Cape May Court House, NJ July 20, 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 Deputy Mayor Gandy, Committeemember Norris, Business Administrator/Township Clerk Kimberly Krauss, Deputy Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan *Mayor Donohue was absent.*

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

- RESOLUTION 244-20 APPROVING PAYMENT FOR BILLS BILL LIST A (GENERAL BILLS) On motion by Committeeman Norris 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. \$307,786.68
- RESOLUTION 245-20 APPROVING MINUTES FROM PREVIOUS MEETING On motion by Committeeman Norris 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: 07/06/2020 Regular Meeting.
- 4. REPORTS The following departments have submitted their reports for the months indicated: Tax Collector for the month of June; Sewer for the month of June; Sterback Harbor for the month of June; Finance for the month of June
- 5. ORDINANCE NO. 1609-20 AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 236-5, AS OUTLINED IN SCHEDULE 236-29, THEREOF ENTITLED SPEED LIMITS - On motion by Committeeman Norris seconded by Committeeman Gandy and passed on roll call, Ordinance No. 1609-20 passed first reading. Second reading, public hearing and consideration for adoption will be held on 08/17/2020 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 236-5 (and furthermore schedule 236-29 of the Code of the Township of Middle is hereby supplemented by the addition of the following:

nerecy suppremented cy	the addition of the follow
Name of Street	Speed Limit (mph)
Bayberry Drive	30 mph

Location Between Shellbay Avenue and Stone Harbor Boulevard, except for a 25-mile-per-hour zone when passing through the Middle Township High School-Middle Township School Zone during recess or while children are going to or leaving school during opening or closing hours

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.

SECTION 4. This Ordinance shall become effective immediately upon final passage and publication, according to law.

6. RESOLUTION 246-20 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeeman Norris 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
Kelly	Public Safety	Emergency Medical Technician P/T	07/07/2020
O'Kane			

7. RESOLUTION – REJECT BIDS AND RE-ESTABLISH TABULATION COMMITTEE – FOURTH STREET ROAD RECONSTRUCTION – On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle, following public advertisement, received bids for the Fourth Street Road Reconstruction on October 29, 2019; and

WHEREAS, Resolution 510-19 authorized the Township of Middle to exceed the 60-day bid limitation; and

WHEREAS, bids received for the project were higher than anticipated, and

WHEREAS, it appears to be in the best interest of the Township to reject all bids received. NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle that the bids for the Fourth Street Road Reconstruction received on October 29, 2019 shall be and is hereby rejected.

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 August 13, 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: FOURTH STREET ROAD RECONSTRUCTION

8. RESOLUTION 248-20 – TABULATION COMMITTEE – HVAC – GOSHEN COMPLEX – On motion by Committeeman Norris seconded by Committeeman Gandy 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 August 13, 2020 at 10:30am in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

HVAC – GOSHEN COMPLEX

 RESOLUTION 249-20 – INSERTION OF A SPECIAL ITEM OF REVENUE – 2020 MUNICIPAL COURT ALCOHOL REHABILITATION, EDUCATION AND ENFORCEMENT FUND – On motion by Committeeman Norris seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.

WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount. NOW THEREFORE BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2020 in the sum of:

2020 Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund \$3,334.16 BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:

2020 Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund \$3,334.16

10. RESOLUTION 250-20 – AUTHORIZING THE EXECUTION OF AGREEMENT – On motion by Committeeman Norris seconded by Committeeman Gandy 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 separation agreement and general release, as reviewed and approved by counsel, between Robert Eagan and the Township of Middle.

11. RESOLUTION 251-20 – 2020-2021 HOTEL/MOTEL LICENSE APPROVAL – On motion by Committeeman Norris seconded by Committeeman Gandy 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
#				
3	Om Rudra, Inc.	Flamingo Hotel	1604 Route 47 South	28 + Manager Apt
6	Economy Motel, LLC	Economy	3172 Route 9 South	34 + Manager Apt
		Motel		
15	Kathleen Clark	Meadowbrook	605 North Wildwood	20 + House (3 Units)
		Motel	Boulevard	
16	Isha Hospitality, LLC	Red Roof Inn	1801 Route 47 South	49
17	Nelson Rossi & Jamie	Sea Gull's	905 Route 47 South	11
	Cherego	Motel, LLC		
24	Lorranie Nicholas	The Doctor's	2 North Main Street	7
		Inn		

 RESOLUTION 252-20 – AMENDING RESOLUTION 433-18 – AUTHORIZING APPLICATION – MUNICIPAL ALLIANCE GRANT FY2020 – On motion by Committeeman Norris seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle approved Resolution No. 433-18 authorizing the application of a municipal alliance grant for fiscal year 2020; and WHEREAS, the State of New Jersey has extended FY2020 by three months, July 1, 2020 to

WHEREAS, the State of New Jersey has extended FY2020 by three months, July 1, 2020 to September 30, 2020; and

WHEREAS, the extension period will be known as the 5th Quarter for the Middle Township Municipal Alliance Grant; and

WHEREAS, the freeze on Municipal Alliance program funds will continue during the 5th Quarter, but State grant funds (DEDR) will be available for the Coordination stipend; and

WHEREAS, Coordinators are eligible to received one-quarter of the current total stipend allocation (DEDR/Cash Match combination); and

WHEREAS, the DEDR amount must be matched with 25% cash and 75% in-kind.

NOW, THEREFORE BE IT RESOLVED by the Township of Middle, County of Cape May, State of New Jersey hereby recognizes the following:

1. The Township of Middle Committee does hereby authorize submission of a strategic plan for the Middle Township Municipal Alliance grant for fiscal year 2020 5th quarter (July 1, 2020 to September 30, 2020) in the amount of:

20) in the amount of.	
DEDR	\$600.00
Cash Match	\$150.00
In-Kind \$450.00	

2. The Township of Middle Committee acknowledges the terms and conditions for administering the Municipal Alliance grant amendment, including the administrative compliance and audit requirements.

Nancy Sittineri:

- Explained reduction in funding

 RESOLUTION 253-20 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeeman Norris 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.

Township of Mildale.				
OWNER	PROPERTY LOCATION	BLOCK // LOT	AMOUNT	
Weist, Kara J	1105 Route 47 South	1441//3	\$340.37	

14. RESOLUTION 254-20 - AUTHORIZING MAYOR TO SIGN LETTER OF INTENT -

PARTICIPATION IN THE CAPE MAY COUNTY HAZARD MITIGATION PLAN UPDATE PROJECT – On motion by Committeeman Norris 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 and State of New Jersey, that the Governing Body of the Township of Middle formally authorizes the Mayor to sign the letter of intent referenced above. Committeeman Norris:

- Spoke of success of the summer concerts
- Thanked Dustin Sturm, Nancy McDevitt and recreation staff for their hard work with the summer concert series
- Discussed possible opening dates for fall sports such as football and soccer

Committeeman Gandy:

- Thanked every Township Employee for stepping up and working hard during the COVID pandemic
 - Discussed safety and success of the summer concert series so far
- Stated national night out was postponed until October at the moment
 Mentioned that the new post office in Whitesboro is currently open; Committee is
- pushing to have the post office named after George White
 Stated Middle Township's COVID numbers are currently stable; explained there
- have been a few visitors who have tested positive but are not from our area Encouraged people to get out and stay safe and mask up
- Urged everyone to visit and support local businesses
- Thanked Clerk's Office for stepping up to manage a difficult election process
- Encouraged everyone to make sure that they answer their 2020 census which will help with taxes
- Said Happy Birthday to Carol Donohue! Thanked her for all her sacrifice over the years allowing the Township to have Mayor Donohue.

Motion to adjourn meeting – 6:15 pm

1st: Committeeman Norris 2nd: Committeeman Gandy

Pass on Roll Call: Committeeman Norris, Committeeman Gandy

Andrea N. Singley, Deputy Township Clerk

Minutes prepared by E. Bowman