

Cape May Court House, NJ
 November 16, 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.)

Stan Doniger, Rio Grande:

- *Asked about burglar and fire alarm cost*

Chief Leusner:

- *Explained the false alarm administration goes out to bid*
- *Stated company is chosen based on lowest bid*

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. \$3,075,320.06

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: 11/02/2020 Regular Meeting.

4. REPORTS – Clerk for the Month of October;

5. RESOLUTION – ACKNOWLEDGEMENT OF RETIREMENT – 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 retirement listed below is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Stanley Karrish	Sewer – Clean Communities Program	Laborer 1	11/13/2020

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	POSITION	EFFECTIVE
Vera Kalish	Environmental Commission	Alt. Member #1	11/16/2020

7. RESOLUTION – AUTHORIZING 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, as approved by counsel, between Josh Bryan and the Township of Middle.

8. RESOLUTION – COVID-19 EXPANSION OF PREMISES PERMIT RENEWAL (ITEMS A THROUGH C) – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted. (A) WHEREAS, a Special Ruling of the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control (SR 2020-21), enables New Jersey liquor licensees with approved COVID-19 expansion of premises permits to make application to renew said permit to extend the expiration date to March 31, 2021; WHEREAS, Cape Hospitality Group, LP has applied to renew their COVID-19 Expansion of Premises Permit as authorized via Resolution 211-20 on June 15, 2020; and WHEREAS, they have provided proper documentation to the Township of Middle; and WHEREAS, the proper fees have been paid to the New Jersey Division of Alcoholic Beverage Control. NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve renewal of the COVID-19 expansion of premises permit for Cape Hospitality Group, LP as of November 16, 2020 with an expiration date of March 31, 2021.

(B) WHEREAS, a Special Ruling of the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control (SR 2020-21), enables New Jersey liquor licensees with approved COVID-19 expansion of premises permits to make application to renew said permit to extend the expiration date to March 31, 2021;

WHEREAS, Bucket Brigade Brewery LLC has applied to renew their COVID-19 Expansion of Premises Permit as authorized via Resolution 212-20 on June 15, 2020; and

WHEREAS, they have provided proper documentation to the Township of Middle; and

WHEREAS, the proper fees have been paid to the New Jersey Division of Alcoholic Beverage Control. NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve renewal of the COVID-19 expansion of premises permit for Bucket Brigade Brewery LLC as of November 16, 2020 with an expiration date of March 31, 2021.

(C) WHEREAS, a Special Ruling of the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control (SR 2020-21), enables New Jersey liquor licensees with approved COVID-19 expansion of premises permits to make application to renew said permit to extend the expiration date to March 31, 2021;

WHEREAS, Coho Brewing LLC has applied to renew their COVID-19 Expansion of Premises Permit as authorized via Resolution 213-20 on June 15, 2020; and

WHEREAS, they have provided proper documentation to the Township of Middle; and

WHEREAS, the proper fees have been paid to the New Jersey Division of Alcoholic Beverage Control. NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve renewal of the COVID-19 expansion of premises permit for Coho Brewing, LLC as of November 16, 2020 with an expiration date of March 31, 2021.

9. RESOLUTION – RENEWAL OF GRAVEL PIT PERMITS – 2020 – On motion by seconded by and passed on roll call, the following resolution was adopted.

WHEREAS, the gravel pit permit renewal applications listed below have been found to be in proper form, and the fee paid in each case, and

WHEREAS, the Township Committee finds and concludes that the excavation and soil removal work originally authorized has been in continuous operation during the period of the permit and has been performed in accordance with the conditions under which the original permit was granted, and

WHEREAS, the Township Engineer undertook an inspection of the subject premises and has stated in his letter that recertification is currently recommended, and

WHEREAS, said applicants listed below have also received all necessary site plan review and are conditionally approved for their operations as set forth in Chapter 132 of the Township code.

NOW, THEREFORE, BE IT RESOLVED, that each of the following permits be and are hereby renewed for the calendar year 2020, and this permit is subject to the rules and regulations as set forth in the code of the Township of Middle known as Chapter 132, including but not limited to all parameters set forth by the Middle Township Planning Board as expressed in their approving resolutions:

NO.	NAME OF LICENSE	BLOCK/LOT	ACREAGE	FEE
4	Cape Mining & Recycling LLC	98/2	35.37	\$600.00
6	Cape Mining & Recycling LLC	94/19.02	57.1	\$600.00
7	Cape Mining & Recycling LLC	94/19.01 & 20	72	\$600.00
8	Court House Sand & Gravel, LLC	472/93	75.94	\$600.00
9	Indian Trail Sand and Gravel, LLC	472/32	7.9	\$200.00
11	H4 Enterprises, LLC	95.03/21	42.1	\$600.00
12	Diamond Materials, LLC	168/2	42.5	\$600.00
24	TK Sand & Gravel, Inc.	96.01/17	8.08	\$200.00

FURTHER BE IT RESOLVED, that the above licenses be issued upon any and all conditions set forth by the Township Engineer and Middle Township Planning Board in the letters and resolutions attached to each license.

10. RESOLUTION – APPROVE CHANGE ORDER (ITEMS A THROUGH B) – On motion by seconded by and passed on roll call, the following resolution was adopted.

(A) WHEREAS, the Rio Grande Park project was awarded on July 15, 2019, via Resolution No. 317-19 to Think Pavers Hardscaping, LLC;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for Rio Grande Park be and hereby changed in work scope as reflected in the attached Change Order #1 for the project awarded to Think Pavers Hardscaping, LLC be and is hereby approved.

(B) WHEREAS, the Avalon Manor Fishing Pier project was awarded on July 15, 2019, via Resolution No. 316-19 to Walter Marine Construction;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the attached Change Order #2 (final) for the project awarded to Walter Marine Construction, is hereby approved, and that the change order results in an increase of \$13,885.00 to the amended contract amount of \$767,017.82 for a final contract amount of \$780,902.82.

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

(A) WHEREAS, \$108,037.50, is being held as a performance guarantee for Louis Altobelli for site improvements at Block 340, Lot 1, otherwise known as 1008 Route 9 South; and

WHEREAS, the Township Engineer and Zoning Official have recommended the release of said bond, as outlined in P.L. 2017, Chapter 312 amendment.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of \$108,037.50 is hereby released. (B) WHEREAS, \$50,000.00, is being held as a mortgage bond for Frederick Schmidt to secure performance of a condition of subdivision imposed by the Middle Township Planning Board, as memorialized by Resolution #031204 and #301204EST and filed subdivision map #8153 filed in the Cape May County Clerk's Office; and

WHEREAS, the and Zoning Official has recommended the release of said bond as all conditions set forth in the above referenced Resolutions have been met.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of \$50,000.00 is hereby released.

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 – AWARD OF RFP – BANKING SERVICES – OCEAN FIRST SAVINGS BANK- On motion by seconded by and passed on roll call, the following resolution was adopted. WHEREAS, it has been deemed necessary to request proposals for banking services; and WHEREAS, RFP's were received on August 26, 2020 at 10:00 AM; and WHEREAS, it appears that the following bids submitted represents a figure equal to the lowest responsible bids received, which complies with specifications and requirements as set forth by the State of New Jersey. WHEREAS, exhibit A attached hereto this resolution shows the results of said request for bid, outlining the following award. NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the following contract for services shall be awarded as follows:
OCEAN FIRST SAVINGS BANK
 FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds. See Clerk's office for Exhibit.

14. RESOLUTION – TRANSFER OF FUNDS – On motion by seconded by and passed on roll call, the following resolution was adopted. WHEREAS, it is legal and lawful to make budget transfers on and after the first day of November in any budget year; and NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that the following transfers of budget appropriations be made in the budget of Middle Township for the year 2020:

<u>Account Number</u>	<u>Name</u>	<u>From</u>	<u>To</u>
0-01-23-220-220-411	GROUP INSURANCE PREMIUMS	67,500.00	
0-01-23-221-221-411	HEALTH CARE WAIVER	20,000.00	
0-01-27-340-340-200	ANIMAL CONTROL OE	3,000.00	
0-01-31-460-460-475	GASOLINE	45,000.00	
0-01-20-132-133-299	TELECOMM SOFTWARE/SUPPORT		6,000.00
0-01-26-290-291-111	PUBLIC WORKS S&W		24,000.00
0-01-27-340-340-111	ANIMAL CONTROL S&W		3,000.00
0-01-31-445-445-475	WATER		2,500.00
0-01-32-465-465-373	SANITARY LANDFILL - CONTRACT		100,000.00
		135,500.00	135,500.00

15. RESOLUTION – REFUND OF TAXES (ITEMS A THROUGH B) – On motion by seconded by and passed on roll call, the following resolution was adopted. (A) WHEREAS, A is Refund due to the below property owner as were paid via ACH and the property taxes are paid through escrow.

ACCT	BLOCK	LOT	OWNER/LOCATION	2020
14034	1424	4	Gaudio, Charles E 1009 Rte 47 S	1,021.48

Please make check payable and mail to:
 Colm O'Brien
 1009 Rte 47 S
 Rio Grande, NJ 08242

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 checks in the above noted amounts payable to the above-mentioned parties, as a refund of 2020 taxes

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

(B) WHEREAS, a refund is due for overpayment made by mortgage company on 11/4/2020 on tax exempt property

ACCT	BLOCK	LOT	OWNER/LOCATION	2020
6729	439	19	Mauger, Charles 2 Sunray Beach Rd Del Haven, NJ 08251 Property location: 20 Sunray Beach Rd	\$457.25

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 amounts payable to the above- mentioned party, as a refund of 2020 taxes

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

16. RESOLUTION - AMENDING RESOLUTION 353-20 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, Resolution No. 353-20, pursuant to N.J.S.A. 40:48-2.14, authorized the creation of a lien on Block 1041 Lot 14 otherwise known as 1906 Route 9 North owned by Elinor I. Anderson in the amount of \$340.37 and;

WHEREAS, it has been determined to be in the best interest to remove said lien due to an error made in noticing said property owner of property maintenance violation;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that Resolution 353-20 is hereby amended to remove the lien on the above referenced property.

17. RESOLUTION – ESTABLISHING 1. FAIR AND OPEN PROCESS FOR CONTRACTS 2. CRITERIA TO BE CONSIDERED IN AWARDING CONTRACTS AND 3. POSITIONS FOR WHICH PROPOSALS SHALL BE SOLICITED – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 19:44A-20.4 et. seq. requires that contracts with a value exceeding \$17,500 be awarded pursuant to a “fair and open” or “non-fair and open” process; and

WHEREAS, the Township Committee feel the best interests of the residents of Middle Township would be best served by the Township requesting proposals and qualifications, and considering and awarding contracts by use of a Fair and Open process; and

WHEREAS, the Township Committee desires to establish the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the criteria for the consideration of proposals and qualifications, and the award of contracts submitted in accordance with the Fair and Open Process; and

WHEREAS, the Township Committee desires to establish the positions which for the year 2021 shall be subject to the Fair and Open Process and also where stated below additional criteria for certain position; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that:

1. THE FAIR AND OPEN PROCESS

- A. The Township Committee of the Township of Middle has determined that the following procedure constitutes a fair and open process and shall be the manner in which requests for proposals and qualifications are sought, accepted, and awarded:

1. A request for proposals and qualifications shall be publicly advertised on the Township of Middle’s internet website beginning on November 17, 2020 and continuing on the website through December 15, 2020 Said request will also be advertised in the Cape May County Herald Newspaper on November 25, 2020
2. The Township shall accept proposals until 11:00 am on December 15, 2020
3. Proposals shall be in a sealed envelope addressed to:
 Kimberly D. Krauss
 Township Clerk - Township of Middle
 33 Mechanic Street
 Cape May Court House, NJ 08210
The envelope shall also state the name of the person or entity submitting the proposal and the position for which the proposal is submitted.
4. The envelope shall contain one original and one copy of the proposal.
5. The proposal shall include (**this is mandatory**) at a minimum, a statement of the following:
 - A. Qualifications and Experience of person or entity specifically with regard to the position sought
 - B. Scope of Services proposed to be provided

- C. Contact Information, including name, address, phone number, email address
 - D. Fee Proposal including a **“Not To Exceed”** Amount,
 - E. Office Staffing Plan and Resources
 - F. Location of Office from which services shall be provided
 - G. References
 - H. Potential Conflicts
 - I. The Applicant should provide a proposal which includes a statement of licensing, others in his/her office who will provide services, a fee schedule which lists names, titles and fees for each person and for each of these services, and any other information deemed of importance by the Applicant.
6. On December 15, 2020 at 11:00am, the Township Clerk or representative shall open each of the proposals and shall announce the proposals received by name, and a short summary of the proposal and qualifications.
7. The proposals shall be submitted to Township Committee for consideration at its reorganization meeting, at which time Township Committee may award a contract by approving a resolution, or, it may choose to award at the next regularly scheduled Township Committee meeting. If a majority votes to seek interviews, interviews may be held between Township Committee and the person or entity that submitted proposals. Township Committee may send proposals to Township Board’s or Agency’s for consideration and approval as is appropriate.

2. CRITERIA BY WHICH REQUESTS FOR PROPOSALS AND QUALIFICATIONS SHALL BE EVALUATED

- A. The Township of Middle hereby discloses in writing that all of the submissions in response to the Request for Proposals and Qualifications submitted through the fair and open process described above, will be evaluated by the Township Committee of the Township of Middle and awarded or rejected on the basis of the following criteria. Proposals will be evaluated by the Township Committee of the Township of Middle on the basis of the most advantageous, price and other factors considered. The evaluation will consider:
- 1. Experience and reputation in the field
 - 2. Knowledge of the Township of Middle and the subject matter to be addressed under the contact
 - 3. Availability to accommodate any required meetings of the agency
 - 4. Compensation proposal
 - 5. Other factors if demonstrated to be in the best interest of the Township of Middle
- B. The following criteria, found under the competitive contracting rules at N.J.A.C. 5:34-4.2, if determined to be of assistance, may also be considered by Township Committee. These criteria are not intended to be limiting or all-inclusive, and they may be adapted or supplemented in order to meet the Township Committee’s needs. No criteria will unfairly or illegally discriminate or exclude otherwise capable vendors.
- I. Technical criteria:
- a. Proposed methodology:
- i. Does the vendor’s proposal demonstrate a clear understanding of the scope of work and related objectives?
 - ii. Is the vendor’s proposal complete and responsive to the specific RFP requirements?
 - iii. Has the past performance of the vendor’s proposed methodology been documented?
 - iv. Does the vendor’s proposal use innovative technology and techniques?
 - v. Are sound environmental practices such as recycling, energy efficiency, and waste reduction used?
- II. Management criteria:
- a. Project management:
- i. How well does the proposed scheduling timeline meet the agency’s needs?
 - ii. Is there a project management plan?
- b. History and experience in performing the work:
- i. Does the vendor document a record of reliability of timely delivery and on-time and on-budget implementation?
 - ii. Does the vendor demonstrate a track record of service as evidenced by on-time, on-budget, and contract compliance performance?
 - iii. Does the vendor document industry or program experience?
 - iv. Does the vendor have a record of moral integrity?
- c. Availability of personnel, facilities, equipment and other resources:
- i. To what extent does the vendor rely on in-house resources vs. contracted resources?
 - ii. Are the availability of in-house and contract resources documented?
- d. Qualification and experience of personnel:

- i. Documentation of experience in performing similar work by employees and when appropriate, sub-contractors?
 - ii. Does the vendor make use of business capabilities or initiatives that involve women, the disadvantaged, small and/or minority owned business establishments?
 - iii. Does the vendor demonstrate cultural sensitivity in hiring and training staff?
- III. Cost criteria:
- a. Cost of goods to be provided or services to be performed:
 - i. Relative cost: How does the cost compare to other similar proposals?
 - ii. Full explanation: Is the price and its component charges, fees, etc., adequately explained or documented?
 - b. Assurances of performance:
 - i. If required, are suitable bonds, warranties, or guarantees provided?
 - ii. Does the proposal include quality control and assurance programs?
 - c. Vendor's financial stability and strength:
 - i. Does the vendor have sufficient financial resources to meet its obligations?

3. REQUEST FOR PROPOSALS AND QUALIFICATIONS ARE SOUGHT FOR THE FOLLOWING POSITIONS

A. Municipal Solicitor - Legal Advisor to the Township Committee and Administrative Staff. Includes all litigation, draft and review ordinances, resolutions, and any and all other matters regarding the Township's legal issues. Also, solicitor to Cable Television Advisory Board, Economic Development Council, Rent Leveling, Ethics Board, and Sewer and Water Department. Township Committee meets twice a month in the evening; there are frequent daytime meetings. Cable Advisory Board meets quarterly. The Solicitor is required to be in Township Hall at least one day a week to meet with department heads and employees. The Solicitor is expected to be immediately available to Township Committee members and the Administrator; at least one full time staff member is to be assigned to do Township work. Minimum qualifications are at least five years experience in some governmental capacity.

B. Municipal Engineer - The Municipal Engineer must be a Professional Engineer in the State of New Jersey, and have experience in Municipal Engineering. It is preferable that the Municipal Engineer also be a Professional Planner. Other skills and licenses are also considered. The Municipal Engineer is to be the Principal Engineer for the Township. He is to advise Township Committee on all Engineering matters. He is to provide services on specific projects as the Principal Engineer, Project Engineer, Professional Planner, Project Technician, Environmental Specialist, Drafts Person, AutoCadd Technician, Administrative Assistant, Clerical (other than overhead functions), Inspector (Level One), Inspector (Level Two), and other engineering services as is necessary. The Municipal Engineer is also to be available to all Township Staff under the direction of the Municipal Administrator, and to make himself or herself regularly available in Township Hall. The Applicant should provide a proposal which includes a statement of licensing, others in his or her office who will provide services, a fee schedule which lists names and fees for each person and for each of these services, and any other information deemed of importance by the Applicant.

The engineering firms responding shall provide qualifications for the following minimum threshold criteria as follows:

1. A multi-disciplinary Engineering Firm licensed to provide engineering services in the State of New Jersey for a minimum of ten (10) years;
2. Licensed N.J. Professional Engineers on staff shall have at least ten (10) years of experience in the design and construction of sanitary sewer collection systems and in the design of publically owned and operated sewage pump stations with discharge rates in excess of 200-gallons per minute and collections systems in excess of 10,000 linear feet constructed under a USDA-RD program. The firm shall demonstrate that licensed staff members shall include electrical engineers, instrumentation engineers and civil engineers. The firm shall also demonstrate staff experience in environmental sciences such as wetland specialists and geologists.
3. The Engineering Firms shall demonstrate their experience in Cape May County with design and construction management of large sanitary sewer system construction projects of 12-inch or larger over the past five (5) years.
4. The Engineering Firm shall demonstrate experience with the design and or construction management of sanitary sewer projects within the Township of Middle in the past five (5) years.
5. The Engineering Firm shall demonstrate experience with governmental entities and particularly, NJDEP Divisions and Bureaus pertaining to wastewater facilities, land use regulation and water supply.
6. The Engineering Firm shall demonstrate their experience with and knowledge of USDA-RD with regards to their Rules and Regulations for funding, design and construction supervision requirements.
7. The Engineering Firm shall demonstrate that they have maintained a functioning office and staff within Cape May County for over ten (10) years and their office location in relationship to the Township of Middle will allow an ability to respond to construction field issues as well as to accommodate any required meetings of the Township.
8. The engineer shall submit resumes of the anticipated support staff to be utilized to conduct the proposed activities, with the minimum requirement of construction administration utilizing a NJ licensed engineer with previous

experience within the last five (5) years with an active USDA-RD project; and a minimum NICET Level 4 lead field inspector and support inspectors with a NICET Level 2 or NJ Municipal Engineering Construction Inspection Program Certification with specific experience in sanitary sewer installation inspection.

9. The engineering firm shall have the ability to mobilize the required field staff within one week of contract award and authorization to proceed.

- C. Labor Solicitor - Legal Advisor to the Township Committee and Administrative Staff on labor law issues, including civil service issues, disciplinary matters, hiring and firing of employees, and negotiating contracts.
 - D. Municipal Auditor - The auditor performs annual audit of Township Finances, assists with preparation of annual budget, and is always immediately available to discuss compliance with the Township Administrator and CFO.
 - E. Municipal Prosecutor - Prosecutes in the Township's municipal Court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.
 - F. Municipal Public Defender - Represents defendants who qualify for public defender in municipal court. Court meets every Thursday and any special session as set forth by the Municipal Court Administrator.
 - G. Zoning Board of Adjustment Solicitor - Attorney representing the Zoning Board of Adjustment. The Zoning Board meets one evening a month.
 - H. Planning Board Solicitor - Attorney representing the Planning Board. The Planning Board meets two evenings a month.
 - I. Grants Consultant - completes applications and makes efforts to obtain grants in a variety of areas, including but not limited to energy; housing rehabilitation; infrastructure; resilience and Community Rating System; recreation, parks and open space. Consultant is not expected to have expertise in all areas listed, and should indicate in the proposal their respective specialty.
 - J. Bond Counsel - Legal Advisor to the Township Committee and Administrative Staff on issues regarding bond financing. Includes compliance with any and all necessary laws, state and federal, in the marketing and selling of the Township's bonds of any sort, including bond anticipation notes. Minimum qualifications are at least five years experience in the municipal bonding field, and that the person have the demonstrated experience and capacity for marketing and selling municipal bonds.
 - K. Planning Board Engineer - Engineer to the Planning Board. Required to have planner certification as well as P.E.. May be required to spend at least one day a week in Township Hall meeting with residents regarding planning issues. Planning Board meets twice a month, during the evening hours. The Engineer is expected to be immediately available to the Board Attorneys, Zoning Board Officer, Board Members and Zoning and Planning Office. Minimum qualifications are at least five years' experience in some governmental capacity. Required to have sufficient staff to meet Township's demands.
 - L. Zoning Board Engineer - Engineer to the Zoning Board. Required to have planner certification as well as P.E. May be required to spend at least one day a week in Township Hall meeting with residents regarding zoning issues. Zoning Board meets once a month, during the evening hours. The Engineer is expected to be immediately available to the Board Attorneys, Zoning Board Officer, Board Members and Zoning and Planning Office. Minimum qualifications are at least five years' experience in some governmental capacity. Required to have sufficient staff to meet Township's demands.
 - M. Risk Management Consultant - The consultant shall assist the Municipality in identifying its insurable exposures and to recommend professional methods to reduce, assume, or transfer the risk loss. Shall assist the Municipality in understanding and selecting the various coverage's available from the Atlantic County Municipal Joint Insurance Fund, review with the Municipality any additional coverage's that the Consultant feels should be carried but are not available from the Fund and subject to the Municipality's authorization place such coverage outside the fund. Shall further assist in the preparation of applications, statements of values and similar documents requested by the Fund, review the municipalities' assessment as prepared by the Fund and assist the municipalities' preparation of its annual insurance budget. Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjuster. And any other services as required
The Township of Middle may select, at its sole discretion, individuals or firms for these positions, so long as those individuals or firms meet or exceed the minimum requirements set forth in this resolution; however, the Township is under no obligation to select any firm even if qualified and will make any selection based on an overall evaluation of qualifications in the best interest of the Township. Once an appointment is made, no substitution of personnel may be made without the express written consent of the Township of Middle, which consent may be withheld in the township's sole discretion. The Township of Middle reserves the right to appoint other professionals to perform services as the need may arise.
18. RESOLUTION – TABULATION COMMITTEE (ITEMS A THROUGH B) – 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, 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 December 16, 2020 at 11:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

CONTRACTS #2019-8 THROUGH #2019-11
MIDDLE TOWNSHIP HOME REHABILITATION PROJECT

(B) 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 December 15, 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:

CARTER ROAD DRAINAGE AND ROAD RECONSTRUCTION

19. RESOLUTION - AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – REDEVELOPMENT COUNSEL SERVICES – MALEY GIVENS, COUNSELLORS AT LAW – AREA IN NEED OF REDEVELOPMENT REVIEW – On motion by [redacted] seconded by [redacted] and passed on roll call, the following resolution was adopted.
WHEREAS, the Township of Middle has a need to enter into an agreement with Maley Givens, Counsellors at Law to provide redevelopment counsel service for review of an area in need of development 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 Maley Givens, Counsellors at Law where the total amount is \$25,000.00, which exceeds the non-fair and open limitation of \$17,500.00; and
WHEREAS, Maley Givens, Counsellors at Law 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 Maley Givens, Counsellors at Law 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.
20. RESOLUTION - APPROVAL TO SUBMIT A GRANT APPLICATION – SOUTH JERSEY GAS – FIRST RESPONDERS GRANT PROGRAM – On motion by [redacted] seconded by [redacted] 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 approves the grant application for the above stated program.
BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign the grant application on behalf of the Township of Middle and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
21. PUBLIC COMMENT:
- Stan Doniger, Rio Grande:*
- *Commented on the storm water basin in Legacy Development; gave background on the community; referenced OPRA request submitted for maintenance plan; discussed uncertainty of maintenance responsibility for the stormwater basin; discussed complaint filed with DEP’ asked whose responsibility it is for the maintenance and who oversees the mandates*
- Vince Orlando, Engineer:*
- *Gave background; discussed project plan in regards to the maintenance of the basin; spoke of state law regarding maintenance; gave overview of maintenance questions; stated no answer tonight but would look into it further*
- Kimberly Krauss:*
- *Asked for clarification that the Township has not yet excepted the sub division*
- Vince Orlando, Engineer:*
- *Clarified she is correct that the Township had not yet approved the sub division*
- Kimberly Krauss:*
- *Asked for clarification that part of their sub division approvals requires a maintenance plan*
- Vince Orlando, Engineer:*
- *Clarified it was not a subdivision plan but a site approval; Explained background of conditional approval; further explained need to maintenance responsibility*
- Kimberly Krauss:*
- *Asked who in other private communities oversees and maintains various community aspects*
- Vince Orlando, Engineer:*
- *Stated the Home Owners Association handles the maintenance*
- Kimberly Krauss:*
- *Asked if this is a situation the New Jersey Department of Environmental Protection typically over sees or have in the past*
- Vince Orlando, Engineer:*
- *Stated no and gave background on new rules*
- Marc Karavan:*
- *Gave background on the law; explained the responsibility is not on the township; explained process to enforce maintenance within private communities; offered to sit down with Mr. Doniger to go over the maintenance laws*

Stan Doniger, Rio Grande:

- *Asked about the reason for a requirement if there is no enforcement*

Marc Karavan:

- *Explained what is presumed is some self-governance within the private community*

Stan Doniger, Rio Grande:

- *Continued to discuss states enforcement of regulation; spoke of performance and maintenance bond*

Marc Karavan:

- *Offered to sit down with Mr. Doniger and go over the particulars of the Legacy Community*

Stan Doniger, Rio Grande:

- *Ask about passing on the Master Plan by the Planning Board in regards to the proposed hotel in Cape May Court House*

Vince Orlando, Engineer:

- *Explain the planning board endorsed the reexamination report of the Master Plan to be passed on to the Township Committee for review*

Kimberly Krauss:

- *Further explained that at that time there was no date for the Township Committee to take up that review*

Stan Doniger, Rio Grande:

- *Asked about completion of Rio Grande Park*

Vince Orlando, Engineer:

- *Stated completion of the park is close; reviewed various aspects left to complete*

Stan Doniger, Rio Grande:

- *Asked if there is going to be an expansion of West Side Market*

Vince Orlando, Engineer:

- *Stated not at this time*

Stan Doniger, Rio Grande:

- *Asked about Dutchman Motel*

Kimberly Krauss:

- *Explained there were two separate issues with the Motel; stated new owners of the front section has come in to seek permits; further explained the other half is owned by a different person and this half does have a Certificate of Occupancy;*

ENGINEER REPORT:

Vince Orlando, Engineer:

- *Discussed Atlantic Pacific Drainage project; stated project is 80% complete; further discussed finalizing item*
- *Spoke of Hand Avenue Sidewalk project; stated project is 98% finished*
- *Discussed status of Birch Drive, Avocado Road, Aspen Drive and Coconut Road, road reconstruction project*
- *Spoke of Rio Grande Park project stated the signage for the park was to be installed the next day and they were still waiting on the tables and chairs; discussed crosswalk for the park*
- *Stated 4th street reconstruction had begun; explained paving would be finished by the following Wednesday*
- *Discussed Whitesboro street calming project*
- *Stated the Planning Board had held their Master Plan meeting the previous week; explained the voted unanimously on the Master Plan and it was sent to the Township Committee for review*

COMMITTEE COMMENTS:

Committeeman Norris:

- *Stated the Christmas parade had been cancelled due to new executive order limiting outdoor gatherings*
- *Further stated that the Christmas decorating contest was still on*
- *Congratulated the 7th and 8th grade football team on their championship*
- *Discussed end of the football season with 0 Covid-19 cases throughout the whole season*

Committeeman Gandy:

- *Congratulated Stanley Karrish on his retirement;*
- *Thanked everyone involved in the General Election*
- *Congratulated Mayor Donohue on his reelection*
- *Commented on successful shred day*
- *Wished everyone a Happy Thanksgiving*

Motion to adjourn meeting – 6:38 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