

Cape May Court House, NJ
 September 21, 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. RESOLUTION – PROMOTIONAL TITLE CHANGE – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following employee is hereby promoted to the civil service title opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Joseph Trombetta*	Public Safety – Police	Police Officer	\$35,000.00**	09/21/2020
Paul Fritsch Jr.	Public Safety – Telecommunications	Public Safety Telecommunicator F/T Permanent	\$29,070.00	10/01/2020

*Promoted from Certification List OL200468

**Salary increase to \$40,000.00 upon completion of Academy

2. SWEARING IN OF POLICE OFFICER JOSEPH TROMBETTA
3. 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.)*
4. 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. \$1,171,648.05*
5. 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: 09/09/2020 Regular Meeting.*
6. REPORTS – Sewer Collector for the Month of August; Sterback Harbor for the Month of August; Tax Collector for the Month of August; Finance for the Month of August
7. ORDINANCE NO. 1610-20 - AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY CREATING THE MIDDLE TOWNSHIP LAW ENFORCEMENT COMMUNITY ENGAGEMENT COMMITTEE - Following second reading, hearing, and consideration for adoption, Ordinance 1610-20 was adopted on motion by _____ seconded by _____ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office. *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: ESTABLISHMENT
This is hereby created the “Middle Township Law Enforcement Community Engagement Committee.” The committee would give a voice to a diverse group with a shared mission - to foster trust and mutual respect between the police and the community.
SECTION 2: MEMBERSHIP
This Committee shall consist of nine (9) members appointed by the Governing Body, whereas the Chair Person shall be appointed by the Mayor, and said board shall be made up of a balanced mix of local clergy, educators, a representative from the Concerned Citizens of Whitesboro, a member of the local chapter of the NAACP, a representative from the township’s social service partners, and three appointed members that reside in Middle Township.
The panel would include a liaison for the MTPD, who would furnish the committee with quarterly data on police interaction in the community, updates on new and existing programs, and partner with the committee to enhance communication and understanding of available resources.
The initial appointees to the Board shall serve terms as follows:

Member	Term
4 Regular Members	three-year term
3 Regular Members	two-year term
2 Regular Members	one-year term

Thereafter, all subsequent or reappointed members shall serve a term of three years commencing January 1.

The members of the Law Enforcement Community Engagement Committee shall serve without compensation.

The Committee will meet on a quarterly basis and hold biannual public meetings with township residents to hear their concerns and ideas.

The Law Enforcement Community Engagement Committee shall have no policy-making powers, nor shall it have the power to hire employees or otherwise expend moneys.

SECTION 3: Any other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 4: Should any section, paragraph, sentence or 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 5: This Ordinance shall become effective immediately upon final passage and publication, according to law.

8. 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
Talisa Gutierrez	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	09/08/2020
Jeremy Robinson	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	09/14/2020

9. 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
Cameron Friedman	Public Works	Laborer 1 F/T	09-16-2020

10. RESOLUTION – AUTHORIZE CHANGE IN EMPLOYMENT STATUS – 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 that the following employee is hereby designated to the employment status listed below:

NAME	DEPARTMENT	PREVIOUS STATUS	AMENDED STATUS	SALARY	EFFECTIVE DATE
Lauren Cajigas	Public Safety- Telecommunications	Public Safety Telecommunicator F/T Permanent	Public Safety Telecommunicator P/T Permanent	\$18.00 per hour	10/01/2020

11. 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
Joshua Musick	Public Safety – Police Department	Special Class II Police Officer	\$13.00 per hour	09/28/2020
Christopher Baczek	Public Safety – Police Department	Special Class II Police Officer	\$13.00 per hour	09/28/2020
Andrew Eskander	Public Safety – Police Department	Special Class II Police Officer	\$13.00 per hour	09/28/2020
Kenzee Delgado	Public Safety – Police Department	Special Class II Police Officer	\$13.00 per hour	10/05/2020
Lauren Cajigas	Public Safety – Police Records	Keyboarding Clerk I	\$26,173.20	10/01/2020

12. RESOLUTION – AMENDING RESOLUTION (ITEMS A THROUGH B) – On motion by [] seconded by [] and passed on roll call, the following resolution was adopted.

(A) *WHEREAS, Resolution No. 118-19 authorized an agreement with Mott MacDonald for Sewer Engineer, as a non-fair and open contract pursuant to the Pay to Play regulations; and WHEREAS, pursuant to Resolution No. 331-19 which was approved on August 5, 2019, said contract was amended to include additional services relevant to support of a Condition Assessment by RedZone; and WHEREAS, said contract needs to be amended to include additional services relevant to RedZone Condition Assessment after significant findings and; WHEREAS, as a result of the additional services relevant to the above referenced assessment, the general sanitary sewer system engineering contract with Mott MacDonald must also be amended to include additional services; and WHEREAS, the agreement for services with Mott MacDonald will have a total value that will exceed \$17,500; and*

WHEREAS, Mott MacDonald 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 Mott MacDonald from making any reportable contributions through the term of the contract.

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.

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

Mott MacDonald –
Sewer Engineer – RedZone Condition Assessment
Not to Exceed an additional \$16,477.00
(Total Contract Amount \$79,452.00)

Mott MacDonald –
Sewer Engineer – General Sanitary Sewer System Engineering Support
Not to Exceed an Additional \$7,500.00
(Total Contract Amount \$25,000.00)

(B) WHEREAS, Resolution No. 206-20 authorized an agreement with Mott MacDonald to provide engineering services pertaining to Emergency Sewer Repairs, as a non-fair and open contract pursuant to the Pay to Play regulations; and

WHEREAS, said contract needs to be amended to include additional services to address major sewer defects that were discovered through the Condition Assessment made by RedZone and;

WHEREAS, the agreement for services with Mott MacDonald will have a total value that will exceed \$17,500; and

WHEREAS, Mott MacDonald 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 Mott MacDonald from making any reportable contributions through the term of the contract.

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.

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

Mott McDonald –
Sewer Engineer – Emergency Sewer Repairs
Not to Exceed an additional \$10,000.00
(Total Contract Amount \$27,500.00)

13. RESOLUTION – AWARD OF BID (ITEMS A THROUGH B) – On motion by seconded by
and passed on roll call, the following resolution was adopted.

(A) WHEREAS, it has been deemed necessary and desirable to solicit bids the road reconstruction of Linden Lane; and

WHEREAS, sealed bids were received on September 16, 2020; and

WHEREAS, the Township of Middle has received funding from the New Jersey Department of Transportation Municipal Aid program in the amount of \$177,000.00 toward said project; 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 the road reconstruction of Linden Lane be and hereby is awarded to:

Charles Marandino, LLC. –
Linden Lane Road Reconstruction
Not to Exceed \$179,083.86

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

(B) WHEREAS, the Township has deemed it necessary and desirable to replace the heating, ventilation, and air conditioning (HVAC) systems at the Clarence and Georgiana Davies Sports Complex, a Township funded and operated recreation complex located at 626 Goshen Road in the Township of Middle; and

WHEREAS, the Township issued a Request for Proposals and Qualifications for the replacement of said HVAC units on July 29, 2020; and

WHEREAS, sealed bids with respect to the same were received on August 13, 2020; and

WHEREAS, the opening of said bids revealed that two (2) bidders, LGB Mechanical Inc and Gaudelli Bros, Inc., submitted bids with an identical price One Hundred and Sixteen Thousand (\$116,000) Dollars; and

WHEREAS, both bids, as referenced above, were deemed responsive and compliant with the specifications provided; and

WHEREAS, as a means to determine which bidder could provide a level of service most advantageous to the Township, the Township, with the support of counsel, conducted an interview process with the two (2) bidders, as referenced above, to determine the same; and

WHEREAS, said interviews were conducted with representatives of the above-referenced bidders via Zoom on September 2, 2020 in the presence of Business Administrator/Township Clerk, Kimberly Krauss; Township Engineer, Vincent Orlando; Qualified Purchasing Agent, Joshua Neimann and Steve Morris, Esq. of Blaney & Karavan P.C. on behalf of Township Solicitor Marcus Karavan; and

WHEREAS, following said interviews of the potential awardees, those individuals, as referenced above, unanimously determined Gaudelli Bros, Inc. to be the most advantageous bidder for reasons including, but not limited to, the following:

- Bidder displayed a greater degree of preparation and responsiveness during the interview process;
- Bidder owns, and will not be required to lease and/or rent, all equipment necessary to successfully complete the project;
- Bidder was able to provide more accurate information regarding availability of project components and the project completion schedule; and
- Bidder displayed a higher level of accessibility and accountability for both management and staff.

WHEREAS, the Township, having considered the bid proposals, the interviews of the bidders and the specific needs of the Township regarding said project, has determined, in an exercise of reasonable discretion, that the Township would be best served by awarding the project to Gaudelli Bros, Inc. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for the HVAC replacement at Goshen Complex be and hereby is awarded to:

Gaudelli Bros, Inc. –
HVAC – Goshen Complex
Not to Exceed \$116,000.00

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

14. RESOLUTION - RENEWAL OF ALCOHOLIC BEVERAGE LICENSES – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, as a result of the unprecedented health hazard posed by the novel Coronavirus, Director Graziano of the New Jersey Division of Alcoholic Beverage Control issued an Order to Authorize the extension of the 2019-2020 Municipal Licenses through September 30, 2020; and
WHEREAS, certain licensees have filed for renewal of their Alcoholic Beverage License for one (1) year; beginning October 1, 2020; and

WHEREAS, the said applications are in due and proper form with the fee of \$720.00 for each Plenary Retail Consumption License and Retail Distribution License; \$188.00 for each Club License and with no objection filed with all \$200.00 State Filing Fees received; and,
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, issue a Plenary Retail Consumption License to:

Menz Restaurant Inc. 0506-33-012-002

BE IT FURTHER RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Club License to:

Jersey Devil Country Club T/A The Links Club 0506-31-008-002

BE IT FURTHER RESOLVED, that these licenses be signed, sealed and delivered by the Clerk of the Township of Middle in accordance with the rules and regulations of the State Department of Alcoholic Beverage Control and appropriate Ordinances of the Township of Middle.

15. RESOLUTION – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by _____ seconded by _____ 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
Haywood, William E & Lois B	10 N 10 th Street	397//5	\$350.47
Love, Raymond E & Rita M	1204 Route 9 South	357//2	\$350.47
Darby, Shirlene J	2210 Route 9 South	1065//2	\$337.82
Rourke, Elizabeth A	809 Goshen Road	52//15	\$602.97

16. RESOLUTION - REQUESTING THE COUNTY OF CAPE MAY TO CONDUCT A SPEED LIMIT SURVEY ON REEDS BEACH ROAD – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle has received a request for a speed limit survey on Reeds Beach Road; and
WHEREAS, the Middle Township Committee believes it to be in the best interest of Middle Township that the County of Cape May conduct such a speed limit survey.
NOW, THEREFORE, BE IT RESOLVED, that the County of Cape May is requested to conduct a speed survey within the above limits to determine if a reduction in any of the posted speed limits is warranted.
BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the County Engineer, the Chief of Police of the Township of Middle and the Clerk of the Board of Freeholders.
17. RESOLUTION – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION/SEWER EXTENSION APPLICATION – THE FAIRWAYS – PHASE 2B – 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 335.01 Lot 5.04.
18. RESOLUTION – TRICK OR TREAT 2020 – On motion by seconded by 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 Trick or Treat will be held in the Township on Saturday, October 31, 2020 from 5:00pm until 8:00pm.
19. RESOLUTION – PUBLIC SALE OF LAND – On motion by seconded by and passed on roll call, the following resolution was adopted.
WHEREAS, the Local Lands and Buildings Law (N.J.S.40A-12-1 et seq) authorizes the sale of any real property, capital improvements or interest herein, not needed for public use, and
WHEREAS, it appears to be in the best interest of the Township of Middle to dispose of certain real property which is not needed for public use, which property is more fully described as in Schedule "A" annexed hereto,
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, as follows:
1. It is hereby determined that the parcels of real property set forth in Schedule "A" annexed hereto are not needed for public use. Minimum bids are contained on Schedule "A".
2. Said parcels of real property shall be sold pursuant to N.J.S.A. 40A:12-13(a) by open public sale at auction to the highest bidder, said open public sale at auction to be conducted by Susan Quinones, Chief Financial Officer, at the Middle Township Hall, Meeting Room, 33 Mechanic Street, Cape May Court House, New Jersey, or her designee, on October 28, 2020 at 10:00AM
3. A notice of said open public sale at auction shall be advertised by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to the open public sale at auction, which advertisement shall include the entire contents of this Resolution. Said advertisement shall be published in the Herald Times.
4. The Township reserves the right to reject all bids where the highest is not accepted.
5. The terms and conditions of the sale shall be as stated in the General Rules of Land Sales and the attached Contract for Sale of Real Estate, which documents and terms are attached hereto and incorporated herein

SCHEDULE A

<i>LOCATION</i>	<i>BLOCK / LOT (LEAD LOT)</i>	<i>MINIMUM BID AMOUNT</i>
<i>271 Stagecoach Rd</i>	<i>165.01/127</i>	<i>\$77,800.00</i>
<i>1144 Golf Club Rd</i>	<i>356.01/30.01</i>	<i>\$78,300.00</i>
<i>1146 Golf Club Rd</i>	<i>356.01/30.02</i>	<i>\$83,400.00</i>
<i>302 Gibbs St</i>	<i>886/1.01</i>	<i>\$50,700.00</i>
<i>308 Gibbs St</i>	<i>886/1.02</i>	<i>\$35,700.00</i>
<i>Vick Ave / W. Anna Street</i>	<i>943/13</i> <i>ALSO INCLUDE LOT 14</i>	<i>\$23,200.00</i>
<i>Matthews St</i>	<i>1047/9</i>	<i>\$7,600.00</i>
<i>9 E Anna St</i>	<i>1048/4</i>	<i>\$24,900.00</i>

ALSO INCLUDE LOT 5

<i>205 Cochran St</i>	<i>1052/4</i>	<i>\$40,000.00</i>
<i>15 Kentucky Ave</i>	<i>1082/9</i>	<i>\$42,300.00</i>
<i>20 Oakview Road</i>	<i>167.01 / 57</i>	<i>\$27,300.00</i>
<i>Fulton Street</i>	<i>702/6</i>	<i>\$37,300.00</i>
	<i>ALSO SELL WITH LOTS 7 & 8 FOR PACKAGE</i>	
<i>Fulton Street</i>	<i>703 / 4</i>	
	<i>ALSO INCLUDE LOT 9</i>	
<i>501 S. George Street</i>	<i>954 / 1</i>	<i>\$23,100.00</i>
<i>206 Stagecoach Road, #512</i>	<i>167.01 / 75 C0106</i>	<i>\$32,500.00</i>

20. PUBLIC COMMENT:

Motion to adjourn meeting –
1st:
Pass on Roll Call: 2nd: