

Cape May Court House, NJ  
December 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. 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 for clarification on checks for Mott MacDonald for utility improvements*

*Mayor Donohue:*

- *Explained work being done by Mott MacDonald for the Township*

*Stan Doniger, Rio Grande:*

- *Asked about expenses for portable toilets*
- *Also asked about alternatives for the portable toilets*

*Mayor Donohue:*

- *Explained billing process for the toilets*
- *Described different reasoning for the portable toilets; plans to try to do an audit of those uses*

*Stan Doniger, Rio Grande:*

- *Asked about agenda item 19*

*Mayor Donohue:*

- *Explained this is the second time the resolution is on an agenda; further explained the Township did not receive bids for the Auditor and this is to go out to bid for strictly the position of Auditor*

*Stan Doniger, Rio Grande:*

- *Asked about the deferment of school taxes*

*Mayor Donohue:*

- *Stated he has asked the Township Auditor to come on the further explain the deferment*
- *Gave a brief explanation on reason for ability to defer school taxes*

*Leon Costello, Auditor:*

- *Explained school will get 100% of the money they have requested; continued to explain this is a COVID-19 issue to cover and help keep stability in 2021.*

2. RESOLUTION 439-20 – APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved:  
Current Acct. \$883,344.16
3. RESOLUTION 440-20 – APPROVING MINUTES FROM PREVIOUS MEETING – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: 12/07/2020 Regular Meeting.
4. REPORTS: Sterback Harbor for the Month of November; Sewer Collection for the Month of November; Tax Collector for the Month of November
5. PUBLIC HEARING –DREDGE SOIL APPLICATION - GRASSY SOUND MARINA OPERATIONS, LLC  
*Mayor Donohue:*
  - *Discussed Township Ordinance that forbids dredge soils in the Township with the approval of the Township Committee; discussed past history in relation to dredge soils*
  - *Spoke of location of the proposed dredge soils**Michael Lucey, Environmental Consultant:*
  - *Discussed permits and approvals received for the dredge; explained what will be done with the dredge soils and how they will be stored**Mayor Donohue:*

- Asked about the thin layering process
- Michael Lucey, Environmental Consultant:*
- Explained difference between thin layering process and the process they are taking to reduce the slope of the wetland
  - Continued to discussed various aspects of the removing and storage of the dredge spoils
- Mayor Donohue:*
- Asked if all the testing and purity would be in place before the process begins
- Mike Lucey, Environmental Consultant:*
- Clarified yes, explained status of permits required
- Mayor Donohue:*
- Asked Vince Orlando to discuss his findings and recommendations regarding the project
- Vince Orlando, Engineer:*
- Spoke of prepared report for Committee with regard to the permit application that outlined roughly five conditions for approval.
  - Discussed timeframe for storage of material of 1 year.
  - Explained this application is unlike other applications received in the past; soils being dredged from the Township and deposited in the Township.
- Mayor Donohue:*
- Asked for confirmation that all parties are on board with the conditions of the approval.
- Mike Lucey, Environmental Consultant:*
- Confirmed.
- Jim Mooers, Grassy Sound Marina Operations, LLC:*
- Also confirmed.

6. RESOLUTION 441-20 – AUTHORIZING ISSUANCE OF DREDGE SOIL PERMIT – GRASSY SOUND MARINA OPERATIONS LLC – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, Grassy Sound Marina Operations LLC c/o Deborah and James Mooers have made application for a Municipal Dredge Soil Permit; and WHEREAS, said soils will be removed from Block 1246 Lot 2 & 2.01 otherwise known as 13 Old North Wildwood Blvd.; and WHEREAS, dredged material will be placed on a barge and off-loaded at the existing boat ramp located waterward of Block 1298, Lot 2.01; and WHEREAS, the material will then be truck-transported to the existing on-site upland confined disposal facility located on Block 1298 Lot 4, formerly known as Block 1299.01 Lot 1, otherwise known as Old North Wildwood Blvd; and WHEREAS, as outlined in Chapter 260 of the code of the Township of Middle, the applicant has provided proof of adequate notice to surrounding property owners as well as an environmental impact statement; and WHEREAS, a public hearing was held on December 21, 2020 with regard to the proposed application as required in Chapter 260 Section 6 of the Code of the Township of Middle; and WHEREAS, the Municipal Engineer has certified the approval of said permit subject to conditions outlined in the Municipal Engineer letter, dated December 18, 2020. NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Dredge Soil Permit for Grassy Sound Marina Operations LLC to deposited 1,989 cubic yards of dredge materials at the parcel referenced above, as more particularly described in the plan submitted heretofore, be and hereby is approved.

7. RESOLUTION 442-20 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeeman Gandy seconded by Committeeman Norris 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
Greg Martin	Zoning Board of Adjustment	Member	12/07/2020

8. RESOLUTION 443-20 – APPOINTMENT – NEW HIRES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Joe Hess	Public Works	Laborer 1 F/T T/A – 6 months	\$11.00 per hour	01/04/2021

9. RESOLUTION 444-20 – AMENDING RESOLUTION 156-20 – APPOINTMENTS NEW HIRES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 156-20 shall hereby be amended and corrected to reflect the following starting salary/rate indicated below:

NAME	DEPARTMENT	TITLE	SALARY/RATE	EFFECTIVE
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Lorin C. Perednas	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	\$11.00 per hour*	04/08/2020
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\*Increase to \$15.00 per hour upon completion of training.

10. RESOLUTION 445-20 – CANCELING UNEXPENDED BALANCES TO CURRENT FUND BALANCE – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Township Committee of the Township of Middle wishes to cancel the unexpended balances of certain appropriations in the 2020 Budget and transfer said funds to current fund balance; and WHEREAS, N.J.S.A. 40A:4-60 requires that such cancellations be made by resolution prior to the end of the year;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Middle Township, in the County of Cape May, State of New Jersey, that the amounts entered next to such appropriations listed below be and hereby are canceled and transferred to the current fund balance:

0-01-20-130-131-200	Grants OE	\$5,000.00
0-01-23-220-220-411	Group Health Insurance	\$75,000.00
0-01-28-370-370-200	Recreation OE	\$25,000.00
0-01-28-370-371-200	Senior Center S&W	\$10,000.00
0-01-28-370-371-200	Senior Center OE	\$10,000.00
0-01-43-490-490-200	Municipal Court OE	<u>\$15,000.00</u>
		\$140,000.00

BE IT FURTHER RESOLVED that a copy of the Resolution be filed with the Chief Financial Officer and Township Administrator.

11. RESOLUTION 446-20 – CANCEL TAXES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the following taxes are hereby cancelled due to tax exemption.

Account	Block	Lot	Owner/location	2021
3139	163.08	5	Arc of Cape May County Property location: 111 East Woodland Ave	\$3,570.79
2968	163.01	236	United States of America Property location: 628 Dias Creek Rd	\$1,152.08
11234	897	10	Farrow, Robert & Monica Property location: Sulloway St	\$84.44
2392	117.04	65	Steen, Donald P & Helen M Property location: 627 Avalon Blvd	\$7,756.27

12. RESOLUTION 447-20 – REFUND OF TAXES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, a refund is due for over overpayment made on tax exempt property.

ACCT	BLOCK	LOT	OWNER/LOCATION	2021
11234	897	10	Farrow, Robert E Jr & Monica B 413 Scott St Cape May Court House, NJ 08210 Property location: Sulloway St	\$84.44

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 2021 taxes.

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

13. RESOLUTION 448-20 – RELEASE OF TRUST ACCOUNTS – On motion by Committeeman Gandy seconded by Committeeman Norris 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.

14. RESOLUTION 449-20 – APPROVAL FOR PAYMENT OF CASH OUT SICK LEAVE- ADJUSTMENT TOTAL HOURS FOR EMPLOYEE 2020 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Township allows the cash out of accumulated sick time by employees who meet the guidelines set forth in the personnel policy manual; and  
 WHEREAS, the personnel office has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time;  
 NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that payment be issued to the employees in the amount referenced:

<u>NAME</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL COST</u>
			(includes FICA)
Kurt Saettler	36	45.05	1,745.85
			<b>1,745.85</b>

15. RESOLUTION 450-20 – RESCINDING RESOLUTION 427-20 – APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY – SAFE AND SECURE COMMUNITIES GRANT PROGRAM – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
 WHEREAS, Resolution 427-20 approved Participation with the State of New Jersey Federal Grant Program administered by the Division of Criminal Justice, Department of Law and Public Safety Safe and Secure Communities Grant program; and  
 WHEREAS, an error was made in the calculations of the project total cost; and  
 WHEREAS, further amendments to the language of Resolution 427-20 were requested.  
 NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 427-20 is hereby rescinded.
  
16. RESOLUTION 451-20 – APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY GRANT PROGRAM ADMINISTERED BY THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY OFFICE OF THE ATTORNEY GENERAL – SAFE AND SECURE COMMUNITIES GRANT PROGRAM – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
 WHEREAS, the Township of Middle wishes to apply for funding of approximately \$32,400.00 with a match of \$238,321.70 for an approximate project total cost of \$270,721.70 for a project under the State of New Jersey Safe & Secure Communities Grant Program; and  
 WHEREAS, the Township Committee of the Township of Middle has reviewed the application and has approved said request; and  
 WHEREAS, the project is a joint effort between the Department of Law and Public Safety, Office of the Attorney General and the Township of Middle for the purpose described in the application.  
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that:
  1. As a matter of public policy, the Township of Middle wishes to participate to the fullest extent possible with the Department of Law and Public Safety, Office of the Attorney General;
  2. The Attorney General of New Jersey will receive funds on behalf of the applicant;
  3. The Department of Law and Public Safety, Office of the Attorney General shall be responsible for the receipt and review of the applications for said funds; and
  4. The Department of Law and Public Safety, Office of the Attorney General shall initiate allocations to the applicant as authorized by law.
 BE IT FURTHER RESOLVED, that the subaward number for said project is 21-0506 for a subaward period of 09/02/2020 through 09/01/2021.
  
17. RESOLUTION 452-20 – AUTHORIZE ACCEPTANCE – COUNTY OF CAPE MAY, EMERGENCY MANAGEMENT AGENCY ASSISTANCE PERFORMANCE GRANT – On motion by Committeeman Gandy seconded by Committeeman Norris 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 approval for acceptance of the County of Cape May, Emergency Management Agency Assistance Performance Grant in the amount of \$10,000.00 be and is hereby approved.  
 BE IT FURTHER RESOLVED, that said funds will be used to enhance the Emergency Management Program and will be used for Emergency Management purpose.  
 FURTHER RESOLVED, that Middle Township Emergency Management Coordinator Sean McDevitt is named as the Contact Person and that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.  
Subaward No: FY20-EMPG-EMAA-0506  
Subaward Period: 07/01/2020-06/30/2021
  
18. RESOLUTION 453-20 – INSERTION OF A SPECIAL ITEM OF REVENUE – COUNTY OF CAPE MAY, EMERGENCY MANAGEMENT AGENCY ASSISTANCE PERFORMANCE GRANT FY20 – On motion by Committeeman Gandy seconded by Committeeman Norris 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:

FY2020 Emergency Management Agency Assistance Grant \$10,000.00

BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:

FY2020 Emergency Management Agency Assistance Grant \$10,000.00

19. RESOLUTION 454-20 – 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 Committeeman Gandy seconded by Committeeman Norris 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 December 22, 2020 and continuing on the website through January 14, 2021 Said request will also be advertised in the Cape May County Herald Newspaper on December 30, 2020
2. The Township shall accept proposals until 10:00 am on January 14, 2021 at 10:00am.
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 January 14, 2021 at 10:00am, 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 contract
  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 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.
- 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.

20. RESOLUTION 455-20 – AWARD OF BID – CARTER ROAD DRAINAGE AND ROAD RECONSTRUCTION – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, it has been deemed necessary and desirable to solicit bids the road reconstruction of Carter Road; and  
WHEREAS, sealed bids were received on December 15, 2020; 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 Carter Road be and hereby is awarded to:
- Ricky Slade Construction, Inc.  
Carter Road Reconstruction  
Not to Exceed \$60,586.00
- FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds.
21. RESOLUTION 456-20 – APPROVE CHANGE ORDER NO. 1 – SOUTH FOURTH STREET ROAD RECONSTRUCTION – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, the South Fourth Street Road Reconstruction project was awarded on September 9, 2020, via Resolution No. 322-20 to Ricky Slade Construction Inc.  
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that Change Order #1 for the project awarded to Ricky Slade Construction., and is hereby approved, and that the change order results in a decrease of \$1,015.00 to the original contract amount of \$97,236.00 for an amended contract amount of \$96,221.00.
22. RESOLUTION 457-20 – DEFERRED SCHOOL TAX – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, by statute, when a municipality raises school taxes on a school year basis, an amount of not more than 50% of the levy may be deferred to the following year; and  
WHEREAS, 50% of the school tax levy of the Township of Middle School District is \$14,667,335.00.  
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Middle desires to defer school taxes to the year 2021 in the amount of \$10,400,000.00.
23. RESOLUTION 458-20 – REJECT BIDS – 2020 ROAD IMPROVEMENT PROGRAM - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, following public advertisement, proposals for the 2020 Road Improvement Program, were received by the Township of Middle on December 1, 2020 in the Middle Township Municipal Building, and  
WHEREAS, the bids received exceed the budgeted amount for said project; 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 received on December 1, 2020 for proposals for the 2020 Road Improvement Program are hereby rejected.
24. RESOLUTION 459-20 – AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR SOLID WASTE DISPOSAL AND RECYCLING SERVICES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, the Cape May County Municipal Utilities Authority ("CMCMUA"/"Authority") owns and operates a solid waste system ("System") which presently serves the entire County of Cape May in the State of New Jersey, for the disposal, transfer, and recycling of solid waste; and  
WHEREAS, the CMCMUA's System is comprised of the CMCMUA's Secure Sanitary Landfill, Solid Waste Transfer Station, and Intermediate Processing Facility, as well as several recycling operations and programs; and  
WHEREAS, the Township of Middle has utilized and desires to continue to utilize the services of the CMCMUA's System; and  
WHEREAS, there presently exists a contract between the Township of Middle and the Authority for the use of the CMCMUA's System for the disposal, transfer, and recycling of solid waste which will expire on December 31, 2020 entitled "Shared Services Agreement for Solid Waste Disposal" ("Agreement"); and  
WHEREAS, the Township of Middle and the Authority desire to enter into a new agreement and to fix the expiration date of said agreement to occur on December 31, 2021; and  
WHEREAS, the Authority has offered the "shared Services Agreement for Solid Waste Disposal and Recycling Services" to the Township of Middle in order to more efficiently provide and continue to offer municipalities within Cape May County the use of the CMCMUA's Solid Waste System from January 1, 2021 through December 31, 2021; and  
WHEREAS, the Authority has submitted the same proposed form of Agreement to all of Cape May County Municipalities which will provide for both solid waste disposal and certain recycling services through December 31, 2021; and  
WHEREAS, N.J.S.A. 40A:65-1 et seq. authorized a municipality to enter into a contract with any other local unit for the sharing of governmental services.  
NOW THEREFORE BE IT RESOLVED, by the governing body of the Township of Middle, County of Cape May and State of New Jersey, that the Township of Middle shall enter into a contract with the

Authority entitled “Shared Services Agreement for Solid Waste Disposal and Recycling Services”, effective January 1, 2021, in the form to be maintained on file in the office of the Middle Township Clerk, and that the appropriate Middle Township officials are hereby authorized and directed to execute said agreement.

25. PUBLIC COMMENT:

*Gunar Arenberg:*

- *Spoke of drainage issues at his property located on Darott Drive.*

*Mayor Donohue:*

- *Spoke of e-mails being circulated with regard to the same.*
- *Discussed recharge system working the way it is designed to.*

*Vincent Orlando, Township Engineer:*

- *Reviewed time-lapse photos provided by Public Works and feels system is operational.*
- *Spoke of extraordinary conditions due to several coastal storms.*
- *Explained water drains in a manner associated with Township facilities; water drains within a 24–36-hour period.*

*Gunar Arenberg:*

- *Spoke of property damages due to standing water as well as lack of ability to be able to park certain vehicles in his driveway.*
- *Further explained effort of running a sump pump.*

*Mayor Donohue:*

- *Asked if this is happening every time it rains.*

*Gunar Arenberg:*

- *Provided confirmation; further explained location of various drains.*

*Vincent Orlando:*

- *Asked where the water was being pumped from and to.*

*Gunar Arenberg:*

- *Confirmed the water was being pumped from the driveway and to the end of the cul de sac into the woods.*

*Mayor Donohue:*

- *Asked if this has been an issue since day 1.*

*Gunar Arenberg:*

- *Confirmed that it was; further explained.*
- *Continued to express concern for lack of access to his driveway.*
- *Stated he does not believe his neighbor has ever made any mention of flooding but her property floods as well.*

*Mayor Donohue:*

- *Asked if any grading has been done that would affect the runoff.*

*Gunar Arenberg:*

- *Explained work that has been done.*

*Mayor Donohue:*

- *Spoke of various internal conversations that haven taken place with regard to the issue.*
- *Discussed flooding on his own street; Township will go out and take a second look and work on a Resolution to the issue.*

ENGINEERING REPORT:



Township of Middle  
Project Status Report  
December 21, 2020  
Prepared By: Vincent C. Orlando, P.E., P.P., L.L.A.

**1. Birch Drive, Avocado Road, Coconut Road & Aspen Drive Road Reconstruction:**

- Under design
- Construction bids to be completed by January 2021

**2. Carter Road Drainage/Road Reconstruction:**

- Bids were accepted December 15, 2020
- Contract to be awarded at 12/21/20 Meeting
- Construction to begin immediately (weather permitting)

**3. Rio Grande Park:**

- Fencing completed (except Dog Park)
- Park entrance sign completed
- Remaining park signage to be completed by end of month
- New tables and chairs are to be delivered by end of month
- Working on change order for paver crosswalk

**4. South Fourth Street Road Reconstruction:**

- Construction 100% completed
- Testing needed to be completed

**5. Whitesboro Main Street – Speed Calming Devices:**

- 100% completed

*Vincent Orlando:*

- *Provided updates on projects referenced in report.*

*Mayor Donohue:*

- *Spoke of comments received on Main Street calming devices and 4-way stop approaching MLK Center.*

*Vincent Orlando:*

- *Wished everyone a Merry Christmas.*



COMMITTEE COMMENTS:

*Committeeman Gandy:*

- *Thanked all involved in holiday activities.*
- *Also thanked all Township employees for their everyday efforts.*

*Committeeman Norris:*

- *Seconded Committeeman Gandy's comments on holiday activities.*
- *Also thanked all Township employees for their hard work throughout pandemic.*
- *Wished everyone a Happy New Year and Holiday.*

*Mayor Donohue:*

- *Asked for thoughts and prayers for former administrator Connie Mahon on the loss of her mother.*
- *Thanked Greg Martin for his service on the Zoning Board; prudent and steady member for many years and will be missed.*
- *Spoke of safety upgrades to Town Hall; must get buzzed in to enter.*
- *Discussed department head meetings held with Business Administrator, Kim Krauss; impressed by efforts of all department heads.*
- *Explained presence of helicopters over the Township; Atlantic City Electric Resiliency Project.*
- *Also spoke of review of volunteer boards and coming up with a way for boards to start meeting again.*
- *Provided overview of vacancies on several board.*
- *Also acknowledged all involved in holiday activities; further explained.*
- *Thanked the Black Progressive Initiative and CCW for their efforts in orchestrating holiday activities.*
- *Spoke of re-organization meeting looking different this year through Zoom; Thursday, January 7<sup>th</sup> at 6:00pm.*
- *Expressed pride in the Township in being resilient and staying together throughout the year.*
- *Wished everyone a happy holiday and new year.*

Motion to adjourn meeting – 6:50 pm

1<sup>st</sup>: Committeeman Gandy    2<sup>nd</sup>: Committeeman Norris

Pass on Roll Call: Committeeman Gandy, Committeeman Norris, Mayor Donohue

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Andrea N. Singley, Deputy Township Clerk

Minutes prepared by E. Bowman