

Cape May Court House, NJ
 August 3, 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.*)
2. RESOLUTION – APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted. *NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved: Current Acct. \$2,412,371.95*
3. RESOLUTION – APPROVING MINUTES FROM PREVIOUS MEETING – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted. *NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: 07/20/2020 Regular Meeting.*
4. REPORTS – NONE
5. RESOLUTION – ACKNOWLEDGEMENT OF TERMINATION – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted. *BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following termination listed below, is acknowledged.*

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Angela Nichols	Public Safety	Emergency Medical Technician P/T	07/07/2020

6. RESOLUTION – ACKNOWLEDGEMENT OF RESIGNATION – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted. *BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following resignations listed below, are acknowledged.*

NAME	BOARD/DEPARTMENT	POSITION	EFFECTIVE
Paul Mueller	Public Safety	Special Class II Police Officer	08/14/2020
Christopher Parke	Public Safety	Emergency Medical Technician P/T	07/22/2020

7. RESOLUTION – APPOINTMENTS – NEW HIRES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted. *NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employees are hereby appointed to the following position at the salaries opposite their names:*

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Nancy Mulholland	Tax Collection	Clerk 1	\$24,990.00	07/29/2020
Curtis Harvey	Public Works	Laborer 1 F/T T/A 6 months	\$11.00 per hour	08/03/2020
Talisa Gutierrez	Public Safety	PT Telecommunications Operator Trainee P/T	*\$11.00 per hour	08/03/2020

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

8. RESOLUTION – APPROVAL FOR PAYMENT TERMINAL LEAVE – WALTER PINKSTON – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted. *WHEREAS, Walter Pinkston retired with an effective date of July 31, 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:*

Walter Pinkston
 Sick Hours: 71.00
 Personal Hours: 2.00
 Vacation Hours 221.50
Total Hours: 294.50
 \$4,349.03 (inclusive of payroll tax expense to the Township)

9. RESOLUTION – TABULATION COMMITTEE – 2020-2021 OFF-DUTY POLICE MANAGEMENT AND ADMINISTRATION – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that Township Officials be and hereby are appointed to tabulate the bids to be taken on September 16, 2020 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

2020-2021 OFF-DUTY POLICE MANAGEMENT AND ADMINISTRATION

10. RESOLUTION – AMENDING AWARD – JANITORIAL SERVICES FOR COVID-19 RELATED SANITIZATION – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, on December 16, 2019 Township Committee awarded the bid for Janitorial Services to CNS Cleaning Company for a two (2) year term for services to be performed three (3) times per week, and WHEREAS, additional COVID-19 related sanitization services were required and requested for the two (2) business days in which cleaning originally was not required.

WHEREAS, services became effective as of March 23, 2020 with a termination date to be determined based on the continued need of these additional COVID-19 related sanitizing services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the agreement between Township and said contractor is hereby amended to include additional sanitizing services for the balance of the 2020 contract year.

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

*CNS CLEANING COMPANY
 Janitorial and Sanitizing Services
 Not to Exceed an additional \$21,700.00*

11. RESOLUTION – AWARD CONTACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS (ITEMS A THROUGH D) – On motion by _____ seconded by _____ 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, the governing body thereof, that the Agreement between Remington & Vernick Engineers and the Township of Middle for engineering services pertaining to Teal Road drainage improvements 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.

*Remington & Vernick Engineers
 Engineering Services – Teal Road Drainage Improvements
 Not to Exceed \$6,500.00*

(B) WHEREAS, the Township of Middle has a need to enter into an agreement with Remington & Vernick Engineers to provide engineering services for road and drainage improvements for East Wildwood Avenue and Central Avenue, as a non-fair and open contract pursuant to the provisions under the Pay to Play regulations; and

WHEREAS, the Township of Middle will be entering into an agreement with Remington & Vernick Engineers where the total amount is \$22,000.00, which exceeds the non-fair and open limitation of \$17,500.00; and

WHEREAS, Remington & Vernick has completed and submitted a Business Entity Disclosure Certification which certifies that said entity has not made any reportable contributions to a political or candidate committee in the Township of Middle in the previous one year, and that the contract will prohibit Remington & Vernick Engineers from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that authorization is hereby granted to enter into an agreement with said contractor for a term of 12-months, and that the appropriate officials are hereby authorized to sign any and all document in connection therewith.

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

(C) NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Engineering Design Associates and the Township of Middle for engineering services pertaining to Carter Road Drainage and Road Reconstruction 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.

*Engineering Design Associates
 Engineering Services – Carter Road Drainage and Road Reconstruction
 Not to Exceed \$12,000.00*

(D) WHEREAS, the Township of Middle has a need to enter into an agreement with Engineering Design Associates to provide engineering services for road reconstruction for Birch Drive, Avocado Road, Aspen Drive and Coconut Road, as a non-fair and open contract pursuant to the provisions under the Pay to Play regulations; and

WHEREAS, the Township of Middle will be entering into an agreement with Engineering Design Associates where the total amount is \$43,500.00, which exceeds the non-fair and open limitation of \$17,500.00; and

WHEREAS, Engineering Design Associates has completed and submitted a Business Entity Disclosure Certification which certifies that said entity has not made any reportable contributions to a political or candidate committee in the Township of Middle in the previous one year, and that the contract will prohibit Engineering Design Associates from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that authorization is hereby granted to enter into an agreement with said contractor for a term of 12-months, and that the appropriate officials are hereby authorized to sign any and all document in connection therewith.

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

12. RESOLUTION – RELEASE OF TRUST ACCOUNTS – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid; and
WHEREAS, the applicants are entitled to a refund of this money.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts, as listed on the attached sheets, shall be released.
13. RESOLUTION - REQUESTING NEW JERSEY DEPARTMENT OF TRANSPORTATION TRAFFIC STUDY TO EVALUATE NO PASSING ZONE – ROUTE 47 – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle has received a request from a resident to investigate a proposed “no passing zone” between Kimbles Beach Road/Hand Avenue to Dias Creek Road (MM 10-10.7) in Middle Township; and
WHEREAS, the New Jersey Department of Transportation requires a resolution from the municipality in order to promulgate a traffic study.
NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, the governing body thereof, does hereby request a traffic study along Route 47 with regards to a “No Passing Zone.”
14. RESOLUTION – AUTHORIZING THE EXECUTION OF AGREEMENT – On motion by seconded by and passed on roll call, the following resolution was adopted.
NOW THEREFORE BE IT RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute the agreement relative to the payment of sewer fees, as prepared by counsel, between Fullingmill LLC and the Township of Middle.
15. RESOLUTION – AUTHORIZING APPLICATION SUBMISSION – FY 2021 NJ DCA GRANT – PUBLIC FACILITIES – NORBURY LANDING – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle desires to apply for and obtain a FY 2021 grant from the New Jersey Department of Community Affairs for up to \$400,000 to carry out a Public Facilities project to undertake ADA Compliance Improvements at Norbury Landing.
NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey that,
1) that the Township of Middle does hereby authorize the application for such a grant, and,
2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and the New Jersey Department of Community Affairs.
BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement to sign the agreement, and any other documents necessary in connection therewith
16. RESOLUTION – AUTHORIZING APPLICATION SUBMISSION – FY 2021 NJ DCA GRANT – HOUSING REHABILITATION PROGRAM – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle desires to apply for and obtain a FY 2021 grant from the New Jersey Department of Community Affairs for approximately \$200,000 to carry out a housing rehabilitation program to assist low- and moderate-income homeowners.
NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May and State of New Jersey that:
1) that the Township of Middle does hereby authorize the application for such a grant, and,
2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of

the agreement between the Township of Middle and the New Jersey Department of Community Affairs. BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement to sign the agreement, and any other documents necessary in connection therewith

17. RESOLUTION – IDENTIFYING SMALL CITIES FAIR HOUSING AND EQUAL OPPORTUNITY OFFICER – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle is applying for Fiscal Year 2021 Small Cities Community Development Block Grant applications for (1) up to \$400,000 from the NJ DCA Small Cities Program to undertake ADA Compliance Improvements at Norbury Landing and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and

WHEREAS, the Township of Middle must make efforts to affirmatively further fair housing; and

WHEREAS, the Township of Middle has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Middle has made assurances in the grant agreement that;

1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issues thereto; and

2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and

3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and

4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW THEREFORE BE IT RESOLVED, that the Township Treasurer shall be designated as the Small Cities Program Fair Housing Officer for the Township of Middle; and

BE IT FURTHER RESOLVED, that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

FURTHER RESOLVED, that the Fair Housing Officer shall provide fair housing and equal opportunity advisory services and assistance and referral advice to persons requesting such assistance from the Township of Middle; and

FURTHER RESOLVED, that the Township of Middle will publish in the local newspaper of record and post at the Township Municipal Building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

18. RESOLUTION – APPROVING PUBLIC FACILITIES GRANT MANAGEMENT PLAN – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle will apply for up to \$400,000 in Fiscal Year CDBG fund for a Public Facilities project to be implemented in 2021 to undertake ADA Compliance Improvements at Norbury Landing;

WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;

WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;

WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2021 Public Facilities project;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2021 Public Facilities project.

19. RESOLUTION – APPROVING HOUSING REHABILITATION GRANT MANAGEMENT PLAN – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle will apply for a Housing Rehabilitation project to be implemented in 2021 throughout the Township;

WHEREAS, the NJ Department of Community Affairs requires Middle Township to prepare a Grant Management Plan to define project staffing and project activities;

WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Grant Management Plan;

WHEREAS, the Township has prepared a Grant Management Plan for its Fiscal Year 2021 Housing Rehabilitation program;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Grant Management Plan for the Fiscal Year 2021 Housing Rehabilitation program.

20. RESOLUTION – ADOPTING HOUSING REHABILITATION POLICIES AND PROCEDURES MANUAL – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle will apply for \$200,000 for a Housing Rehabilitation project to be implemented in 2021 within the Township;

WHEREAS, the Housing Rehabilitation project will be governed by a Policies and Procedures Manual;

WHEREAS, the NJ Department of Community Affairs requires Middle Township to officially adopt its Policies and Procedures Manual;

WHEREAS, the Township has prepared a Policies and Procedures Manual for its Fiscal Year 2021 Housing Rehabilitation program;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle adopts the Policies and Procedures Manual for the Fiscal Year 2021 Housing Rehabilitation program.

21. RESOLUTION – ADOPTION OF STATE MODEL CITIZENS PARTICIPATION PLAN FOR DCA SMALL CITIES PROGRAM – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle is an applicant for Department of Community Affairs Fiscal Year 2021 funds for (1) up to \$400,000 from the NJ DCA Small Cities Program to undertake ADA Compliance Improvements at Norbury Landing and (2) up to \$200,000 from the NJ DCA Small Cities Program to rehabilitate owner occupied homes throughout Middle Township; and
 WHEREAS the Township will enter into grant agreement(s) for said grant(s) if approved; and
 WHEREAS, that grant agreement(s) will require the Township of Middle to comply with all federal regulations with respect to citizen participation; and
 WHEREAS, the Township of Middle has reviewed the State Model Citizen Participation Plan prepared for Small Cities CDBG grantees;
 NOW THEREFORE BE IT RESOLVED, that the Mayor and the Township Committee of the Township of Middle, County of Cape May and State of New Jersey, that;
 The State Model Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG is adopted by the Township of Middle; and
 BE IT FURTHER RESOLVED, that the Township of Middle will follow all regulations set forth in that document throughout the term of the grant agreement cited above.

22. RESOLUTION – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION – PRESIDENTIAL COURT MOBILE HOME PARK – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Mayor is hereby authorized to sign the Treatment Works Approval Permit Application, Statement of Consent, and any and all permit applications in connection therewith for Block 322.01 Lots 15,16 and 17.

23. RESOLUTION – 2020-2021 HOTEL/MOTEL LICENSE APPROVAL – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle has established a Hotel/Motel License in connection with Ordinance No. 1157-04; and
 WHEREAS, a Hotel/Motel shall be defined for purposes in connection with this ordinance/license as a type of building or combination of buildings within the same complex having 4 or more rooms available for sleeping and lodging to the public for a fee; and
 WHEREAS, prior to any person, operating a Hotel/Motel regulated by this ordinance, said person or entity must acquire an annual Hotel/Motel License from the Township Clerk by the 1st of July in each calendar year; and
 WHEREAS, prior to the issuance or renewal of any annual Hotel/Motel License, the applicant for such license shall have made the payment of delinquent property and sewer tax. The Township of Middle retains the right of revocation or suspension for non-payment of property taxes when three (3) or more consecutive quarters are delinquent; and
 WHEREAS, the annual license fee to operate a Hotel/Motel within the Township of Middle shall be \$1,000.00; and
 WHEREAS, said approval is contingent upon all applicable building, housing, health and safety codes and regulations as set forth by all appropriate local, county and state agencies, and as outlined in Chapter 222-22 of the Code of the Township of Middle; and
 WHEREAS, The Township of Middle shall have the right to inspect the licensed premises and the owner/applicant shall provide for the inspection of licensed facilities; and
 NOW, THEREFORE, BE IT RESOLVED, that each of the following licenses be and are hereby authorized for the license year of 2020-2021:

LIC. #	APPLICANT	TRADENAME	LOCATION	SITES
20	Louis Altobelli	Silver Birch Motel	1019 Route 47 South	10

24. RESOLUTION – ACKNOWLEDGING FIREWORKS DISPLAY AT UNION LEAGUE NATIONAL GOLF CLUB – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.
 WHEREAS, Union League National Golf Club, through Schaefer Fireworks, Inc., has requested permission to conduct an outdoor firework display on August 15, 2020 and August 16, 2020; and
 WHEREAS, as part of the approval Union League National Golf Club must comply with all conditions as set forth in Chapter 142-8 Subsections C, D, and E of the code of the Township of Middle as well as apply for and receive the appropriate permits in connections with the regulations of the Bureau of Fire Prevention, Fire District No 1; and
 WHEREAS, Schaefer Fireworks, Inc. has provided the Township of Middle with the following:
 - COI with NJ workman’s insurance certificate
 - NJ Hold Harmless Agreement
 - NJ Surety Bond
 WHEREAS, approval for said fireworks displays is contingent upon review and approval by the ACJIF and Middle Township Fire Bureau.
 NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, County of Cape May, State of New Jersey does hereby acknowledge a firework display at Union League National Golf Club on August 15th and August 16th, 2020, contingent upon all the requirements outlined above.

25. PUBLIC COMMENT:

Motion to adjourn meeting –

1st:

2nd:

Pass on Roll Call: