

Cape May Court House, NJ
 January 20, 2021
 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, Business Administrator/Township Clerk Kimberly Krauss, Deputy Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

**Committeeman Norris 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 purchase of ford explorer and its use*

Mayor Donohue:

- *Explained the vehicle was for police use*

Chief Leusner:

- *Explained police vehicles are bought through Winner Ford*
- *Further explained majority of cost is for the equipment for the vehicle*

Stan Doniger, Rio Grande:

- *Asked about need for larger vehicles*

Chief Leusner:

- *Spoke of complaints by officers that ford explorers are being too small*
- *Explained various aspects within the police vehicles*
- *Further explained need for larger vehicles*

Stan Doniger, Rio Grande:

- *Asked about tax rebate to the federal government for a group of properties on Hand Avenue*
- *Asked why the federal government would own three properties in a row*

Mayor Donohue:

- *Discussed reasons for federally owned government properties*
- *Explained various reasons for tax rebates*

Liz Simpkins, Deputy Tax Assessor:

- *Gave background on the properties*
- *Explained reason for the tax rebate*

2. RESOLUTION 51-21 – APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) – On motion by Committeeman Gandy seconded by Mayor Donohue 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. \$3,755,651.49

3. RESOLUTION 52-21 – APPROVING MINUTES FROM PREVIOUS MEETING – On motion by Committeeman Gandy seconded by Mayor Donohue 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: 01/07/2021 Reorganization Meeting.

4. REPORTS: Clerk for the Month of December; Sterback Harbor for the Month of December; Tax Collector for the Month of December; Sewer Collection for the month of December

5. RESOLUTION 53-21 – ACKNOWLEDGEMENT OF RESIGNATION – On motion by Committeeman Gandy seconded by Mayor Donohue 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	POSITION	EFFECTIVE
Donna Lombard	Recreation Leader	01/28/2021

6. RESOLUTION 54-21 – APPOINTMENTS – NEW HIRES – On motion by Committeeman Gandy seconded by Mayor Donohue 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
Adrian Rodriguez	Public Works	Laborer 1 F/T T/A – 6 months	\$12.00 per hour	01/20/2021

Kerry Gassler	Public Works	Laborer 1 F/T T/A – 6 months	\$12.00 per hour	01/11/2021
Christian Quaranta	Public Safety – Police	Special Class II Police Officer	\$13.00 per hour	01/18/2021
Samantha Grassi	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	\$12.00 per hour*	01/18/2021
Gabriella Grey	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	\$12.00 per hour*	01/18/2021
Samantha O’Neal	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	\$12.00 per hour*	01/18/2021
Abdiel Nieves	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	\$12.00 per hour*	01/18/2021

*Increase to \$15.00 per hour after successful completion of training

7. RESOLUTION 55-21 – AMENDING RESOLUTION 23-21 – SALARIES 2021 – On motion by Committeeman Gandy seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.
 WHEREAS, the salaries and wages of the employees of the Township of Middle were approved via Resolution 23-21 on January 7, 2021; and
 WHEREAS, there is a need to amend said Resolution to correct the salaries of various employees.
 NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that Resolution 23-21 is hereby amended.

8. RESOLUTION 56-21 – AFFIDAVIT OF FORECLOSURE #198 POSTING – On motion by Committeeman Gandy seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.

Ss

County of Cape May

I Sandra B. Beasley, BEING DULY SWORN ACCORDING TO LAW ON MY OATH STATE:

1. I Sandra Beasley, tax collector of The Township of Middle, County of Cape May, State of New Jersey of full age, by way of certification in accordance with R.1:4-4(b), says
2. I am an agent of the plaintiff in foreclosure action #F-009265-20
3. On January 7, 2021 I posted a copy of the Notice of In Rem Tax Foreclosure of Tax Lien Titles, dated and published on January 6, 2021 in five locations set forth on the list below, the same being conspicuous places within the Township of Middle.
4. I certify that the foregoing statements made by me are true.
5. A Copy of the Notice of Sale was set up in five of the public places in the Municipality, namely:

Township of Middle Tax Collector’s Office
33 Mechanic St.

Cape May Court House, NJ 08210

Posted 01/07/2021

Martin Luther King Center

207 W Main St

Whitesboro, NJ 08252

Posted 01/07/2021

Rio Grande Post Office

1087 Route 47 S

Rio Grande, NJ 08210

Posted 01/07/2021

Green Creek Post Office

501 Route 47 S

Green Creek, NJ 08219

Posted 01/07/2021

Cape May Court House Post Office

615 Route 9 S

Cape May Court House, NJ 08210

Posted 01/07/2021

9. RESOLUTION – ASSIGNMENT OF TAX TITLE LIEN – On motion by _____ seconded by _____ and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle is the holder of Tax Sale Certificate #2014-8053 acquired under N.J.S.A. 54:5-34; and,

WHEREAS, it is deemed financially beneficial to, and in the best interests of, the Municipality to sell or assign that tax sale certificate; and

WHEREAS, the Tax Collector will mail notice of the potential assignment to the property owner at the address as it appears on the tax duplicate within five days prior to the action; and

WHEREAS, notice of the assignment will be posted in three public places within the Township of Middle and published in the Herald Newspaper, within five days prior to the action as required by law.

NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Middle, County of Cape May, State of New Jersey on this 20th day of January 2021 that the Committee hereby authorizes the sale by assignment of the Tax Sale Certificate #2014-8053 in the amount of \$1,736.14 plus the cost of advertisement to:

Donna Davis
1000 Poplar Ave
Rio Grande, NJ 08242

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A. 54:5-113,

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized execute and deliver all assignment forms or other legal documents necessary to effectuate the various sales permitted by this Resolution.

10. RESOLUTION 58-21 – CANCEL TAXES – On motion by Committeeman Gandy seconded by Mayor Donohue 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 as of 01/01/2021.

Account	Block	Lot	Owner/location	2021
17294	167.01	68	Fenimore, Leonard L & Michele A Property location: 124 Stagecoach RD	\$3,259.66
6026	386	2	Dunkelberber-Tompkins Trust Property location: Golf Club RD	\$474.39
17845	56.01	3	United States of America Property location: 860 Hand Ave	\$647.16
16143	56.01	4	United States of America Property location: 858 Hand Ave	\$2,531.34
17846	56.01	5	United States of America Property location: 856 Hand Ave	\$2,388.16

11. RESOLUTION 59-21 – REFUND OF TAXES – On motion by Committeeman Gandy seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, a refund is due for overpayment made on tax exempt property.

ACCT	BLOCK	LOT	OWNER/LOCATION	2021
17845	56.01	3	United States of America 300 West Gate Center Drive Hadley, MA 01035 Property location: 860 Hand Ave	\$627.09
16143	56.01	4	United States of America 300 West Gate Center Drive Hadley, MA 01035 Property location: 858 Hand Ave	\$31.65
17846	56.01	5	United States of America 300 West Gate Center Drive Hadley, MA 01035 Property location: 856 Hand Ave	\$31.27

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.

12. RESOLUTION 60-21 – AUTHORIZING EXECUTION OF FAIR AND OPEN CONTRACT – FORD-SCOTT & ASSOCIATES, LLC – MUNICIPAL AUDITOR 2021 – On motion by Committeeman Gandy seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.
WHEREAS, the Township Committee has previously instituted a Fair and Open Process for the award of contract pursuant to N.J.S.A. 19:44A-20.4 et.seq.; and
WHEREAS, the Township Committee has followed the procedures that it has previously set forth for the award of specific contracts; and
WHEREAS, the Township Committee had solicited proposals and placed the position on the Township website as outlined in Resolution 454-20 dated December 21, 2020, and has publicly opened each proposal submitted, and has considered each proposal in light of criteria previously established by the Township, and has made a decision on each proposal submitted in light of those criteria; and

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 submission shall be awarded as follows:

Ford-Scott & Associates, LLC

Municipal Auditor – Not to exceed \$51,300.00

BE IT FURTHER RESOLVED, that this contract shall be effective until December 31, 2021.

13. RESOLUTION 61-21 – AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND COUNTY OF CAPE MAY – RESCUE TASK FORCE – On motion by Committeeman Gandy seconded by Mayor Donohue 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 attached Shared Services Agreement for a rescue task force with the County of Cape May and the Township of Middle, be and is hereby ratified.

BE IT FURTHER RESOLVED, that said agreement shall be valid for a period of five (5) years commencing on the date the agreement becomes fully executed by both parties.

BE IT FURTHER RESOLVED, that said agreement shall automatically renew for an additional and successive term of five (5) years with the same terms and conditions unless amended by the parties at the end of the term.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

14. RESOLUTION 62-21 THROUGH 63-21 – APPROVE CHANGE ORDER (ITEMS A THROUGH B) – On motion by Committeeman Gandy seconded by Mayor Donohue 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 attached Change Order #2 for the project awarded to Think Pavers Hardscaping, LLC, is hereby approved, and that the change order results in an increase of \$189,188.00 for an amended contract amount of \$1,535,277.74

(B) WHEREAS, the HVAC Goshen Complex project was awarded on September 21, 2020, via Resolution No. 338-20 to Gaudelli Bros, Inc.;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the attached Change Order #1 for the project awarded to Gaudelli Bros, Inc. is hereby approved, and that the change order results in an increase of \$3,574.20 for an amended contract amount of \$119,574.20.

15. RESOLUTION 64-21 – AUTHORIZING EXECUTION OF AGREEMENT – On motion by Committeeman Gandy seconded by Mayor Donohue 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 between Teamsters Local Union No. 676 and the Township of Middle.

16. RESOLUTION 65-21 – CLOSED SESSION – CONTRACT NEGOTIATION (INSURANCE COVERAGE AND SHARED SERVICES) – On motion by Committeeman Gandy seconded by Mayor Donohue and passed on roll call, the following resolution was adopted.

Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the above referenced topics in closed session.

This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist.

The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.

WHEREAS, the section of the Open Public Meetings Law, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of the Township of Middle, the governing body thereof, is of the opinion that such circumstances presently exist, and

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

1.) The public shall be excluded from the discussion of an action upon the hereinafter specified matter: CONTRACT NEGOTIATION (INSURANCE COVERAGE AND SHARED SERVICES)

2.) The general nature of the subject matter to be discussed is as follows:

CONTRACT NEGOTIATION (INSURANCE COVERAGE AND SHARED SERVICES)

3.) It is anticipated at this time the above subject matter will be made public as follows:

WHEN THE MATTER IS RESOLVED

4.) This Resolution shall take effect immediately.

ENGINEERING REPORT:

Vince Orlando, Engineer:

- *Explained Birch Drive, Avocado Road, Aspen Drive and Coconut Road are currently under design; stated he plans to accept bids at the end of February or beginning of March. Further explained he wants to award contracts by the March 15 meeting and start once the weather breaks*
- *Stated Atlantic and Pacific Avenues were completed in a timely matter: explained the project is almost ready to be closed out; stated that he went out the last full moon during a high tide and the water did not reach the road way*

- Explained the Rio Grande Park project was coming to an end; spoke of various items that had been installed over the previous few weeks; Explained final aspects to be completed' discussed timeline for the completion of the final aspects; proposed to Mayor Donohue to play a game on the new pickleball court at the grand opening

Mayor Donohue:

- Asked Vince if he was 100% positive the park was safe to open

Vince Orlando, Engineer:

- Stated yes it was safe

Mayor Donohue:

- Explained that was a concern
- Discussed frustration with residents that the park has not yet opened

Kimberly Krauss:

- Confirmed with Vince that after Friday the grand opening could be scheduled

Vince Orlando, Engineer:

- Stated yes once the fence is completed on Friday the park is ready for ribbon cutting

Mayor Donohue:

- Hoped to plan an opening for the end of the next week

Vince Orlando, Engineer:

- Spoke of planning and zoning issues that must now be presented to Committee in regards to the reexamination report; Explained the reexamination had been approved by the Planning Board and been adopted by resolution with the Planning Board; Stated it would be good time for the report to be taken up by Committee for the zoning changes and incorporate some of the changes recommended within the reexamination plan

Committeeman Gandy:

- Asked if the discussion would need to be done during a future work session

Vince Orlando, Engineer:

- Stated yes, a work session would be the best for that discussion

Mayor Donohue:

- Suggested during a February Work Session

Vince Orlando, Engineer:

- Stated once examination changes are made, they must move forward on the reapproval of the Township's Center; explained they were adopted ten years prior; Stated the center designation expires September of 2021; spoke about extension passed by State Governor for master plan deadline; suggested it be a discussion at the next work session

17. PUBLIC COMMENT:

NO COMMENTS

COMMITTEE COMMENTS:

Committeeman Gandy:

- Welcomed new President and Vice President
- Thanked officers that were sent down to Washington DC to participate in the inauguration
- Congratulated graduating cadets that are now becoming members of the Middle Township Police Department
- Welcomed new hires
- Congratulated sewer department with public works help regarding incident with the gas company hitting a Township sewer line and they fix the issue quickly; Thanked them for all their hard work

Mayor Donohue:

- Welcomed new hires to the Township
- Recognized Donna Lombard who was stepping away; stated she was a great asset to the Recreation Department; Wished her all the best
- Spoke of discussion during work session regarding Del Haven water project; further discussed plans for the Del Haven water project
- Commented on work session discussion regarding pump station upgrades: briefly went over timeline for the project
- Spoke of shopping cart discussions; gave brief synopsis of the discussion from work session
- Congratulated officers that graduated from police academy; Discussed parade held for them in lieu of the usual graduation
- Spoke of various events held the previous Monday for Martin Luther King Day
- Discussed upcoming basketball season
- Discussed Covid-19 vaccinations; advised residents looking to get vaccinated to visit Cape May County Website; stated vaccines are being given at the Avalon Community Center; briefly discussed vaccination process; continued to discuss Covid-19 Vaccination and distribution of the vaccine
- Spoke of Rio Grande Park's final phases; stated he was looking to have a grand opening within the next week or so

Motion to enter closed session – 6:33 pm
1st: Committeeman Gandy 2nd: Mayor Donohue
Pass on Roll Call: Committeeman Gandy, Mayor Donohue

Motion to re-enter open session – 7:37 pm
1st: Mayor Donohue 2nd: Committeeman Gandy
Pass on Roll Call: Committeeman Gandy, Mayor Donohue

Motion to adjourn meeting – 7:38 pm
1st: Committeeman Gandy 2nd: Mayor Donohue
Pass on Roll Call: Committeeman Gandy, Mayor Donohue

Andrea N. Singley, Deputy Township Clerk

Minutes prepared by E. Bowman