

Cape May Court House, NJ  
March 2, 2020  
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 Norris, Business Administrator/Township Clerk Kimberly Krauss, Deputy Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

1. PRESENTATION BY MAYOR AND COMMITTEE – RECOGNITION OF RETIREMENT – CORPORAL FRED CRAWLEY & DETECTIVE FIRST CLASS ALLAN MCCLURE

*Mayor Donohue*

- *Here to honor 2 officers that came in the door together 25 years ago. Thanked them for their 25 years of services and thanked their families for all of their sacrifices over that time. Spoke of the sacrifices they made walking out the door every day. Going to miss them.*

*Presented the Certificates to the officers,*

*Chief Leusner*

- *Spoke of all the hiring done back in the 90's. Spoke of how Allan and Fred blazed a trail and how other Officers looked up to them. They gave them all confidence to go after their dreams and do their jobs. They care very deeply about our community. They grew up in Middle Township, have roots in Middle Township and their families are in Middle Township.*

*Many incidents happened during their careers that will stay with them for the rest of their lives. They would not rest until someone who had committed a serious crime was apprehended and the community was safe. They were and will always be police officers in their hearts and will always be a part of the Middle Township police family. Spoke of how honored all were to work with them and congratulated and wished them both well in their future endeavors.*

*Allan McClure*

- *Thanked the Committee and all of his brothers and sisters on the police force. Passing the torch on to those still on the force. Will always pray for their safety while on the job. Thanked his family for always being behind him.*

*Fred Crawley*

- *Thanked all that he worked with. Thanked the Chief for allowing him to serve and protect. Thanked his family for always being there for him and for keeping him grounded and giving him the foundation to be able to fulfil his duties as a police officer.*

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 116-20 – APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) – On motion by Committeeman Gandy seconded by Committeeman Norris 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. \$2,869,422.42

4. RESOLUTION 117-20 – APPROVING MINUTES FROM PREVIOUS MEETINGS – On motion by Committeeman Gandy seconded by Committeeman Norris 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: 02/19/2020 regular meeting, 02/19/2020 work session and closed session.

5. REPORTS: The following departments have submitted their reports for the months indicated:

6. RE-INTRODUCTION - ORDINANCE NO.1606-20 – AN ORDINANCE PROHIBITING MOTOR VEHICLE ACCESS AT THE COOK'S BEACH, NORBURY'S LANDING, PIERCE'S POINT, REED'S BEACH AND SUNSET BEACH PUBLIC ACCESS POINTS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No.1606-20 was reintroduced, with amendments, and passed first reading. Second reading, public hearing and consideration for adoption will be held on 04/06/2020 at 6:00 p.m.

WHEREAS, the Township of Middle is home to a number of public access points, which afford residents and visitors opportunity to enjoy the coastal waters and beaches on the western boundary of the Township along the Delaware Bay.

WHEREAS, said public access points were designed to encourage pedestrian travel to the shoreline along the Delaware Bay and are not equipped to support the passage of motor vehicles.

WHEREAS, the operation of motor vehicles along the shoreline of the Delaware Bay poses significant risks to the health and safety of the operator as well as to the environment and ecosystem.

WHEREAS, the Township Committee has determined that it is in the interest of the health, safety and welfare of Township residents and visitors alike to prohibit the use of motor vehicles, via access points within the Township, on the shorelines and beaches of the Delaware Bay.

WHEREAS, this prohibition is consistent with the Township's Municipal Public Access Plan, in that it still permits public access to the municipality's shorelines along the Delaware Bay, but reduces potential damage to the environment that may result from motor vehicle access.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middle, County of Cape May and the State of New Jersey that the code of the Township of Middle is hereby amended to reflect the creation of the following chapter as follows:

Section 1. Prohibition on Motor Vehicle Access and Operation on Delaware Bay Shoreline

No person shall access, via motor vehicle, the shoreline and beaches along the Delaware Bay through the Township access points located at Cook's Beach, Norbury's Landing, Pierce's Point, Reed's Beach, Sunset Beach, Highs Beach and Kimble's Beach. No person shall operate, regardless of point of entry, private or otherwise, a motor vehicle on any Township property located on the beaches along the Delaware Bay.

Section 2. Definitions

Motor vehicle, as used in this section, means any vehicle which is self-propelled, including golf carts and all-terrain vehicles, but not including bicycles.

Section 3. Exceptions

This section shall not apply to any municipal employee, acting in his capacity as a Township employee, any agent of the New Jersey Department of Environmental Protection, the United States Army Corps of Engineers or any such state or federal agency, or any aquaculturist engaged in legal aquaculture activities as authorized by the New Jersey Department of Environmental Protection.

Section 4. Prior Written Approval

The prohibitions of this section shall not apply to any individual, organization, entity or otherwise who obtains prior written approval from the Township of Middle to utilize said access points for environmental, humanitarian or other such purposes.

Section 5. Penalties

Any individual, organization, or other such entity that shall be convicted of a violation of this chapter shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be subject to a fine of up to \$500.00 for a first offense and a fine of up to \$1,000.00 for each subsequent violation(s).

Section 6.

A copy of this Ordinance shall be placed on file with the Township Clerk.

Section 7.

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 8.

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

Section 9.

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 10.

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

*Kim Krauss*

- *Explained this Ordinance now encompasses Kimbles Beach Road and Highs Beach Road. Being reintroduced for the 3<sup>rd</sup> time to include these areas and to include more language to make sure that it actually prohibits vehicle access, not only at the designated access points, but along the entire bay line area. Final adoption will be April 6<sup>th</sup>.*

*Mayor Donohue*

- *Spoke of many flawed ordinances from the past. Wanted to make sure they got this right. Received a lot of input from people that actually work out on the beaches, the environmentalists, the oyster people and other groups that need access. Worth taking the time to tweak this ordinance to have the areas of concern so when it is finally passed it will be airtight. The intent will be to protect these beaches, while still giving access to the people that need it.*

7. RESOLUTION 118-20 THROUGH 119-20 – APPROVAL FOR PAYMENT TERMINAL LEAVE (ITEMS A THROUGH B) – On motion by Committeeman Gandy seconded by and passed on roll call, the following resolution was adopted.  
(A) WHEREAS, Allan McClure retired with an effective date of March 1, 2020; 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:

Allan McClure  
 Sick Hours: 469.00  
 Comp Time Hours: 71.50  
 Personal Hours: 24.00  
 Vacation Hours 272.00  
Total Hours: 836.50

\$32,522.98 (inclusive of payroll tax expense to the Township)

(B)WHEREAS, Fred Crawley retired with an effective date of March 1, 2020; 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:

Fred Crawley  
 Sick Hours: 423.00  
 Personal Hours: 23.00  
 Vacation Hours 41.00  
Total Hours: 487.00

\$16,332.20 (inclusive of payroll tax expense to the Township)

8. RESOLUTION 120-20 - APPOINTMENTS – NEW HIRES – On motion by Committeeman Gandy seconded by Committeeman Norris 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
Elisabeth McClintock	Finance	Account Clerk	\$32,500.00	03/09/2020
Ashley Noel Davis	Tax Collection	Clerk 1	\$24,990.00	TBD

9. 2020 BUDGET PRESENTATION – LEON COSTELLO, FORD SCOTT & ASSOCIATES AND SUSAN QUINONES, CFO

*Mayor Donohue*

- *Spoke of hard work done on establishing a budget. Thanked Leon Costello and Susan Quinones for all of their hard work on this project. Our intention is to deliver a 0-tax increase.*

*Leon Costello*

- *Budget does have a 0-tax increase. Explained State has a new system of filing budgets, which started today. The budget looks like what he has in his hand, but that cannot be sent to the State, has to be entered into the State's system, which he and Susan will be working on together. Will not be able to put on Township's website for a couple of days until it has been filed with the state. Public Hearing and adoption can be as scheduled, we are self-exam, so will not need the state for approval.*

- *There were a couple of expenses that are highlighted, one being changes in trash, which was the biggest increase, and pension increases. With the ratables and revenues being up some and with everything taken into account the Township was able to keep the no tax increase. Since the sewer rates were increased last year, that should be fine for a few years.*

*Susan Quinones*

- *Looking at tax rate to stay the same as it was last year. The Township's portion of the annual taxes as a whole is 26% of what people pay in their annual taxes. The nominal increase of the Tax Levy of \$12,000 did not increase the tax rate because of the increase in the ratables and revenues. Our tax collection right now is at 99.44%, which includes our accelerated tax sale, which is a good positive for the Township. The total budget is well within our budget caps...we are not utilizing any cap bank.*

- *Notable increases in the appropriations is due to required PERS and Police and Fire Pensions local liabilities, which has increased about \$159,000 from last year, along with the increase in trash and recycling services. Some of those expenses were partially minimized with various cuts and savings within our appropriations, we have been trying to take steps to minimize some of our expenses. Some of our revenues decreased for our budget such as our uniformed code fees, which follows suit to whatever is going on in the construction market. Some of the court fines have also decreased from the prior year. There was an increase on our interest on investments, our cable franchise fees and some of the miscellaneous fees and permits.*

- *We are anticipating utilizing surplus around 78.5%, which is directly in line with what we have used since 2012. For our sewer utility budget, we anticipated additional revenue that we are using, based on the sewer increase and has allowed us to not further deplete our very limited and existing fund balancing. We were able to refund one of our bonds giving us additional savings in our existing debt*

service. Decreases in the total overall CCMUA user charges, we finally got a small credit rather than a \$300,000 to \$400,000 increase, so that was helpful. That has allowed us to introduce our capital outlay line item as well as going back for indirect cost back towards our calculated values.

*Leon Costello*

- Important thing mentioned with the CAPS, the Township could spend another million dollars plus and levy another million dollars in taxes. That is how far under the CAPS the Township is. From years of calculated budgeting, there is plenty of room within the CAPS.

*Mayor Donohue*

- Things spoken about like the accelerated tax sale, the realistic approach taken with the MUA are constructual things to try to build in a better system to get us where we need to go. This is something that has happened over several years, with Susan and Ford Scott being a big part of it. It is impossible to never raise taxes, but the Township is always striving for a 0-tax increase without doing damage to the town or the budget. Spoke of 1<sup>st</sup> budget he had ever worked on 9 years ago, and where we are today with it. Feels we have done a great job in controlling our spending.

- Spoke of his State of the Township address where he spoke about Middle Township having about 20% of the County's population about 6% of the County's ratable base, which means we have to provide services to 20% of the people here when we only have 6% of the ratables. This will always be a challenge for the Township, but feels it will not harm the Township in the future. Appreciates all of the hard work those involved have done to keep the tax rate down.

*Jim Norris*

- Happy to hear of increase in the ratables. Being a responsible government will bring more people to the town.

*Mayor Donohue*

-- Questioned reduction in construction fees?

*Deputy Mayor Gandy*

- Explained that the State took away permit fees for things that were a mainstay for taking in revenue. This minimized a certain percentage off of those permits. Overall construction is continuously growing.

*Mayor Donohue*

- Questioned if large construction projects, such as the one the county is doing now, impact us?

*Deputy Mayor Gandy*

- Yes, we send inspectors out, have to review plans, so yes, it costs us money.

*Jim Norris*

- Recreation Dept. getting budget all squared away and good staff.

*Mayor Donohue*

- Looking forward to formal presentation of the Budget Hearing and will try to tighten it down more in the next month.

10. RESOLUTION 121-20 – INTRODUCTION OF BUDGET BY TITLE ONLY – On motion by Committeeman Gandy seconded by Committeeman Norris 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 2020 Budget for the Township of Middle be introduced, approved and given first reading by title only.

11. RESOLUTION 122-20 – ESTABLISHING A GREEN TEAM FOR SUSTAINABLE JERSEY PROGRAM – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Township Committee of the Township of Middle strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally, and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Middle wishes to build a model of government which benefits our residents now and far into the future with green community initiatives outlined in the Sustainable Jersey Program, which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green team; and

WHEREAS, the Township Committee of the Township of Middle wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first; and

WHEREAS, the following actions will be priorities for the Green Team as the Township moves to do their share to lessen the environmental impact of its operations: energy conservation; smart growth principals; protection of natural resources; smart growth principals of development; and community education.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that we do hereby establish a Green team consisting of all the members of the Middle Township Environmental Commission.

BE IT FURTHER RESOLVED, by the Middle Township Governing Body, that we do hereby appoint the following persons to the Green team for 2020:

Vilma Pombo, Chairman  
 Rachel Shepherd  
 Amanda DeVico  
 Betsy Haskin  
 Betsy Kohler  
 Tarin Mason  
 Josh Nemeth  
 Vera Kalish  
 Larissa Smith  
 Dawn Stimmel, Secretary

12. RESOLUTION 123-20 – RENEWAL – TOWING LICENSES – 2020– On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the towing license renewal application listed below has been found to be in proper form, and the fees paid accordingly. NOW, THEREFORE, BE IT RESOLVED, that each of the following licenses be and are hereby renewed for the calendar year of 2020:

License #	Tradename	Truck #	License Plate Number	Truck Make/ Model	Fee	Sticker Fee Paid
1	Kindle Towing	1	XGLJ86	2018 Ford F-650 Flatbed	\$450.00	\$50.00
1	Kindle Towing	2	XBJP38	2012 Ford F-650 Flatbed		\$50.00
1	Kindle Towing	3	XFKJ46	2007 Ford F-550 Wrecker		\$50.00
10	Peterson's Auto Towing	1	XY627P	2010 International 4300 Flatbed	\$450.00	\$50.00

13. RESOLUTION 124-20 – APPROVE TRANSIENT MERCHANT VENDOR LICENSE – A&T ICE – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, A&T Ice has applied for a Vendor's License to operate an ice cream truck in Middle Township, WHEREAS, proper applications have been made to the Township of Middle, County of Cape May, State of New Jersey and the proper fees have been paid. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey that the vendor applicant is hereby licensed by the Township of Middle to operate an ice cream truck in Middle Township from March 2, 2020 through December 31, 2020.

14. RESOLUTION 125-20 – APPROVAL OF LIMOUSINE/TAXI CAB LICENSE – DAY SIPPER TOURS LLC – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the following company has applied to the Township of Middle for a license to operate a Limousine within the confines of the Township, under Chapter 226 of the Code of the Township of Middle, and WHEREAS, after review by the Township Solicitor and other appropriate Township Officials, the following application has been found to be in proper order and the fee paid in connection with the licensing process, and NOW, THEREFORE BE IT RESOLVED, that each of the following licenses be, and are hereby authorized, for the calendar year of 2020:

License#	Vehicle #	Tradename	VIN Number	Taxi Make/ Model	Fee
L01-19	1-20	Day Sipper Tours LLC	1FBSS3BL2EDA47658	2014 Ford Econoline E350 SD Wagon	License Fee \$50.00 Vehicle Fee: \$10.00

FURTHER RESOLVED, that any license issued pursuant to the terms in accordance with the Code of the Township of Middle shall expire midnight of the 31<sup>st</sup> day of December of the year in which is issued unless sooner surrendered, suspended or revoked.

15. RESOLUTION 126-20 THROUGH 127-20 - RATIFY LEASE AGREEMENT –CONCERNED CITIZENS OF WHITESBORO (ITEMS A THROUGH B) – On motion by Committeeman Gandy seconded by Committeeman Norris 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 agreement between the Concerned Citizens of Whitesboro and the Township of Middle for usage of Block 1024 Lot(s) 9, 11, 14, 18 & 19, otherwise known as the “Whitesboro School” for a five year term effective May 1, 2019 through April 30, 2024, be and is hereby ratified. FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

(B) 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, 2020 until December 31, 2020, 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.

16. RESOLUTION 128-20 – AUTHORIZING WAIVER OF USAGE OF RECREATIONAL FACILITY FEE – MIDDLE TOWNSHIP BASEBALL SOFTBALL ASSOCIATION – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, Ordinance No. 1415-12 outlines the fees for the usage of various Recreational Facilities through the Township of Middle, and WHEREAS, the Middle Township Baseball Softball Association will be holding a Color Fun Run on May 16, 2020; and WHEREAS, the association directly benefits the youth of the Township of Middle; and WHEREAS, said event will take place at the Davies Sports Complex. NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the fee for the Middle Township Baseball Softball Association for the usage of the Davies Sports Complex be waived.
17. RESOLUTION 129-20 THROUGH 131-20 – AMENDING RESOLUTION (ITEMS A THROUGH C) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. (A) WHEREAS, on January 6, 2020 Township Committee awarded DeMichele and DeMichele as Municipal Prosecutor, and said contract was certified for 2020 as Resolution No. 03-20, and WHEREAS, Resolution 66-20 was approved on January 22, 2020 amending Resolution 02-20 to include Richard A. DeMichele, Jr. WHEREAS, the Judicial Committee requires that one or more individuals from the offices of DeMichele and DeMichele be specifically named in the body of said Resolution, and WHEREAS, said resolution shall be further amended to include Matthew Rooney & Lindsey Watson McCarthy in addition to Richard A. DeMichele Jr. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 66-20 shall be hereby amended. (B) WHEREAS, on February 19, 2020 Township Committee authorized a request for proposals for banking services via Resolution 104-20; and WHEREAS, there is a need to amend said resolution to modify the date for the receipt of proposals to reflect April 8, 2020 at 10:00 am in the Middle Township Municipal Building in the 2<sup>nd</sup> Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 104-20 shall be hereby amended. (C) WHEREAS, on February 19, 2020 Township Committee authorized the release of performance bond to Louis Altobelli via Resolution 110-20; and WHEREAS, said Resolution inadvertently indicated the incorrect amount of bond to be released, therefore constituting an amendment. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Resolution No. 110-20 shall hereby be amended to release said bond in the amount of \$85,578.90.
18. RESOLUTION 132-20– AUTHORIZING GREEN CREEK VOLUNTEER FIRE COMPANY TO SOLICIT FUNDS IN THE ROADWAYS OF THE TOWNSHIP OF MIDDLE - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, Ordinance 1009-98 permits application to be made to the Township of Middle by charitable organizations to solicit funds in the roadway of the Township of Middle; and WHEREAS, Green Creek Volunteer Fire Company has submitted an application to the Municipal Clerk as required per said ordinance; and WHEREAS, the dates and times of the charitable solicitation are listed within the written application submitted by the Green Creek Volunteer Fire Company and attached to this Resolution; and WHEREAS, the Chief of Police of the Township of Middle has reviewed the application of the Green Creek Volunteer Fire Company and has determined that there is no public safety reason for the Township of Middle to deny this application; and WHEREAS, the County of County Cape May, via Resolution 87-20, has endorsed Greek Creek Fire Company’s application to solicit contributions along the roadway of Bayshore Road, CR603; and NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May, State of New Jersey, hereby grants permission for the Green Creek Volunteer Fire Company to solicit funds on the roadways of Middle Township on the dates as set forth on the attached application form.
19. RESOLUTION 133-20 - AWARD OF BID – SOLID WASTE, REFUSE, AND RECYCLES COLLECTION, HAULING AND DISPOSAL – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, it has been deemed necessary and desirable to solicit bids for Solid Waste, Refuse and recycles collection, hauling and disposal; and

WHEREAS, sealed bids were received on February 20, 2020 at 10:00am; 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 Solid Waste, Refuse and recycles collection, hauling and disposal be and hereby is awarded to:

Gold Medal Environmental for a 5-year Contract

For an amount as follows:

Year 1 through 5 - \$982,826.00

FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds.

*Kim Krauss*

- *Explained our 5-year contract with Gold Metal, which expired at the end of 2019. From 2015 through the end of 2019 the Township has roughly paid about \$666,000 per year. At the end of last year, when the bids came back from the one bidder that put in a bid, the figure was pretty much double of what was paid with the previous contract and the Township decided to go back out to bid. We took a chance, but it did pay off.*

- *For the next 5 years we are entering into a contract with Gold Metal, once again, at the rate of \$982,000 a year, which is a lot higher, but the market has definitely shown to be a million plus per year in trash and recycling, so we are lucky to have locked in at that figure.*

*Mayor Donohue*

- *If you look at the old number vs the new number, the difference is rather startling, but the fact that Kim did the extra work to go through the process again will save in a significant way.*

20. RESOLUTION 134-20 - CREATING A LIST OF QUALIFIED FIRMS TO CHOOSE FROM FOR NON-LEGAL SERVICES IN THE FUTURE – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, the Township of Middle advertised a request for qualifications (“RFQ”) under the Fair and Open Process for Special Project Engineer to which it received multiple responses; and  
WHEREAS, said qualifications were opened January 31, 2020; and  
WHEREAS, the Township wishes to create a list of qualified firms from which it may choose to enter into a contract to provide professional services in the future, as needed; and  
WHEREAS, the firms named below have provided responses which satisfy the minimum requirements as set forth in the RFQ;  
WHEREAS, at the time the Township is prepared to enter into a contract, qualified firms shall comply with “Local Unit Pay-To-Play Law” (P.L. 2004, c.19 as amended by P.L. 2005, C. 51), and, where appropriate, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq.; and  
WHEREAS, the list of qualified firms is for a one (1) year period and the Township is not obligated to accept or pay for services. Prior to incurring services, the certification of available funds shall be made by the Chief Financial Officer as appropriate, attached to the file copy of the purchase order or other such document, pursuant to N.J.A.C. 5:34-4.9; and contract shall be released.  
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Middle does hereby create a list of qualified Special Project Engineers who may be called upon to provide engineering services as the need should arise as follows:  
Environmental Resolutions Inc.  
815 E Gate Dr #103, Mt Laurel, NJ 08054  
Remington Vernick Engineers  
4907 New Jersey Ave, Wildwood, NJ 08260  
Maser Consulting  
156 Stagecoach Road, Marmora, NJ 08223  
Engineering Design Associates  
5 Cambridge Dr, Ocean View, NJ 08230  
Schaeffer Nassar Scheidegg Engineers  
1425 Cantillion Blvd., Mays Landing, NJ 08330  
DeBlasio & Associates  
4701 New Jersey Avenue, Wildwood, NJ 08260  
ARH Associates  
215 Bellevue Avenue, PO Box 579, Hammonton, NJ 08037

21. RESOLUTION 135-20 – AMENDING FAIR AND OPEN CONTRACT – ENGINEERING SERVICES – ENGINEERING DESIGN ASSOCIATES – ATLANTIC/PACIFIC DRAINAGE IMPROVEMENTS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

*Mayor Donohue*

- *Explained reason for the addition of this project. Township wants to move forward with the project as quickly as they can. This is a major issue on the east side of Rt 9 on Atlantic and Pacific Avenue with major flooding. Last year we pumped water for a couple of months. This has been a problem for many years in this area and we want to get this moving and hoping to get done before the summer.*

22. PUBLIC COMMENT:

*John Lauricella*

- *Glad we are locked in on the trash collection price for the next 5 years, but questioned whether we could get the County involved or possibly do Shared Services in the future.*

*Mayor Donohue*

- *He has spoken with the Mayor of Dennis Township, who is actually paying more for trash pick up than Middle is. Most of the seashore towns can afford to collect their own trash. This is a statewide issue with the recycling market collapsing. There are towns, within the state, that have gone back to collecting their own trash. We have not considered this because the cost just to get started would be overwhelming. Just the cost of 1 truck alone, outfitting the truck, hiring additional employees and all that it entails would be more than a million dollars..., a trash truck along could cost that.*

- *Recycling used to be a cash maker for towns, but has now become a liability. There are areas that have stopped recycling all together. Feels at some point modern technology will find a way to dispose of trash that we have not thought of.*

*Stan Donager*

- *Spoke of when he was in Pa. the county had a trash to steam plant that burned the garbage to generate energy. Is that a possibility here?*

*Mayor Donohue*

- *Middle Township would not be doing anything like that, but there are regional facilities around the country...one that opened in Florida, which is supposed to be a state-of-the-art facility. The issue is, environmentally, what burns off and what is the pollution factor.*

- *Spoke of incinerators being everywhere in the past, and it was the environmental regulations that put them out of business. There is clean burning incinerator technology that could be obtained for the future, but due to the many environmental concerns, no one wants one built near them. Believes there is one in Palm Beach County Florida that is supposed to be the most technologically advanced one in the world in converting trash to energy.*

*Stand Doniger*

- *Said he understands that Philadelphia burns their trash.*

*Deputy Mayor Gandy*

- *Thinks up around the airport is an incinerator.*

*Mayor Donohue*

- *It is a matter of economics. When the landfills are full, we will have to find another solution.*

*Peter Jespersen*

- *Questioned how were the areas of Pacifica and Atlantic chosen for the projects and not Bennet Road, which has an end of street flooding problem.*

*Mayor Donohue*

- *Explained there is a long list of projects and this is the first one the Township considers the worst and the most impactful on the most residents. We have Ridge Road, Bennet Rd, Secluded Hollow Road...a number of areas in town for when we have more money available.*

*Peter Jespersen*

- *Asked how they are mitigating the flooding?*

*Vince Orlando*

- *Explained there are a couple of low points on Atlantic Avenue. We hope to provide a conveying system out to the Parkway where it makes its way out to the meadows.*

*Peter Jespersen*

- *Questioned if the Parkway would allow that?*

*Vince Orlando*

- *Explained it is a natural flow of discharge currently. However, some isolated low points in the area that they will have to provide some sort of conveyance for those areas.*

*Peter Jespersen*

- *Explained they were told the cause of the flooding on Bennet Road is due to the fact that all of the storm sewers run down to the end of the road and empty into a containment basin, which fills up and then can't drain anymore. That water then backs up into the lower end of Bennet Road, also blocking access to the foot path that crosses the Parkway for the students to use for the school.*

*Mayor Donohue*

- *Has heard that the Parkway caused some of those drainage problems.*



*Peter Jespersen*

- *At the end of Bennett Road, the Parkway property is higher than the street. Feels if the Parkway Property was graded off and dropped into the Parkway drainage system, that would probably mitigate a lot of the flooding.*

*Lillian Wing*

- *Asked if possible, to get a left-hand turn signal off of Rt 9 onto Main St. going into Whitesboro?*

*Mayor Donohue*

- *Advised we can discuss with the State, however have not had much luck getting one on Rt 9 and Mechanic Street, so thinks chances of getting one there are probably not great and all we can do is make A petition to the state. What they usually do is a traffic study and they decide whether they think it is a necessity.*

*Lillian Wing*

- *Questioned if same as making a left hand turn off of Rt 9 onto Indian Trail?*

*Mayor Donohue*

- *That area is the location of 2 state roads and is probably why they have the left hand turn there.*

*Deputy Mayor Gandy*

- *Congratulated Allan and Fred for their 25 years of service on our police force.....not an easy job.*

- *Dog Park coming along good, as well as our Avalon Fishing Pier.*

*Committeeman Norris*

- *Thanked Fred and Allan for their years of service.....25 years shows their commitment to our Township.*

- *Welcomed Elizabeth McClintock as a new employee in our Finance office, as well as Ashley Davis in our Tax Collectors office.*

- *Middle's 7 & 8<sup>th</sup> grade boys basketball team beat the undefeated Atlantic City team at the MLK Center in a game on March 17th...great time and nice evening. The Shore Shot Championship game will be Saturday, March 7<sup>th</sup> at the Crest Pier, as well as a playoff game tomorrow.*

- *Had 2 home track meets this year....first time we have ever had 2 home meetss, usually have to go up the road.*

- *LaCrosse started practice.*

- *The wrestling sling, which Tim has been working on getting for a few years, will be in tomorrow and installed next week.*

*Mayor Donohue*

- *Thanked and recognized Fred and Allan on their retirement from our police force. Has heard nothing but the highest praises for both. from inside and outside the community. Proud of them and wish them long happy and healthy retirements.*

- *Spoke of the Concerned Citizens of Whitesboro and the renewal of our leases with them at the MLK Center and the old Whitesboro School. In answer to questions as to why we do not charge them rent, he explained all of the work they do in the community, which keeps us from having to hire additional employees to do. Their long-standing presence in this community is something we take for granted. We thank them and commend them on all of the community service they do.*

- *Attended the John Wesley Methodist Church's 180<sup>th</sup> anniversary....one of the oldest African American Churches in Cape May County and possibly one of the oldest in the state. It was founded by John West, who escaped from slavery in North Carolina in 1823, 40 years before the Emancipation Proclamation. Ended up in Goshen, where he started this church. Ended up owning land in Goshen and lived to be 98. It was an honor to attend and the service was very uplifting.*

- *Spoke of also attending Anna May Goodways 103<sup>rd</sup> Birthday at Crest Haven, where he presented her with a Proclamation. She was a dietician at the hospital for 30 years, and her family owned and operated Layre's Dutch Kitchen. They came here after the 2<sup>nd</sup> World War originally settling in Grassy Sounds, then moving to Dias Creek after their home was destroyed twice in Grassy Sounds by hurricanes. Hospital was also there and presented her with an award.*

- *Spoke of the drainage projects and the efforts to correct the problems Hopefully this is the beginning of a process of the Township correcting several of these problem areas, some of which are easier than others. Have a tendency to push the harder projects down the road, but we are committed to tackling some of the harder issues one at a time.*

- *Thanked Chamber of Commerce for putting on the State of the Township Address again this year. Gave a Power Point presentation that will be posted to the Township's website and our FB page.*

- *Welcomed 2 new hires, one in Finance and one in Tax Collectors office.*
- *Spoke of our Summer Concert Series at the Ockie Wisting Complex and going from 4 concerts to 8 this summer. There will be 4 weeks in July and 4 weeks in August. Have worked out all of the kinks and have some great bands playing. Still looking for additional vendors and food trucks to participate. Invited all to attend.*
- *Thanked Goshen Fire for attending tonight's meeting.*

Motion to adjourn meeting – 6:45pm

1<sup>st</sup>: Committeeman Gandy                      2<sup>nd</sup>: Committeeman Norris

Pass on Roll Call: Committeeman Gandy, Committeeman Norris, Mayor Donohue

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Andrea N. Singley, Deputy Township Clerk

Minutes prepared by D. Stimmel