of a plenary retail consumption license for the sale of alcoholic beverages for every three thousand persons found to be residing within a municipality; and

WHEREAS, the population of Middle Township has increased to the point where, pursuant to the state Alcoholic Beverage Law, the Township is entitled to issue an additional plenary retail consumption alcoholic beverage license.
WHEREAS, Chapter 84 Section 3 of the code of the Township of Middle allows for the issuance of six (6) plenary retail consumption licenses pursuant to the population figures set forth above.
WHEREAS, there are currently five (5) plenary retail consumption licenses issued and in use within the Township of Middle; and

WHEREAS, the Township Committee has determined to offer by public bidding, as authorized by N.J.S.A. 33:1-19.3, one (1) Plenary Retail Consumption License with qualifications in accordance with this Resolution.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, as follows:

1. The appropriate Township Officials are hereby authorized to issue a new plenary retail consumption license for the sale of alcoholic beverages in accordance with the procedures set forth in N.J.S.A. 33:119.3 et seq.
2. The new license shall be sold using the public sale option pursuant to N.J.S.A. 33:1-1 et seq.
3. The Township of Middle will accept sealed bids for acquisition of said license from any interested party. The deadline for submission of a sealed bid is November 20, 2019 at 10:00am at the office of the Township Clerk, 33 Mechanic Street, Cape May Court House, New Jersey 08210.
4. The Township Clerk shall publish notice of the proposed issuance of the alcoholic beverage license indicating that the applications therefore will be accepted by the Township Committee at the date, time, and place as specified above, after which no further applications will be accepted.
5. Said notice shall be published in a newspaper circulating generally in the municipality at least two (2) times, at least one week apart, the second of which shall be at least thirty (30) days prior to the date of the sale.
6. A minimum bid of $600,000.00 shall be required. Any bid below that figure will be discarded.
7. Each bidder shall be qualified to have an interest in a retail alcoholic license under the standards set forth by the New Jersey Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable Township Ordinance.
8. Each bidder shall submit with his bid a deposit representing ten (10%) percent of the purchase price. The deposit of each unsuccessful bidder shall be returned within 30 days of the opening of the bids. The deposit of the successful bidder shall be retained by the Township in the event of default by the successful bidder.
9. The successful bidder shall provide the balance of the purchase price within 21 days of the opening of the bids. Failure to submit the required monies within the designated timeframe shall result in disqualification of the bid.
10. The Township shall award the license to the person who is the highest qualified bidder. A determination of where the license will actually be sited will be determined through the standard license application process.
11. The Township of Middle reserves the right to reject all bids if the highest bid is not accepted.

17. RESOLUTION 389-19 – RATIFY PROMISE OF DEFENSE AND INDEMNIFICATION AGREEMENT WITH CAPE MAY COUNTY FOR USE OF COUNTY PARKING LOT & CLOSURE OF MECHANIC STREET – HARVEST FESTIVAL – On motion by Committeeman Clark seconded by Committeeman Gandy 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 26, 2019 (rain date October 27, 2019) and for the closure of Mechanic Street from 5pm Friday, October 25, 2019 to 10pm Sunday October 27, 2019 for the Harvest Festival, be and is hereby ratified.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

18. RESOLUTION 390-19 – AUTHORIZATION TO CLOSE BOYD STREET – HARVEST FESTIVAL - On motion by Committeeman Clark seconded by Committeeman Gandy 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 26, 2019 (rain date October 27, 2019) from 6:00am until 7:00pm for the Harvest Festival is hereby approved.

19. RESOLUTION 391-19 – ALLOWING CONSUMPTION OF ALCOHOL IN OPEN CONTAINERS AT HARVEST FESTIVAL – On motion by Committeeman Clark seconded by Committeeman Gandy 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 26, 2019 (rain date October 27, 2019); 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 26, 2019 (rain date October 27, 2019) 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.

20. RESOLUTION 392-19– ORDER REMOVAL OF VEHICLES FROM MUNICIPAL PARKING LOT – HARVEST FESTIVAL – On motion by Committeeman Clark seconded by Committeeman Gandy 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 25, 2019, as needed until the conclusion of Harvest Festival, is hereby approved.

21. RESOLUTION 393-19 – RENEWAL OF GRAVEL PIT PERMITS – 2019 – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
WHEREAS, the gravel pit permit renewal applications listed below have been found to be in proper form, and the fee paid in each case, and
WHEREAS, the Township Committee finds and concludes that the excavation and soil removal work originally authorized has been in continuous operation during the period of the permit and has been performed in accordance with the conditions under which the original permit was granted, and
WHEREAS, the Township Engineer undertook an inspection of the subject premises and has stated in his letter that recertification is currently recommended, and
WHEREAS, said applicants listed below have also received all necessary site plan review and are conditionally approved for their operations as set forth in Chapter 132 of the Township code.
NOW, THEREFORE, BE IT RESOLVED, that each of the following permits be and are hereby renewed for the calendar year 2019, and this permit is subject to the rules and regulations as set forth in the code of the Township of Middle known as Chapter 132, including but not limited to all parameters set forth by the Middle Township Planning Board as expressed in their approving resolutions:

NO.	NAME OF LICENSE	BLOCK/LOT	ACREAGE	FEE
4	Cape Mining & Recycling LLC	98/2	35.37	$600.00
6	Cape Mining & Recycling LLC	94/19.02	57.1	$600.00
7	Cape Mining & Recycling LLC	94/19.01 & 20	72	$600.00
8	Court House Sand & Gravel, LLC	472/93	75.94	$600.00
11	H4 Enterprises, LLC	95.03/21	42.1	$600.00
12	Diamond Materials, LLC	168/2	42.5	$600.00
24	TK Sand & Gravel, Inc.	96.01/17	8.08	$200.00

FURTHER RESOLVED, that the above licenses be issued upon any and all conditions set forth by the Township Engineer and Middle Township Planning Board in the letters and resolutions attached to each license.

22. RESOLUTION 394-19 – TERMINATE AWARDED CONTRACT AND RATIFY NEW AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – JANITORIAL SERVICES 2019 – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
WHEREAS, a Janitorial Services contract was awarded to ACB Services, Inc. via Resolution #486-18 for the period of January through December, 2019; and
WHEREAS, due to various breaches of contract clauses, the signed contract with ACB has been officially terminated effective as of August 26, 2019; and
WHEREAS, CNS Cleaning Co., Inc., previous janitorial service provider to the Township, and second lowest bidder for the 2019 Janitorial Services, was deemed eligible and available to provide janitorial services for the balance of 2019; and
WHEREAS, CNS Cleaning Co., Inc will be providing Janitorial Services in the amount not to exceed $19,000.00 from August 26 through December 31, 2019.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between CNS Cleaning Co., Inc. and the Township of Middle for Janitorial Services be and is hereby ratified and the contract is hereby amended through the Non-Fair and Open Process as described in Pay-To-Play Statutes for 2019.
BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documents in connection therewith.

CNS Cleaning Co., Inc.
Not to Exceed $19,000.00

23. RESOLUTION 395-19 – AUTHORIZE MAYOR TO EXECUTE RIGHT OF WAY AGREEMENT WITH ATLANTIC CITY ELECTRIC COMPANY – COURT SUBSTATION RELIABILITY UPGRADES – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
WHEREAS, Atlantic City Electric, by way of their Power Ahead Reliability Upgrade project, is looking to make various upgrades to their transmission lines along their property, and
WHEREAS, a portion of the path known as a portion of Block 215, Lot 12 located in the Township of Middle, which land abuts Goshen Road and the Middle Township Bike Path will receive upgrades as part of this project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute the Right of Way Agreement as required by Atlantic City Electric Company in connection with the above referenced upgrade project.

24. RESOLUTION 396-19 – AMENDING CONTRACT THROUGH NON-FAIR AND OPEN PROCESS – DEBLASIO & ASSOCIATES – GIS ENHANCEMENT AND WEB MAPPING SERVICES – COURT HOUSE PROPER CONVERSION – On motion by Committeeman Clark seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between DeBlasio & Associates and the Township of Middle for GIS Enhancement and Web Mapping Services, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.
FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

DeBlasio & Associates
GIS Enhancement and Web Mapping Services

Additional Services additional services – Court House Proper Map Conversion - $3,500.00

25. PUBLIC COMMENT:

Ed Dillio:
- *Asked about the Advisory Board*

Mayor Donohue:
- *Explained their decision was published and there had been a discussion regarding their discussion at a previous meeting*

Ed Dillio:
- *Asked how he could obtain a copy of their decision*

Mayor Donohue:
- *Explained there is a copy on the website*
- *Further explained the committee made the suggestion for more members on the committee*

Ed Dillio:
- *Asked is the questions will be put on the November ballot*

Mayor Donohue:
- *Stated not this November*

Mayor Donohue:
- *Asked Vince, Township Engineer, to give an overview of the Work Session project updates*

Vince Orlando, Engineer:
- *Went over various features of the Rio Grande Park. Stated anticipated opening date for the park is April or May of 2020*
- *Spoke of separate project on 4th Avenue in Rio Grande; discussed the resurfacing and sidewalks; stated the project should be started within the next thirty to forty-five days*
- *Discussed application currently pending with the NJDOT for Linden Lane to be reconstructed and put in sidewalks*
- *Discussed safe routes to transit application approved by the NJDOT; projects include sidewalk on Hand Avenue from Reading Avenue to Wynndemere Court.*

Mike Voll:
- *Asked if sidewalks will be put in going to social security*

Vince Orlando, Engineer:
- *Answered yes*

Mike Voll:
- *Stated he thinks that a good thing as the current path to the offices is dangerous*

Vince Orlando, Engineer:
- *Stated the residents will then be able to go from Route 9; the sidewalk will go from social service building to shunpike.*

Kimberly Krauss:
- *Explained they are going to try to take it all the way down to the park next time around.*

Rick Rutherford:
- *Asked about park hours for Rio Grande Park*

Vince Orlando, Engineer:
- *Stated the topic has not yet been discussed but there are no lights for night at the park*

Mayor Donohue:
- *Stated all other Township parks are currently open dawn to dusk*

Mike Voll:
- *Asked about area which was formally the skate park*

Vince Orlando, Engineer:
- *Explained the skate park will be taken out and made an area for active play*

Mike Voll:
- *Commented on possible marijuana facility on Indian Trail; Stated he hopes the application will go through and that the facility will be beneficial to the township*

Mayor Donohue:
- *Explained the company INSA had to make application to the State of New Jersey but had to have a letter of support from the Township to be sent with the application*

Committeeman Clark:
- *Listed the various governmental officials that sent letter of support as well*

Michael Voll:
- *Commented on the Rio Grande facility; stated he believes it will be a great addition for the area*
- *Complimented Chief Leusner on his work to help lessen the crimes occurring in the Rio Grande area*
- *Asked about the possible apartment proposed by Delco Development*

Mayor Donohue:
- *Gave background on the project proposal and process*
- *Explained project is currently in negotiations*

Mike Voll:
- *Commented on the pavement of Route 47;*
- *Asked Committee if they could reach out to someone regarding the state of the former Shell Station*

Mayor Donohue:
- *Explained the problem has been ongoing for year and the committee have reached out to the State and NJDOT multiple times regarding the area*

Mike Voll:
- *Spoke of the railroad tracks and crossing throughout the Township*
- *Asked if the Township could reach out to the NJDOT regarding the railroad and the cleaning of debris around the tracks*

Mayor Donohue:
- *Stated it is a Federal issue*
- *Agreed that the railroad and tracks are an eyesore for many municipalities within the County of Cape May*
- *Stated Senator Booker is forth a bill called Rails to Trails to clean up the tracks*

Kimberly Krauss:
- *Stated she is currently in contact with the NJDOT regarding the Crossings and there is a letter submitted and pending with the NJDOT*

Mike Voll:
- *Spoke of conversation with Kimberly Krauss regarding the railroad crossings*

Mayor Donohue:
- *Stated it was brought up with the school board with regards to liability issues.*

Dan Lockwood, CMCH:
- *Asked if there was a split vote for the sale of the Plenary Retail Consumption License in the night's agenda*

Mayor Donohue:
- *Stated there was a split vote*

Kimberly Krauss:
- *Reviewed the motions*

Dan Lockwood:
- *Asked is this vote was the same as the previous vote for the sale of the license*

Kimberly Krauss:
- *Stated she would have to go back and look to confirm*

Dan Lockwood:
- *Asked if Committeeman Clark would be against selling the license if it was priced higher*

Committeeman Clark:
- *Explained he believe the license was worth $750,000*
- *Further explained decision*

Mike Voll:
- *Asked about possible renovation of the former Frank Theater*

Mayor Donohue:
- *Stated the county representatives will be at the October Work Session to go over the renovations of the former Kmart Plaza*

Mike Voll:
- *Asked about the current social security building; asked if the building is being left as is*

Mayor Donohue:
- *Stated the County of Cape May does not currently own the current social security building.*
- *Further explained the move of social security services to the plaza will be cheaper for the county*
- *Further discussed the various businesses coming to Rio Grande in the Plaza*

Mike Voll:
- *Clarified the whole operation will be moving to the new site*
- *Further discussed the various businesses opening in Rio Grande and various abandoned properties*

COMMITTEE COMMENTS:

Committeeman Gandy:

- *Commented on the great home opener for the Middle Township Football Team*
- *Discussed Dustin Sturm being named as Acting Superintendent; stated he sees a lot of positive things coming for the Recreation Center*
- *Discussed the fundraiser for the new sign at the Goshen football field*
- *Commented on the hiring of Rachel Shepherd and the great work she is doing in the construction office*
- *Spoke of the great work Kimberly Krauss is doing getting ahead of issues within the Township of Middle*
- *Commented on the report by Chief Leusner regarding crime in the Township*
- *Stated there are great things happening with the Township of Middle*

Committeeman Clark:

- *Congratulated Jeff McCart and the Middle Township football program of their new sign at the Goshen Complex; discussed the fundraising efforts in order to purchase the sign, as well as the many donations made by local businesses to be able to make the new sign happen*
- *Commented on the new hires starting in the recreation department*
- *Congratulated Dustin Sturm on his promotional title change; stated he believes Dustin will do a great job and has worked hard during his time with the Township*
- *Congratulated Sal DeSimone and thanked him for the extra work he is providing the Township*
- *Commented on the new park in Rio Grande; stated the park is going to be great and he cannot wait for it to be finished*
- *Expressed how phenomenal Ockie Wisting Park is and urges residents who have not yet been to the park to go*
- *Discussed the 4th Avenue project and the need for the street to be redone*
- *Commented on Chief Leusner's hard work and the reduction of crime rate. Thanked Chief Leusner and his officers for all their hard work*
- *Thanked Rio Grande Fire Company for allowing the committee to have the meeting at their facility*

Mayor Donohue:

- *Thanked Robert Matthews on his years of service and wished him the best*
- *Discussed the various projects, which are putting more work on the recreation department*
- *Stated Dustin is doing a great job and working hard*
- *Discussed the 2020 budget and the need to maintain and upgrade the various facilities and programs*
- *Commented on Jeff McCart, his fundraising efforts and all of the donations received in order to obtain the new scoreboard for the football field at the Goshen Complex;*
- *Commented on the naming of Rio Grande Park; stated the Township seeking recommendations for the name*
- *Spoke of upcoming restaurant week; named various restaurants participating.*
- *Reminded residents that the leaf schedule has been posted on the Township website*
- *Spoke of a new event, the Million Father March, scheduled for September 28, 2019.*
- *Reminded residents this weekend is the free yard sale weekend across the Township of Middle*
- *Explained they are working on the road program to improve the road and flooding; hope to announce soon*
- *Work continues to upgrade our current sewer infrastructureThe resolution approved during the meeting was to improve the GIS program; further explained that the Township has entered into an agreement with RedZone to perform a condition assessment of the Court House Proper portion of the sewer system.*

Motion to enter adjourn meeting– 6:48 pm
1st: Committeeman Clark 2nd: Committeeman Gandy
Pass on Roll Call: Committeeman Clark, Committeeman Gandy, Mayor Donohue

_____
Kimberly D. Krauss, Township Clerk

Minutes prepared by: _____