

Cape May Court House, NJ
March 15, 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, Committeemember Norris, Business Administrator/Township Clerk Kimberly Krauss, Deputy Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

1. PRESENTATION BY MAYOR AND COMMITTEE –EMPLOYEE OF THE MONTH - FEBRUARY – KYLE MORINELLI

Mayor Donohue:

- *Gave background on Kyle Morinelli*
- *Spoke of Kyle's ability to help maintain the recreation department and keep the community involved*
- *Recognizing Kyle for his work done for th basketball season allowing parents and families to still watch their kids play through live streams and live games at the end.*

Committeeman Norris:

- *Discussed all the hard work Kyle had done, especially during the Covid-19 Pandemic*

Kyle Morinelli:

- *Thanked Committeeman Norris; stated all the work done has been a team effort*

Committeeman Gandy:

- *Thanked Kyle for all the great work he has done*

Kimberly Krauss:

- *Stated the Township is lucky to have Kyle; spoke of his great leadership*

2. 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.)

NO COMMENTS

3. RESOLUTION 118-21 – 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. \$703,087.92

4. RESOLUTION 119-21 – 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: 03/01/2021 Work Session, Regular and Closed Session meetings.

5. REPORTS: Sewer Collection for the month of February; Sterback Harbor for the month of February; Tax Collector for the month of February; Finance for the month of February; Clerk for the month of February

6. ORDINANCE NO. 1617-21 – AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 84, ARTICLE I, SECTION 5, ENTITLED ALCOHOLIC BEVERAGES, HOURS - Following second reading, hearing, and consideration for adoption, Ordinance 1617-21 was adopted on motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call. Complete Ordinance is on file in the Clerk's Office.

WHEREAS, Chapter 84, of the Middle Township Municipal Code establishes the code pertaining to Alcoholic Beverages;

WHEREAS, Article I, Section 5 speaks to the hours during which alcoholic beverages may be sold or offered for sale on certain licensed premises located within the Township.

BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and State of New Jersey as follows:

SECTION 1. Chapter 84, Article I, Section 5 of the Code of the Township of Middle is hereby amended as follows (strikethroughs indicating deleted portions)

§ 84-5. Hours.

A. The hours during which alcoholic beverages may be sold or offered for sale on licensed premises by the holders of plenary retail consumption licenses or club licenses shall be between 7:00 a.m. and 2:00 a.m. the following day. ~~except that on Sundays no alcoholic beverages shall be sold or offered for sale between the hours of 2:00 a.m. and 11:00 a.m.~~

B. The hours during which alcoholic beverages may be sold or offered for sale on licensed premises by the holders of plenary retail distribution licenses shall be between 7:00 a.m. and 2:00 a.m. the following day. ~~except that on Sundays no alcoholic beverages shall be sold or offered for sale between the hours of 2:00 a.m. and 11:00 a.m.~~

C.- All times mentioned herein shall be prevailing local time.

D The hours during which alcoholic beverages may be sold or offered for sale in original containers for off-premises consumption by the holders of plenary retail distribution licenses shall be the same hours as those for the holders of plenary retail consumption licenses.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

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

Mayor Donohue:

- *Explained reason for the change in the ordinance*

7. ORDINANCE NO. 1618-21 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) - Following second reading, hearing, and consideration for adoption, Ordinance 1618-21 was adopted on motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call. Complete Ordinance is on file in the Clerk's Office.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Middle in the County of Cape May finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$203,707.41 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Middle, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Township of Middle shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$712,975.94, and that the CY 2021 municipal budget for the Township of Middle be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Donohue:

- *Stated the ordinance is done every year; explained need for the ordinance*

8. RESOLUTION 120-21 THROUGH 121-21 – APPOINTMENTS (ITEMS A THROUGH B) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A)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
Christopher Britton	Public Works	Laborer 1 P/T T/A – 6 months	\$12.00 per hour	03/16/2021

(B)BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following employee is hereby appointed to the temporary in-house title opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
David Maahs	Public Works	Acting Assistant Public Works Superintendent * / Supervising Equipment Operator**	\$45,000.00	03/15/2021

*In-house title of Temporary Appointment – 3 years

**Promotional Civil Service Title

9. RESOLUTION 122-21 – TEMPORARY BUDGET AMENDMENT – 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 Temporary Budget, as established during Reorganization 2021 via Resolution 21-21 is hereby amended as outlined on the attached.

Account Number	Account Description	2021 Temp Budget	Emergency Temp Budget - 40%
1-01-20-100-100-100	ADMIN & EXEC	42,000.00	55,000.00
1-01-20-100-100-200		20,000.00	23,000.00
1-01-20-100-101-200	PUBLIC AFFAIRS	200.00	4,000.00
1-01-20-101-101-100	BOARD STIPENDS	3,500.00	4,080.00
1-01-20-105-105-100	HUMAN RESOURCES	36,500.00	42,800.00
1-01-20-105-105-200		16,150.00	18,000.00
1-01-20-110-110-100	MAYOR & COMMITTEE	13,800.00	21,000.00
1-01-20-110-110-200		1,500.00	2,000.00
1-01-20-120-120-100	MUNICIPAL CLERK	39,000.00	58,800.00
1-01-20-120-120-200		9,600.00	14,500.00
1-01-20-120-121-200	CODIFICATION	2,257.50	3,400.00
1-01-20-130-130-100	FINANCIAL ADMINISTRATION	42,500.00	64,800.00
1-01-20-130-130-200		15,000.00	19,000.00
1-01-20-130-131-100	GRANTS ADMINISTRATION	8,750.00	17,000.00
1-01-20-130-131-200		7,000.00	10,400.00
1-01-20-132-132-100	INFORMATION TECHNOLOGY	17,000.00	28,600.00
1-01-20-132-132-200		2,000.00	3,600.00
1-01-20-135-135-200	AUDIT SERVICES	12,000.00	18,000.00
1-01-20-145-145-100	COLLECTION OF TAXES	45,000.00	68,400.00
1-01-20-145-145-200		9,800.00	14,800.00
1-01-20-150-150-100	ASSESSMENT OF TAXES	34,000.00	59,400.00
1-01-20-150-150-200		11,812.50	16,000.00
1-01-20-155-155-200	LIQUIDATION OF TTLS	4,000.00	12,000.00
1-01-20-155-156-200	LEGAL SERVICES	82,000.00	112,000.00
1-01-20-165-165-200	ENGINEERING SERVICES	25,000.00	40,000.00
1-01-21-180-180-100	SMART GROWTH	1,312.50	3,200.00
1-01-21-185-185-100	ZONING BOARD	24,675.00	40,000.00
1-01-21-185-185-200		10,500.00	14,280.00
1-01-22-195-195-100	CODE ENFORCEMENT	12,206.25	20,000.00
1-01-22-195-195-200		0.00	2,000.00
1-01-22-195-196-100	CONSTRUCTION CODE	25,000.00	34,920.00
1-01-22-195-196-200		3,700.00	5,712.00
1-01-22-195-198-200	DEMOLITION OF SUBSTANDARD BLDG	2,625.00	4,000.00
1-01-23-210-211-400	OTHER INSURANCE	48,000.00	75,000.00
1-01-23-215-215-400	WORKERS COMPENSATION INSURANCE	144,500.00	196,000.00
1-01-23-220-220-400	GROUP INSURANCE PLAN FOR EMP	969,000.00	1,300,000.00
1-01-23-221-221-400	HEALTH CARE WAIVER	40,000.00	45,000.00
1-01-23-225-225-400	UNEMPLOYMENT COMPENSATION	2,625.00	5,000.00
1-01-23-310-310-100	PUBLIC BUILDING AND GROUNDS	0.00	-
1-01-23-310-310-200		41,312.50	160,000.00
1-01-25-240-240-100	POLICE	1,250,000.00	2,004,000.00
1-01-25-240-240-200		94,000.00	145,000.00
1-01-25-250-250-100	COMMUNICATIONS	120,000.00	180,000.00
1-01-25-250-250-200		1,840.00	2,800.00
1-01-25-252-252-200	EMERGENCY MANAGEMENT SERVICE	275.00	400.00
1-01-25-262-262-100	EMERGENCY MEDICAL SERVICES	121,000.00	150,000.00
1-01-25-262-262-200		10,762.50	12,000.00
1-01-25-262-263-200	CONTRIBUTION-1ST AID SQUAD	20,000.00	40,000.00
1-01-25-265-265-200	FIRE PROTECTION	1,312.50	2,000.00
1-01-25-275-275-100	PROSECUTOR	9,000.00	14,400.00
1-01-26-290-291-100	PUBLIC WORKS	240,000.00	380,000.00
1-01-26-290-291-200		41,000.00	59,000.00
1-01-26-295-295-200	SNOW REMOVAL	0.00	-
1-01-26-300-301-200	SHADE TREE COMMISSION	200.00	200.00
1-01-26-305-306-373	CONTRACTUAL WASTE SERVICES	183,750.00	223,500.00
1-01-26-305-308-373		183,750.00	223,500.00
1-01-26-315-315-200	MOTOR POOL	60,000.00	105,800.00
1-01-27-330-330-100	BOARD OF HEALTH	250.00	250.00
1-01-27-330-330-200		250.00	250.00
1-01-27-340-340-100	ANIMAL CONTROL	16,800.00	28,000.00
1-01-27-340-340-200		2,100.00	3,200.00
1-01-27-340-340-300	ANIMAL SHELTER CONTRACT	50,000.00	132,923.00
1-01-28-370-370-100	RECREATION	55,800.00	98,000.00
1-01-28-370-370-200		13,800.00	21,300.00
1-01-28-370-371-100	SENIOR CENTER	15,750.00	23,200.00
1-01-28-370-371-200		6,500.00	8,000.00
1-01-30-415-415-100	TERMINAL LEAVE	10,000.00	20,000.00
1-01-31-430-430-475	UTILITIES	100,000.00	152,000.00
1-01-31-435-435-475	UTILITIES	2,500.00	3,400.00
1-01-31-436-436-299	UTILITIES	0.00	-
1-01-31-440-440-475	UTILITIES	22,300.00	36,800.00
1-01-31-445-445-475	UTILITIES	5,000.00	7,600.00
1-01-31-446-446-475	UTILITIES	15,000.00	22,000.00
1-01-31-447-447-475	UTILITIES	0.00	-
1-01-31-450-450-475	UTILITIES	5,775.00	7,200.00
1-01-31-460-460-475	UTILITIES	60,000.00	88,000.00
1-01-32-465-465-373	CONTRACTUAL	120,000.00	189,600.00
1-01-36-471-471-451	STATUTORY EXPENDITURES	75,000.00	105,000.00
1-01-36-471-471-453	STATUTORY EXPENDITURES	160,125.00	272,000.00
1-01-36-471-471-455	STATUTORY EXPENDITURES	200,000.00	30,000.00
1-01-36-471-471-457	STATUTORY EXPENDITURES	5,000.00	8,000.00
1-01-42-101-101-100	INTER-LOCAL AGREEMENTS	19,500.00	43,712.00
1-01-42-101-101-411	INTER-LOCAL AGREEMENTS	10,000.00	15,000.00
1-01-42-101-101-611	INTER-LOCAL AGREEMENTS	10,000.00	15,000.00
1-01-43-490-490-100	MUNICIPAL COURT	52,500.00	82,800.00
1-01-43-490-490-200		9,920.00	16,400.00
1-01-43-495-495-100	PUBLIC DEFENDER	4,600.00	7,200.00
	TOTAL CURRENT FUND TEMP BUDGET	\$ 5,211,186.25	\$ 7,615,127.00

SEWER UTILITY TEMPORARY BUDGET			
1-07-00-000-000-000	**SEWER OPERATING FUND APPROPRIATI	**STATUTORY EXPENDITURES	
1-07-36-471-471-000		PERS	15,000.00 15,000.00
1-07-36-471-471-451		SOCIAL SECURITY	16,000.00 16,000.00
1-07-36-471-471-453		**SALARIES & WAGES	55,000.00 75,000.00
1-07-55-501-501-100		OTHER EXPENSES	100,000.00 122,000.00
1-07-55-502-502-200		UTILITY INSURANCE	15,000.00 30,000.00
1-07-55-502-503-300		CMCMUA USER CHARGE	700,000.00 1,141,750.00
1-07-55-502-504-351		**CAPITAL IMPROVEMENT FUND	
1-07-55-511-511-000		CAPITAL IMPROVEMENT BUDGET	0.00 -
			-
		TOTAL SEWER UTILITY TEMP BUDGET	
			\$ 901,000.00 \$ 1,399,750.00

10. RESOLUTION 123-21 – AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES FOR EMPLOYEE BENEFITS CONSULTANT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, The Township of Middle has a need to award a contract for employee benefits insurance and broker consulting services as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.4; and WHEREAS, it has been determined that the value of the acquisition shall exceed \$17,500.00; and WHEREAS, the anticipated term of this contract shall be for the 2021 year; and WHEREAS, the Township of Middle wishes to hire Tom Rotondi of the Marsh & McLennan Agency as the consultant for the Township, and

WHEREAS, Tom Rotondi of Marsh & McLennan Agency has completed and submitted a Business Entity Disclosure Certification, which certifies that they have not made any reportable contributions to a politician or candidate for Committee in the Township of Middle in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and WHEREAS, the contract amount shall be charged to Group Insurance OE in the amount of \$50,000.00 contingent upon the approval of the 2021 budget; and NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, is hereby authorized to enter into a contract with Tom Rotondi of the Marsh & McLennan Agency as described herein and that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution; and BE IT FURTHER RESOLVED, that a copy of this Award Resolution shall be published in the Cape May County Herald as required by law.

11. RESOLUTION 124-21 – RATIFY LEASE AGREEMENT – QUALITY CARE RESOURCE CENTER – 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 agreement between Quality Care Resource Center and the Township of Middle, for usage of Block 1024, Lot(s) 9, 11, 14, 18 & 19, otherwise known as the Whitesboro School, for a term effective February 1, 2020 through June 30, 2022, be and is hereby ratified. FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign any and all documentation necessary to carry out the purpose and intent of this resolution.

BE IT FURTHER RESOLVED, that said agreement is contingent upon the review and approval of any and all insurance documents by the Township of Middle’s insurance carrier.

12. RESOLUTION 125-21 THROUGH 127-21 – RATIFY SHARED SERVICES AGREEMENT (ITEMS A THROUGH C) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the appropriate officials are hereby authorized and directed to sign said Shared Services Agreement with the County of Cape May relevant to Creative Place Making Implementation for the Avalon Manor Fishing Pier, for the term of March 23, 2021 through March 22, 2022.

(B) NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the appropriate officials are hereby authorized and directed to sign said Shared Services Agreement with the County of Cape May relevant to Creative Place Making Implementation for the Ockie Wisting Complex, for the term of March 23, 2021 through March 22, 2022.

(C) NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the appropriate officials are hereby authorized and directed to sign said Shared Services Agreement with the County of Cape May relevant to Creative Place Making Implementation for the Rio Grande Park, for the term of March 23, 2021 through March 22, 2022.

Mayor Donohue:

- *Explained reason for the shared service agreements with the county*

13. RESOLUTION 128-21 – AUTHORIZE MAYOR TO EXECUTE DISCHARGE OF MORTGAGE – 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 and State of New Jersey that the mortgage loan for Frank Resch, Jr. and Carolyn O. Resch for the property located at 27 Crest Road, Cape May Court House, New Jersey 08210, is hereby authorized to be discharged.

FURTHER BE IT RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.

14. RESOLUTION 129-21 – AUTHORIZING EXECUTION OF FAIR AND OPEN CONTRACT – DAVID A. STEFANKIEWICZ – STEFANKIEWICZ & BELASCO, LLC – PLANNING BOARD SOLICITOR – On motion by Committeeman Gandy seconded by Committeeman Norris 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 has solicited proposals, 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;

WHEREAS, the Planning Board of Adjustment has formally passed Resolution No. PB2021, David A. Stefankiewicz of Stefankiewicz & Belasco, LLC.

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:

David A. Stefankiewicz
Stefankiewicz & Belasco, LLC
Planning Board Solicitor
Not to Exceed \$33,000.00

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts with each of the above-mentioned individuals as necessary, to be followed with a resolution of award and certification as attached hereto.

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

15. RESOLUTION 130-21 – SEWER ADJUSTMENT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, A Billing adjustment is due to the property owner referenced below due to sewer not actually connected.

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 the sewer adjustment below is hereby acknowledged.

Account	Block	Lot	Owner/location	2021
12732	1067	6	Township of Middle Property location: 5 Tennessee Ave	\$640.00

16. RESOLUTION 131-21 – CLOSED SESSION – POTENTIAL LITIGATION (COAH), POTENTIAL LITIGATION (DRAINAGE EASEMENT)– On motion by Committeeman Gandy seconded by Committeeman Norris 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: POTENTIAL LITIGATION (DRAINAGE EASEMENT), POTENTIAL LITIGATION (COAH)

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

POTENTIAL LITIGATION (DRAINAGE EASEMENT), POTENTIAL LITIGATION (COAH)

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

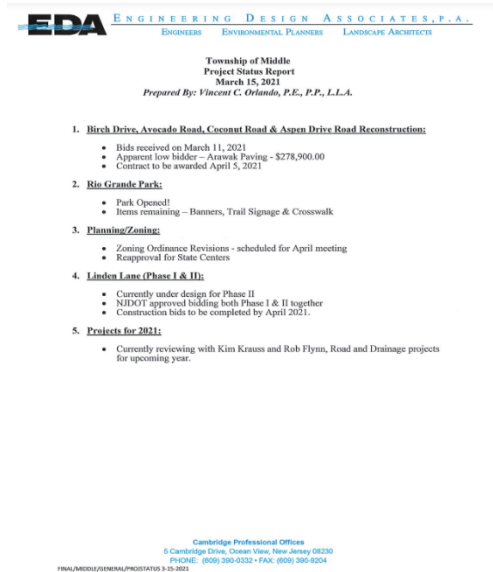
WHEN THE MATTER IS RESOLVED

4.) This Resolution shall take effect immediately.

ENGINEER REPORT:

Vince Orlando, Engineer:

- Gave briefing on engineer report submitted to the Governing Body:



Mayor Donohue:

- Discussed work session discussion regarding County projects

17. PUBLIC COMMENT:

Stan Doniger, Rio Grande:

- Asked about the repaving of roads and the possibility of repaving church road

Kimberly Krauss:

- Asked Mayor Donohue to verify that Church Road is a County road

Mayor Donohue:

- Clarified that Church Road is not a County road

John Menz:

- Asked about the timeline for the waterwork's bridge

Mayor Donohue:

- Stated the last he heard from the state the timeline looks to have the project completed by spring of 2022

Kimberly Krauss:

- Currently in their financing phase

Mayor Donohue:

- Discussed effects the construction could have on local businesses and properties; stated they will do their best to help alleviate traffic

Kathy McKelvey:

- Asked if more street lighting can be installed on Dias Creek Road before the curve west bound leading towards Springers Mill Road

Mayor Donohue:

- Stated the Township will look into it; explained there is a large cost to add more street lighting

COMMITTEE COMMENTS:

Committeeman Norris:

- Congratulated Kyle Morinelli
- Discussed completion of the basketball season; spoke of the success of the season and having no covid cases throughout its entirety
- Stated track and field is to continue during the upcoming spring; further stated this had the most sign up they ever had

Mayor Donohue:

- Gave credit to Committeeman Norris and the recreation team on their efforts to make sports events safe and successful for kids

Committeeman Gandy:

- Congratulated Kyle Morinelli
- Congratulated Chris Britton on his hire
- Congratulated David Maahs on his appointments as Acting Assistant Public Works Supervisor
- Reminded everyone that the Covid-19 vigil scheduled for the following night was rescheduled

Mayor Donohue:

- *Reminded everyone that the next day would be the one-year anniversary of the shut down; stated the event to mark the one-year anniversary was moved to March 27. Continued to discuss details of the event*
- *Discussed positive trend of covid cases; stated the County is at the lowest number it has been in 4 months; discussed distribution of covid-19 vaccines*
- *Recognized the retirement of Chris Camp*
- *Spoke of meeting between himself, Kimberly Krauss and INSA regarding Medical Marijuana facility; discussed change in laws pertaining to the enforcement of marijuana usage; explained the INSA has no plans to turn the planned facility on Indian Trail Road into a recreational marijuana use facility and will continue with plans to utilize it as a medical marijuana facility if they receive the license; spoke of the jobs that the facility could bring to Middle Township; continued to discuss the impact the new laws will have on the Township, State and on INSA*
- *Asked Chief Leusner to discuss incident in Rio Grande*

Chief Leusner:

- *Spoke of structure fire that was responded to by Officer's Bakley and Rocca; discussed officers' response upon learning that people were still inside the building; explained officer's abilities to get the elderly couple and their dog out of the house safely; discussed video being released to various news outlets of the officer's response*

Mayor Donohue:

- *Thanked officers*
- *Stated the fire company did a great job containing the fire*

Motion to enter closed session – 6:50 PM

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Motion to re-enter open session – 7:41 PM

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Motion to adjourn meeting – 7:42 PM

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Andrea N. Singley, Deputy Township Clerk

Minutes prepared by E. Bowman