

Cape May Court House, NJ  
 May 4, 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 virtually on Zoom Video Platform and through Facebook Live. 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. 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.)

*None*

2. RESOLUTION 178-20 – 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. \$3,684,105.95

3. RESOLUTION 179-20 – 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: 04/20/2020 Regular Meeting.

4. REPORTS: NONE

5. RESOLUTION 180-20 – APPOINTMENT – NEW HIRE – 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
Daniel Branco	Public Works	Laborer 1 P/T T/A (6 months)	\$11.00 per hour	TBD

6. RESOLUTION 181-20 – REFUND OF TAXES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
 WHEREAS, that the following refund is due to the below-referenced property below due to a State Tax Court Judgement.

ACCT	BLOCK	LOT	LOCATION	2017
3453	167.01	84 &91	Property location: 294 Indian Trail	\$22,222.27

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw check in the above noted amount payable to the plaintiff's attorney referenced below, as a refund of 2017 taxes

Please make payable to the following as requested in the attached email:

Joel A Mott III attorney for Empire TF6 Jersey Holdings, LLC and Nam Huynh & Jo Ann Tran  
 1862 San Marco Blvd  
 Jacksonville, FL 32207

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

7. RESOLUTION 182-20 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeeman Gandy seconded by Committeeman Norris 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
King, Robert S & Rosalie E	124 Indian Trail	208//4	\$637.80
Tobin, John F IV/J Tobin	53 Honeysuckle Lane	168//28	\$708.51

8. RESOLUTION 183-20 – AMENDING RESOLUTION 162-20 – AUTHORIZING EXECUTION OF FAIR AND OPEN CONTRACT – ENVIRONMENTAL RESOLUTIONS, INC. – 2018 ROAD PROGRAM – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, Resolution No. 398-17 authorized an agreement with Environmental Resolutions, Inc. for paving design, bidding services, contract administration and construction management for the 2017 Road Program project, as a fair and open contract pursuant to N.J.S.A. 19:44A-20.4 et.seq.; and  
 WHEREAS, Resolution No. 180-18 amended said Resolution to include additional services to include the 2018 Road Program; and  
 WHEREAS, Resolution No. 162-20 also amended said Resolution to include additional services; and  
 WHEREAS, said contract needs to be further amended to include additional services for the 2018 Road Program.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the agreement with said contractor is hereby amended.  
 BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign any and all document in connection therewith.

ENVIRONMENTAL RESOLUTIONS, INC.

Paving Design, Bidding Services, Contract Administration and Construction Management  
 2018 Road Program  
 Not to Exceed \$460.00

9. RESOLUTION 184-20 – RESCINDING RESOLUTION 175-20 AND FURTHER EXTENDING THE GRACE PERIOD FOR MAY 1<sup>ST</sup> PROPERTY TAX PAYMENTS UNTIL JUNE 1<sup>ST</sup> IN ACCORDANCE WITH EXECUTIVE ORDER 130 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the COVID-19 outbreak has caused substantial economic disruption for many property taxpayers throughout the State, making it difficult for many residents to meet the May 1, 2020 due date for timely payment of real property taxes; and  
 WHEREAS, under N.J.S.A. 54:4-67(a), local governments may fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became delinquent, thereby establishing a grace period running through May 11, 2020 for second-quarter property taxes in the case of municipalities on a calendar year budget cycle, or, in the case of municipalities on a State Fiscal Year budget cycle, a grace period running through May 11, 2020 for fourth-quarter property taxes; and  
 WHEREAS, it is necessary to take action to minimize and mitigate additional hardships, losses, or suffering by individuals and local government units as the State and its political subdivisions respond to the spread of COVID-19; and

WHEREAS, on April 20, 2020 Township Committee approved Resolution 175-20 which established a 0% rate for delinquent taxes for an additional 30 days; and

WHEREAS, on April 28, 2020 Governor Murphy, by way of Executive Order 130, authorized municipalities to adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Township Committee of the Township of Middle in the County of Cape May, State of New Jersey, that Resolution 175-20 is hereby rescinded in its entirety, and the Governing Body of the Township of Middle does hereby extend the grace period for the May 1<sup>st</sup> (2<sup>nd</sup> Quarter) property tax payment until June 1<sup>st</sup>, in accordance with Executive Order 130.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall notify the Director of the Division of Local Government Services in the Department of Community Affairs of said resolution instituting an extended grace period adopted under authority of Executive Order 130 not later than the third business day next following the municipal governing body's adoption of the resolution.

10. PUBLIC COMMENT:

*Peggy Mathis, Hoppy's Lane:*

- *Commented on the flooding around Presidential Court Mobile Home Park*

*Mayor Donohue:*

- *Stated he would look into the situation*

COMMITTEE COMMENTS:

*Mayor Donohue:*

- *Spoke of last item on the agenda; discussed reason for the resolution which was passed at the April 20<sup>th</sup> meeting; spoke of Executive Order passed by Governor Murphy pertaining to tax payments*

*Committeeman Gandy:*

- *Stated he “took his hat off” to all employees of Middle Township who are adapting every day*
- *Discussed the vast amount of work being done by the public works department*
- *Further discussed the work being done in the construction and zoning office during the pandemic shut down*

*Committeeman Norris:*

- *Stated Township employees are doing a fantastic job during the pandemic*
- *Welcomed new hire Daniel Branco*
- *Wished that everyone was staying safe and healthy*
- *Spoke of great condition of the Goshen Fields and Bike path*
- *Stated that the recreation department is holding a family trivia night every Friday night starting at 7 on the recreation Facebook page and invited everyone to join.*

*Mayor Donohue:*

- *Commented on the meeting being the third meeting online*
- *Explained Governor is in charge and the State needs to stay the course; further explained what’s been done so far has helped flatten the curve*
- *County Task Force which is now the County Wide Recovery Initiative is hard at work to come up with plan to be presented to the County Freeholders for endorsement to be then presented to the Governor to try to begin the process of reopening Cape May County*
- *The plan should address all questions Governor Murphy has*
- *Stated the Task Force tried to show that Cape May County and other southern counties are different from many counties in the State*
- *Stated that we will be entering back into a different world when the reopening begins*
- *Spoke of large amount of social distancing and changes to various business’ operations to happen during the reopening*
- *Stated that the Township is trying to put the best information possible out to residents*
- *Further discussed information being put out each day to provide daily updates*
- *Discussed the cancellation of New Jersey schools for the rest of the academic year*
- *Explained that Committee will continue to do what is best for Township employees to assist with life*
- *Discussed reopening of Town Hall and recreation centers*
- *Further discussed the governments reopening of state and county parks; explained that playgrounds will remain closed*
- *Commented on COVID-19 numbers within Cape May County*
- *Discussed news regarding the first person from Middle Township that was pronounced deceased due to Covid-19; sad to hear.*
- *Spoke of Friday night social distancing hour over the previous few weeks; further commented on the upcoming social happy hour dedication to the students of Middle Township*
- *Wished a Happy Mother’s Day to all mothers*

Motion to adjourn meeting – 6: 20pm

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