

Cape May Court House, NJ  
May 3, 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 – MAY EMPLOYEE OF THE MONTH – RACHEL SHEPHERD

*Mayor Donohue:*

- Spoke of wanting to acknowledge employees of the month in-person once able to do so.
- Reviewed current gathering restrictions and spoke of the same being lifted at a future date.
- Congratulated Rachel on her nomination and provided background on her work history with the Township.
- Also discussed her various duties within the construction office.

*Committeeman Gandy:*

- Stated that Rachel is a huge help in the office and really stepped up when the office was in a transition period.
- Further discussed her part in the success of the construction office.

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.)

*Quanette Vasser-McNeal:*

- Asked about breakdown of salaries relating to item 6.

*Kimberly Krauss:*

- Explained changes to the law pertaining to rice notices.

*Quanette Vasser-McNeal:*

- Also asked if there is a list of salaries available to the public.

*Kimberly Krauss:*

- Confirmed that a list of all salaries is available in the Clerk's office.

*Quanette Vasser-McNeal:*

- Raised questions regarding public land sales.

*Kimberly Krauss:*

- Advised Ms. Vasser-McNeal that the item was not on the agenda and can be discussed during public comment.

3. RESOLUTION 177-21 – 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. \$2,967,764.06

4. RESOLUTION 178-21 – 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: 04/19/2021 Work Session, Regular and Closed Session meetings.

5. REPORTS: Zoning for the month of April

6. ORDINANCE NO. 1621-21 – AN ORDINANCE TO AMEND THE ZONING MAP OF THE TOWNSHIP OF MIDDLE AS FOUND IN SECTION 250-302 OF THE TOWNSHIP OF MIDDLE CODE - Following second reading, hearing, and consideration for adoption, Ordinance 1621-21 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 Township of Middle has developed a Master Plan to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-89, the governing body of the municipality shall provide for a general reexamination of its master plan and development regulations by the planning board at least once every ten (10) years; and

WHEREAS, the Township generated a Master Plan Reexamination Report, in accordance with said statute, in November of 2020; and

WHEREAS, said Master Plan Reexamination Report, having acknowledged the changing character and needs of the Township, recommended that certain properties be re-zoned to more effectively achieve the purpose and intent of the Master Plan; and

WHEREAS, the governing body has reviewed said proposed zoning changes, as articulated in the Master Plan Reexamination Report, consulted with municipal engineers and planners and determined that said zoning changes are in the best interests of the health, safety and welfare of the community to support and encourage appropriate development within the Township; and

WHEREAS, the adoption of said proposed zoning changes are exempt from the personal notice requirement of N.J.S.A. 40:55D-62.1 and parallel provision of N.J.S.A. 40:55D-63 as the same were recommended in connection with a periodic general reexamination of the Master Plan;

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Middle that the following properties be-rezoned and illustrated accordingly on the Zoning Map of the Township of Middle, as found in Section 250-302 of the Middle Township Code, as follows:

SECTION 1: The contents of the Master Plan Reexamination Report, generated in November of 2020, are incorporated by reference as if set forth at length herein.

SECTION 2: The following properties shall be reclassified on the Zoning Map of the Township of Middle as follows:

1. Block 1414.01, Lot 14: Re-zoned from Town Residential (TR) to Town Business (TB).
2. Block 1436.01, Lots 6, 7, 11 and 13: Re-zoned from Suburban Residential (SR) to Town Center (TC).
3. Block 985, Lots 1, 2 and 8 -12; Block 986, Lots 1, 2 and 4; Block 989, Lots 2 and 3; Block 990, Lots 1-5; Block 991, Lots 1-3; Block 992, Lots 1 and 2: Re-zoned from Business (B) and Suburban Residential (SR) to Town Business (TB).
4. Block 355.01, Lot 6: Re-zoned from Residential (R) to Town Business (TB).
5. Block 132.01 Lots 9-11, 14, 15, 19 and 22 and Block 135.02, Lots 1, 2 and 7: Re-zoned from Rural Conservation (RC) to Coastal Development (CD).
6. Block 132.01, Lot 31: Re-zoned from Rural Conservation (RC) to Town Center (TC).
7. Block 127, Lots 12 through 22: Re-zoned from Town Center (TC) to Residential (R).
8. Block 99.02, Lots 115.01, 115.02, 115.03, 115.04 and 117: Re-zoned from Suburban Residential (SR) to Residential (R).
9. Block 55.01, Lot 8: Re-zoned from Business (B) to Rural Conservation (RC).

SECTION 3: The balance of Chapter 250 should remain in full force in effect; however, any other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 4: Should any section, paragraph, sentence or clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 5: This Ordinance shall become effective immediately upon final passage and publication, according to law.

*Vincent Orlando:*

- *Explained process of re-examination of the master plan as well as planning board recommendation for zoning changes.*

*Mayor Donohue:*

- *Spoke of past public meetings and discussions regarding the proposed zoning changes and efforts made to have as much public input as possible including holding meetings at the PAC center.*

*Quanette Vasser-McNeal:*

- *Asked about location of specific blocks and lots being recommended for zoning changes.*

*Vincent Orlando:*

- *Explained reason for recommendations for the parcels referenced.*
- *Also explained the different types of zoning classes.*

*Quanette Vasser-McNeal:*

- *Questioned the goal of zoning changes.*

*Vincent Orlando:*

- *Discussed the factors considered by the Planning Board while discussing the zoning changes.*

*Quanette Vasser-McNeal:*

- *Asked for clarification on item 5 of the proposed Ordinance.*

*Vincent Orlando:*

- *Discussed properties on north side of Stone Harbor Boulevard and oversight during last master plan to not include those properties.*

*Quanette Vasser-McNeal:*

- *Asked if the master plan included any improvements regarding fair share housing.*

*Vincent Orlando:*

- *Spoke of current negotiations and plan being discussed with regard to affordable housing.*

*Kimberly Krauss:*

- Explained that the Ordinance is only pertaining to the changes being proposed to the zoning maps.

*Mayor Donohue:*

- Also explained that affordable housing is part of the master plan.

*Bob Noel:*

- Spoke of support for proposed zoning changes.

7. ORDINANCE NO. 1623-21 – REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE “TOWNSHIP”) PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING REFUNDING BONDS OF THE TOWNSHIP DATED APRIL 30, 2013, TO PROVIDE DEBT SERVICE SAVINGS FOR THE TOWNSHIP AND TAXPAYER RELIEF, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,800,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR - Following second reading, hearing, and consideration for adoption, Ordinance 1623-21 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, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the “Local Bond Law”), the Township of Middle, in the County of Cape May, State of New Jersey (the “Township”), had previously issued \$10,350,000 aggregate principal amount of Refunding Bonds, Series 2013 on February April 30, 2013 (the “Original Bonds”); and

WHEREAS, \$6,885,000 outstanding Original Bonds maturing in the years 2024 through 2042 (the “Refunded Bonds”) are currently subject to redemption, either in whole or in part, prior to their stated maturity; and

WHEREAS, the Township Committee has determined that the current interest rate environment would enable it to realize debt service savings for the Township and taxpayer relief by refunding all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$7,800,000 (the “Refunding Bonds”); and

WHEREAS, the Township Committee now desires to adopt this Refunding Bond Ordinance (the “Refunding Bond Ordinance”) authorizing the issuance of the Refunding Bonds in an aggregate principal amount not exceeding \$7,800,000, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds.

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The refunding of all or a portion of the Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the Refunded Bonds and to pay all related costs associated therewith, the Township is hereby authorized to issue the Refunding Bonds in an aggregate principal amount not to exceed \$7,800,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 *et seq.*, and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as “General Obligation Refunding Bonds” with such series designation as may be necessary to identify such bonds.

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve debt service savings for the Township and taxpayer relief by refunding all or a portion of the Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$170,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b) including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.

SECTION 5. A certified copy of this Refunding Bond Ordinance has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.

SECTION 6. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 7. The Chief Financial Officer of the Township is hereby authorized and directed to determine all matters and terms in connection with the Refunding Bonds, all in consultation with the Township bond counsel, municipal advisor and auditor, and the manual or facsimile signature of the Chief Financial Officer of the Township upon any documents shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer of the Township, the Township Clerk and any other Township official, officer or professional including, but not limited to, the Township bond counsel, municipal advisor and auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Refunding Bonds, including the refunding report required to be filed pursuant to N.J.A.C 5:30-2.5, and to take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds, in consultation with Township bond counsel, municipal advisor, and auditor, and any and all actions taken heretofore with respect to the sale and issuance of the Refunding Bonds are hereby ratified and confirmed.

SECTION 8. This Refunding Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**No public comment.**

*Mayor Donohue:*

- Explained purpose of the Ordinance; re-financing long-term sewer debt.
- Also discussed savings relative to both bond ordinances included in the agenda.

8. ORDINANCE NO. 1624-21 – REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE “TOWNSHIP”) PROVIDING FOR (i) THE REFUNDING OF ALL OR A PORTION OF OUTSTANDING BONDS OF THE TOWNSHIP, INCLUDING THOSE BONDS ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$3,390,000 DATED JULY 15, 2010 (WHITESBORO PHASE I); ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$1,150,000 DATED JULY 15, 2010 (WHITESBORO PHASE II) AND ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$3,663,000 DATED DECEMBER 15, 2011 (SSGC I) ALL ISSUED TO THE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT, IN ORDER TO PROVIDE DEBT SERVICE SAVINGS AND TAXPAYER RELIEF, (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,400,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR - Following second reading, hearing, and consideration for adoption, Ordinance 1624-21 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, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the “Local Bond Law”), the Township of Middle, in the County of Cape May, State of New Jersey (the “Township”), had previously issued \$3,390,000 aggregate principal amount of United States Department of Agriculture Rural Development Bonds on July 15, 2010 (the “2010-1 USDA Bonds”), \$1,150,000 aggregate principal amount of United States Department of Agriculture Rural Development Bonds on July 15, 2010 (the “2010-2 USDA Bonds”) and \$3,663,000 aggregate principal amount of United States Department of Agriculture Rural Development Bonds on December 15, 2011 (the “2011 USDA Bonds” and together, with the 2010-1 USDA Bonds and 2010-2 USDA Bonds, the “Original Bonds”); and

WHEREAS, a combined \$6,839,605.60 outstanding Original Bonds maturing in the years 2021 through 2051 are currently subject to redemption, prepayment or defeasance, either in whole or in part, prior to their stated maturity (the “Refunded Bonds”); and

WHEREAS, the Township Committee has determined that the current tax-exempt interest rate environment would enable it to realize debt service savings for the Township taxpayers by refunding all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$7,400,000 (the “Refunding Bonds”); and

WHEREAS, the Township Committee now desires to adopt this Refunding Bond Ordinance (the “Refunding Bond Ordinance”) authorizing the issuance of the Refunding Bonds in an aggregate principal amount not exceeding \$7,400,000, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds. BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The refunding of all or a portion of the Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the Refunded Bonds and to pay all related costs associated therewith, the Township is hereby authorized to issue the Refunding Bonds in an aggregate principal amount not to exceed \$7,400,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 *et seq.*, and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as “General Obligation Refunding Bonds” with such series designation as may be necessary to identify such bonds.

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve debt service savings for the Township and taxpayer relief by refunding all or a portion of the Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$170,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b) including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.

SECTION 5. A certified copy of this Refunding Bond Ordinance has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.

SECTION 6. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Township Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 7. The Chief Financial Officer of the Township is hereby authorized and directed to determine all matters and terms in connection with the Refunding Bonds, all in consultation with the Township bond counsel, municipal advisor and auditor, and the manual or facsimile signature of the Chief Financial Officer of the Township upon any documents shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer of the Township, the Township Clerk and any other Township official, officer or professional including, but not limited to, the Township bond counsel, municipal advisor and auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Refunding Bonds, including the refunding report required to be filed pursuant to N.J.A.C 5:30-2.5, and to take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds, in consultation with Township bond counsel, municipal advisor, and auditor, and any and all actions taken heretofore with respect to the sale and issuance of the Refunding Bonds are hereby ratified and confirmed.

SECTION 8. This Refunding Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

*Mayor Donohue:*

- *Further discussed purpose of bond ordinances.*

*Quanette Vasser-McNeal:*

- *Asked for confirmation on the Whitesboro projects included in the original bond.*

*Mayor Donohue:*

- *Confirmed that the bond was for the sewer and water projects done around 2010-2012 in Whitesboro.*

*Quanette Vasser-McNeal:*

- *Asked if project has been complete and if the utilities can be extended to other residents.*

*Mayor Donohue:*

- *Responded that it depends on the need and how the area develops.*
- *Spoke of upcoming Del Haven water project and willingness to discuss potential projects with residents.*

*Kimberly Krauss:*

- *Explained that the two bond ordinances were relative to USDA funds and need for USDA to sign-off on sewer projects.*

*Quanette Vasser-McNeal:*

- *Mentioned benefits to extend sewer into certain areas in Whitesboro.*

*Committeeman Gandy:*

- *Thanked all involved in preparation of bond ordinances.*

9. ORDINANCE NO. 1625-21 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO ESTABLISH AN ORDINANCE PROHIBITING SMOKING MARIJUANA IN PUBLIC AREAS - Following second reading, hearing, and consideration for adoption, Ordinance 1625-21 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, on February 22, 2021, the Governor of the State of New Jersey signed the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act and marijuana decriminalization laws; and
- WHEREAS, the new law legalizes and regulates cannabis use and possession for adults who are 21 and older and two companion laws, A1897 and S3454, decriminalize marijuana and hashish possession and clarify marijuana and cannabis use and possession penalties for individuals younger than 21 years old; and
- WHEREAS, the new law does not preempt the Township’s authority to regulate smoking or vaping these items in public; and
- WHEREAS, the Township retains authority pursuant to N.J.S.A. 40:48-2 to make, amend, repeal and enforce such ordinances, regulations, or rules not contrary to the laws of the State of New Jersey or the United States, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and
- WHEREAS, the Township Committee of the Township of Middle having reviewed the matter deems it in the Township’s best interests to regulate the use and smoking of marijuana in public areas.
- NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Middle in the County of Middle and State of New Jersey as follows:
- SECTION 1. The Code of the Township of Middle is hereby amended to include the following new chapter - Prohibition of Public Consumption of Cannabis, Marijuana, and Hashish
- (A) TOWNSHIP POLICY/PURPOSE
- The purpose of this Chapter is to regulate conduct in public areas affecting the public health, safety and general welfare by protecting residents of and visitors to the Township of Middle from the nuisance and health hazards of secondhand marijuana smoke, and to provide for the public health, safety and welfare by discouraging the inherently dangerous behavior of smoking marijuana around non-marijuana users; by protecting the public from nonconsensual exposure to secondhand marijuana smoke and marijuana-related litter and pollution; and, by affirming the family-friendly atmosphere of public areas in the Township of Middle.
- (B) DEFINITIONS
1. MARIJUANA
- "Marijuana" means all parts of the Cannabis plant, whether growing or not; the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, resin, or oil. For purposes of this section, any reference to "Marijuana" shall also include and incorporate by reference regulated Cannabis, Medical Cannabis, unregulated Marijuana and Hashish.
2. OPEN SPACE
- Means any nature areas, greenbelts, and wildlife and vegetation habitat areas open to the public.
3. OUTDOOR DINING AREAS
- Means dining areas that are not enclosed and part of a restaurant, business, nonprofit entity, place of employment, and located in any public place.
4. PARKS
- Means any public parks owned, leased, or utilized by the Township of Middle.
5. PUBLIC RIGHT OF WAY
- Public Right of Way means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the Township of Middle has an interest.
6. RECREATION AREA

Means any areas open to the general public for recreational purposes, regardless of any fee requirement, including, but not limited to public parks, beach and ocean beach areas, children's play areas, sports fields, playgrounds, tennis and basketball courts, and senior center outdoor areas.

#### 7. BIKE PATH

Means the public pedestrian walkway / pathway constructed over the municipal right-of-way or within any jurisdiction that the municipal has entered into an agreement with a private entity for use of the public.

#### 8. SCHEDULED PUBLIC EVENTS

Means any scheduled event within the Township of Middle where the public is invited some of which may require a permit, including but not limited to farmers markets, concerts, parades, or festivals.

#### 9. SMOKING

Means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted marijuana cigarette, pipe, vape, or similar device, or other matter or substance which contains marijuana or any other matter that can be smoked, or the inhaling or exhaling of marijuana smoke or vapor from an electronic smoking device.

#### 10. SMOKING DEVICE

Means any electronic or other device that can be used to deliver cannabis, marijuana, or hashish or other related substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or other device used to consume these products. This definition includes "vaping" the above-described products.

#### (C). RESTRICTIONS ON PUBLIC CONSUMPTION OF CANNABIS, MARIJUANA AND HASHISH

It is unlawful for any person to smoke or otherwise use or consume marijuana in or on any public open space, outdoor dining area, parks, public right of way, recreation area, promenade, or the area of any scheduled public event.

#### (D) ENFORCEMENT

The Middle Township Police Department is hereby charged with the enforcement of this section. All members of the Police Department are hereby designated as enforcement officers for the purpose of enforcement of this section.

#### (E) PENALTIES

Any person who is found guilty of violating this section shall pay fines as follow:

- a. For a first offense, a fine of not less than \$100 nor more than \$250.
- b. For a second or subsequent offense, a fine of not less than \$500 nor more than \$1,000.

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 after final passage and publication, according to law.

*Mayor Donohue:*

- *Provided background on proposed ordinance; driven by referendum on ballot in November that was approved by voters.*

*Quanette Vasser McNeal:*

- *Asked if the Township was moving forward with the proposed marijuana facility on Indian Trail.*

*Mayor Donohue:*

- *Explained that it was not a Township project; Township provided letter of support to INSA to obtain a license from the State.*
- *Discussed INSA's proposal and benefits to the company coming to Middle Township as well as request to increase their growing capacity.*
- *Clarified resolution was in support of the facility being for medicinal use.*

*Quanette Vasser McNeal:*

- *Asked how employment projections are calculated.*

*Mayor Donohue:*

- *Spoke of INSA facilities located in other states; models were used from those existing facilities.*

*Quanette Vasser McNeal:*

- *Asked for clarification on legality of marijuana use in Middle Township.*

*Mayor Donohue:*

- *Explained that the Township can only take action on property owned by the Township; rest is regulated at State level.*
- *Spoke of timelines set forth by the State for municipalities to act.*

*Kellie Fields:*

- *Asked about intent of INSA with regard to hiring of new employees.*

*Mayor Donohue:*

- *Responded that the Township cannot force them to hire locally but believes the intent is to hire as many local residents as possible; cannot speak for INSA.*
- *Also added that if the license gets approved, he is confident in the Township's ability to speak with INSA about hiring local residents.*

*Bob Noel:*

- *Provided an example of someone smoking marijuana in a public place such as a restaurant parking lot.*

*Mayor Donohue:*

- *Informed Mr. Noel that this ordinance cannot prohibit the use provided in his example.*
- *Spoke of lengthy State regulations; still a lot of unknowns and shares same concerns.*

*Committeeman Gandy:*

- *Clarified that drinking and smoking are currently prohibited on Township properties; in support of Ordinance.*

10. RESOLUTION 179-21 – ACKNOWLEDGEMENT OF RETIREMENT – 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 retirement listed below is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Clinton Stocker	Public Safety – Police	Police Sergeant	08/01/2021
William Adams	Public Safety – Police	Police Captain	02/01/2022

11. RESOLUTION 180-21 – 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 the following employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT/BOARD	TITLE	SALARY/STIPEND	EFFECTIVE
Megan Burlaga	Emergency Medical Services	Emergency Medical Technician	\$12.60 per hour	04/30/2021

12. RESOLUTION 181-21– AUTHORIZE CHANGE IN EMPLOYMENT STATUS – 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 that the following employee is hereby designated to the employment status listed below:

NAME	DEPARTMENT	PREVIOUS STATUS	AMENDED STATUS	SALARY	EFFECTIVE DATE
Joe Hess	Public Works	Laborer 1 F/T T/A (6 months)	Laborer 1 F/T Permanent	\$25,489.80	05/03/2021
Kerry Gassler	Public Works	Laborer 1 F/T T/A (6 months)	Laborer 1 F/T Permanent	\$25,489.80	05/03/2021

13. RESOLUTION 182-21 – 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, and amended via Resolution 122-21 is hereby amended as outlined on the attached.

Account Number	Account Description		Emergency Temporary		
			2021 Temp Budget	Budget - 40%	Budget - 50%
1-01-20-100-100-100	ADMIN & EXEC	SALARIES AND WAGES	42,000.00	55,000.00	65,900.00
1-01-20-100-100-200		OTHER EXPENSES	20,000.00	23,000.00	23,812.50
1-01-20-100-101-200	PUBLIC AFFAIRS	OTHER EXPENSES	200.00	4,000.00	5,000.00
1-01-20-101-101-100	BOARD STIPENDS	SALARIES AND WAGES	3,500.00	4,080.00	5,100.00
1-01-20-105-105-100	HUMAN RESOURCES	SALARIES AND WAGES	36,500.00	42,800.00	57,500.00
1-01-20-105-105-200		OTHER EXPENSES	16,150.00	18,000.00	18,000.00
1-01-20-110-110-100	MAYOR & COMMITTEE	SALARIES AND WAGES	13,800.00	21,000.00	26,250.00
1-01-20-110-110-200		OTHER EXPENSES	1,500.00	2,000.00	2,000.00
1-01-20-120-120-100	MUNICIPAL CLERK	SALARIES AND WAGES	39,000.00	58,800.00	81,500.00
1-01-20-120-120-200		OTHER EXPENSES	9,600.00	14,500.00	18,360.00
1-01-20-120-121-200	CODIFICATION	OTHER EXPENSES	2,257.50	3,400.00	4,300.00
1-01-20-130-130-100	FINANCIAL ADMINISTRATION	SALARIES AND WAGES	42,500.00	64,800.00	83,500.00
1-01-20-130-130-200		OTHER EXPENSES	15,000.00	19,000.00	26,500.00
1-01-20-130-131-100	GRANTS ADMINISTRATION	SALARIES AND WAGES	8,750.00	17,000.00	26,000.00
1-01-20-130-131-200		OTHER EXPENSES	7,000.00	10,400.00	13,250.00
1-01-20-132-132-100	INFORMATION TECHNOLOGY	SALARIES AND WAGES	17,000.00	28,600.00	36,500.00
1-01-20-132-132-200		OTHER EXPENSES	2,000.00	3,600.00	5,100.00
1-01-20-135-135-200	AUDIT SERVICES	OTHER EXPENSES	12,000.00	18,000.00	20,000.00
1-01-20-145-145-100	COLLECTION OF TAXES	SALARIES AND WAGES	45,000.00	68,400.00	89,500.00
1-01-20-145-145-200		OTHER EXPENSES	9,800.00	14,800.00	16,950.00
1-01-20-150-150-100	ASSESSMENT OF TAXES	SALARIES AND WAGES	34,000.00	59,400.00	75,750.00
1-01-20-150-150-200		OTHER EXPENSES	11,812.50	16,000.00	22,000.00
1-01-20-155-155-200	LIQUIDATION OF TTLS	OTHER EXPENSES	4,000.00	12,000.00	15,000.00
1-01-20-155-156-200	LEGAL SERVICES	OTHER EXPENSES	82,000.00	112,000.00	155,000.00
1-01-20-165-165-200	ENGINEERING SERVICES	OTHER EXPENSES	25,000.00	40,000.00	50,000.00
1-01-21-180-180-100	SMART GROWTH	OTHER EXPENSES	1,312.50	3,200.00	5,000.00
1-01-21-185-185-100	ZONING BOARD	SALARIES AND WAGES	24,675.00	40,000.00	52,500.00
1-01-21-185-185-200		OTHER EXPENSES	10,500.00	14,280.00	22,980.00
1-01-22-195-195-100	CODE ENFORCEMENT	SALARIES AND WAGES	12,206.25	20,000.00	27,500.00
1-01-22-195-195-200		OTHER EXPENSES	0.00	2,000.00	2,500.00
1-01-22-195-196-100	CONSTRUCTION CODE	SALARIES AND WAGES	25,000.00	34,920.00	52,500.00
1-01-22-195-196-200		OTHER EXPENSES	3,700.00	5,712.00	5,900.00
1-01-22-195-198-200	DEMOLITION OF SUBSTANDARD BLDG	OTHER EXPENSES	2,625.00	4,000.00	5,000.00
1-01-23-210-211-400	OTHER INSURANCE	OTHER EXPENSES	48,000.00	75,000.00	81,475.00
1-01-23-215-215-400	WORKERS COMPENSATION INSURANCE	OTHER EXPENSES	144,500.00	196,000.00	264,483.00
1-01-23-220-220-400	GROUP INSURANCE PLAN FOR EMP	OTHER EXPENSES	969,000.00	1,300,000.00	1,500,000.00
1-01-23-221-221-400	HEALTH CARE WAIVER	OTHER EXPENSES	40,000.00	45,000.00	60,000.00
1-01-23-225-225-400	UNEMPLOYMENT COMPENSATION	OTHER EXPENSES	2,625.00	5,000.00	7,500.00
1-01-23-310-310-100	PUBLIC BUILDING AND GROUNDS	SALARIES AND WAGES	0.00	-	-
1-01-23-310-310-200		OTHER EXPENSES	41,312.50	160,000.00	211,650.00
1-01-25-240-240-100	POLICE	SALARIES AND WAGES	1,250,000.00	2,004,000.00	2,550,000.00
1-01-25-240-240-200		OTHER EXPENSES	94,000.00	145,000.00	184,318.50
1-01-25-250-250-100	COMMUNICATIONS	SALARIES AND WAGES	120,000.00	180,000.00	225,000.00
1-01-25-250-250-200		OTHER EXPENSES	1,840.00	2,800.00	3,500.00
1-01-25-252-252-200	EMERGENCY MANAGEMENT SERVICE	OTHER EXPENSES	275.00	400.00	500.00
1-01-25-262-262-100	EMERGENCY MEDICAL SERVICES	SALARIES AND WAGES	121,000.00	150,000.00	256,500.00
1-01-25-262-262-200		OTHER EXPENSES	10,762.50	12,000.00	15,000.00
1-01-25-262-263-200	CONTRIBUTION-1ST AID SQUAD	OTHER EXPENSES	20,000.00	40,000.00	40,000.00
1-01-25-265-265-200	FIRE PROTECTION	OTHER EXPENSES	1,312.50	2,000.00	3,500.00
1-01-25-275-275-100	PROSECUTOR	OTHER EXPENSES	9,000.00	14,400.00	18,000.00
1-01-26-290-291-100	PUBLIC WORKS	SALARIES AND WAGES	240,000.00	380,000.00	493,000.00
1-01-26-290-291-200		OTHER EXPENSES	41,000.00	59,000.00	76,075.00
1-01-26-295-295-200	SNOW REMOVAL	OTHER EXPENSES	0.00	-	-
1-01-26-300-301-200	SHADE TREE COMMISSION	OTHER EXPENSES	200.00	200.00	200.00
1-01-26-305-306-373	CONTRACTUAL WASTE SERVICES	GARBAGE & TRASH	183,750.00	223,500.00	276,155.00
1-01-26-305-308-373		RECYCLING	183,750.00	223,500.00	276,155.00
1-01-26-315-315-200	MOTOR POOL	OTHER EXPENSES	60,000.00	105,800.00	132,250.00
1-01-27-330-330-100	BOARD OF HEALTH	SALARIES AND WAGES	250.00	250.00	425.00
1-01-27-330-330-200		OTHER EXPENSES	250.00	250.00	425.00
1-01-27-340-340-100	ANIMAL CONTROL	SALARIES AND WAGES	16,800.00	28,000.00	36,500.00
1-01-27-340-340-200		OTHER EXPENSES	2,100.00	3,200.00	4,000.00
1-01-27-340-340-300	ANIMAL SHELTER CONTRACT	OTHER EXPENSES	50,000.00	132,923.00	132,923.00
1-01-28-370-370-100	RECREATION	SALARIES AND WAGES	55,800.00	98,000.00	122,500.00
1-01-28-370-370-200		OTHER EXPENSES	13,800.00	21,300.00	27,575.00
1-01-28-370-371-100	SENIOR CENTER	SALARIES AND WAGES	15,750.00	23,200.00	30,000.00
1-01-28-370-371-200		OTHER EXPENSES	6,500.00	8,000.00	10,000.00
1-01-30-415-415-100	TERMINAL LEAVE	SALARIES AND WAGES	10,000.00	20,000.00	20,000.00
1-01-31-430-430-475	UTILITIES	ELECTRICITY COSTS	100,000.00	152,000.00	180,000.00
1-01-31-435-435-475	UTILITIES	STREET LIGHTING COSTS	2,500.00	3,400.00	4,250.00
1-01-31-436-436-299	UTILITIES	POSTAGE	0.00	-	-
1-01-31-440-440-475	UTILITIES	TELEPHONE COSTS	22,300.00	36,800.00	50,000.00
1-01-31-445-445-475	UTILITIES	WATER	5,000.00	7,600.00	9,500.00
1-01-31-446-446-475	UTILITIES	NATURAL GAS COSTS	15,000.00	22,000.00	35,000.00
1-01-31-447-447-475	UTILITIES	FUEL OIL COSTS	0.00	-	-
1-01-31-450-450-475	UTILITIES	INTERNET	5,775.00	7,200.00	9,000.00
1-01-31-460-460-475	UTILITIES	GASOLINE COSTS	60,000.00	88,000.00	110,000.00
1-01-32-465-465-373	CONTRACTUAL	SANITARY LANDFILL	120,000.00	189,600.00	242,500.00
1-01-36-471-471-451	STATUTORY EXPENDITURES	PERS	75,000.00	105,000.00	218,120.00
1-01-36-471-471-453	STATUTORY EXPENDITURES	SOCIAL SECURITY	160,125.00	272,000.00	351,607.00
1-01-36-471-471-455	STATUTORY EXPENDITURES	PFRS	200,000.00	300,000.00	600,000.00
1-01-36-471-471-457	STATUTORY EXPENDITURES	DCRP	5,000.00	8,000.00	10,000.00
1-01-42-101-101-100	INTER-LOCAL AGREEMENTS	CMC TECH SCHOOL (SRO)	19,500.00	43,712.00	54,641.00
1-01-42-101-101-411	INTER-LOCAL AGREEMENTS	JIF FIRE DIST #2	10,000.00	15,000.00	15,000.00
1-01-42-101-101-611	INTER-LOCAL AGREEMENTS	JIF FIRE DIST #3	10,000.00	15,000.00	15,000.00
1-01-43-490-490-100	MUNICIPAL COURT	SALARIES AND WAGES	52,500.00	82,800.00	112,000.00
1-01-43-490-490-200		OTHER EXPENSES	9,920.00	16,400.00	15,365.00
1-01-43-495-495-100	PUBLIC DEFENDER	OTHER EXPENSES	4,600.00	7,200.00	9,000.00
		<b>TOTAL CURRENT FUND TEMP BUDGET</b>	<b>\$ 5,211,186.25</b>	<b>\$ 7,885,127.00</b>	<b>10,217,245.00</b>
<b>SEWER UTILITY TEMPORARY BUDGET</b>					
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	15,000.00
1-07-36-471-471-451		SOCIAL SECURITY	16,000.00	16,000.00	16,000.00
1-07-36-471-471-453		**SALARIES & WAGES	55,000.00	75,000.00	100,000.00
1-07-55-501-501-100		OTHER EXPENSES	100,000.00	122,000.00	125,000.00
1-07-55-502-502-200		UTILITY INSURANCE	15,000.00	30,000.00	40,000.00
1-07-55-502-503-300		CMCMUA USER CHARGE	700,000.00	1,141,750.00	1,400,000.00
1-07-55-502-504-351		**CAPITAL IMPROVEMENT FUND			
1-07-55-511-511-000		CAPITAL IMPROVEMENT BUDGET	0.00	-	-
1-07-55-511-511-000					
		<b>TOTAL SEWER UTILITY TEMP BUDGET</b>			
			<b>\$ 901,000.00</b>	<b>\$ 1,399,750.00</b>	<b>1,696,000.00</b>

14. 2021 BUDGET PRESENTATION - LEON COSTELLO, FORD SCOTT & ASSOCIATES AND SUSAN QUINONES, CFO

*Leon Costello, Municipal Auditor:*

- Discussed circumstances surrounding the delay in budget introduction.
- Spoke of proposed two cent tax increase as well as confidence in being able to off-set increase with stimulus funds once guidance is received from the State.
- Explained public hearing and potential budget amendment once guidance is obtained.

*Susan Quinones, CFO:*

- Reviewed five revenues that were impacted by COVID-19; \$518,000 less than anticipated.
- Spoke of monthly tracking and reduction of expenses.



- Also spoke of hope to reduce tax increase with stimulus funds and looking at impacts for the next budget year as well.

Mayor Donohue:

- Spoke of unique challenges faced this year.
- Touched on decision to delay introduction while waiting to determine how stimulus funds could be utilized.
- Mentioned new law requiring hospitals to pay to host community and thanked Cape Regional.
- Spoke of press releases and public information relating to the budget.

15. RESOLUTION 183-21 – INTRODUCTION OF BUDGET BY TITLE ONLY – 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 the 2021 Budget for the Township of Middle be introduced, approved and given first reading by title only.

16. RESOLUTION 184-21 – ESTABLISHING A GREEN TEAM FOR SUSTAINABLE JERSEY PROGRAM – 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 strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally, and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Middle wishes to build a model of government which benefits our residents now and far into the future with green community initiatives outlined in the Sustainable Jersey Program, which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green team; and

WHEREAS, the Township Committee of the Township of Middle wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first; and

WHEREAS, the following actions will be priorities for the Green Team as the Township moves to do their share to lessen the environmental impact of its operations: energy conservation; smart growth principals; protection of natural resources; smart growth principals of development; and community education.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that we do hereby establish a Green team consisting of all the members of the Middle Township Environmental Commission.

BE IT FURTHER RESOLVED, by the Middle Township Governing Body, that we do hereby appoint the following persons to the Green team for 2021:

Vilma Pombo, Chairman  
 Rachel Shepherd  
 Amanda DeVico  
 Betsy Haskin  
 Betsy Kohler  
 Tarin Mason  
 Josh Nemeth  
 Larissa Smith  
 Dawn Stimmel, Secretary

17. RESOLUTION 185-21 – CANCELLATION OF TAX TITLE LIEN – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Middle Township Tax Collector has received final judgement for Foreclosure Group 198, and

WHEREAS, it is hereby deemed necessary to cancel tax title liens and also the current taxes for said foreclosure group.

NOW THEREFORE BE IT RESOLVED, that the following tax title liens and property taxes as listed below are hereby cancelled:

Certificate #	Account #	Block	Lot	Former owner	Property location	Lien amount to cancel
2018-0034	1511	52	15	Rourke, Elizabeth A	803 Goshen Rd	\$23,450.02
2015-8169	1807	64	1	Saddler, Charles R	35 Goshen Rd	\$ 2,866.38
2018-0085	3632	175	2	Davis, Robert	Magnolia Ave	\$ 997.22
2018-0087	3667	176	2	Davis, Robert	Magnolia Ave	\$ 997.22
2017-8934	3947	191	2	Wells, Matilda	Pine Ave	\$ 1,017.50
2017-9079	11118	883	15	Foster, Olivine I & Vivian H	W Anna St	\$ 9,378.27
2017-9092	11558	929	4	Shropshire, A & J M	207 Reading Ave	\$17,995.28
2009-5730	11612	934	15	South Gate Lodge 62 Afam	222 W Main St	\$ 7,626.78
2017-9099	11638	935	13	Hopkins, Joyce A	114 W Main St	\$13,976.92
2017-9101	11631	935	17	Tyler, Wilton S	2 N George St	\$20,495.35
2009-5735	11677	938	3	Williams, Matilda	119 W Main St	\$ 3,096.79
2008-5399	11675	938	18	Williams, Matilda	W Wiley St	\$ 5,099.69

2014-7989	11772	944	8	Crawley, James M Etals	Sumner St	\$ 2,587.13
2014-7990	11770	944	10	Crawley, James M Jr Etals	Sumner St	\$ 1,286.71
2014-7992	11768	944	12	Crawley, James M Jr Etals	208 S George St	\$ 1,572.18
2018-0278	12376	1031	12	James, William & Naomi	14 E Wiley St	\$11,950.13
2014-8040	12721	1066	12	Jones, Wayman Sr & Roslyn	Georgia Ave	\$ 2,816.00
2014-8041	12707	1066	14	Jones, Wayman Sr & Roslyn	Wildwood Ave	\$ 2,458.20

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

18. RESOLUTION 186-21 – CANCEL SEWER – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the below properties have been foreclosed by the Township of Middle and hereby are cancelled. 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 cancellation of sewer below is hereby acknowledged.

Account	Block	Lot	Property location	2021
11558	929	4	207 Reading Ave	\$640.00
11631	935	17	2 N George St	\$640.00
12376	1031	12	14 E Wiley St	\$640.00

19. RESOLUTION 187-21 – RATIFY SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND TOWNSHIP OF DENNIS – SOLID WASTE AND RECYCLING COLLECTION SERVICES FOR THE PROPERTY LOCATED AT 13 FISH HAWK LANE, DENNIS TOWNSHIP, NEW JERSEY – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the property known as 13 Fish Hawk Lane is located in Dennis Township and currently receives solid waste and recycling collection through the Township of Dennis; and WHEREAS, the property is located in a neighborhood that is close to the Middle Township boundary, with all other properties on the street being located within the Township of Middle and receiving said services from the Township of Middle; and WHEREAS, the Uniform Shared Services and Consolidation Act., N.J.S.A. 40A:65-1, et. Seq., authorizes municipalities to enter into agreements for the exchange of sharing services; and WHEREAS, the Township of Middle and the Township of Dennis desire to enter into a Shared Services Agreement for the solid waste and recycling collection for said property; and WHEREAS, a Shared Services Agreement has been prepared to allow for the solid waste and recycling collection for the property known at 13 Fish Hawk Lane under terms agreeable to the Township of Middle and the Township of Dennis. 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 Township of Dennis relevant to Solid Waste and Recycling Collection for the property Located at 13 Fish Hawk Lane, Dennis Township, New Jersey, for the term of May 1, 2021 through December 31, 2021.

*Mayor Donohue:*

- *Explained the reason behind Resolution for trash pickup for property.*

20. RESOLUTION 188-21 – AUTHORIZING APPLICATION – STOP THE BLEED TRAINING KIT 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 desires to apply for and obtain a the Stop the Bleed Training Kit Grant Program for approximately \$1,000.00 to teach Emergency Medical Technicians the American College of Surgeons Stop the Bleed Course. NOW, THEREFORE, BE IT RESOLVED, that the Township of Middle does hereby authorize the application for such a grant, and BE IT FURTHER RESOLVED, that the Township of Middle hereby recognizes and accepts that the organization may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from said organization, does further authorize the execution of any such grant agreement; and also, further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Middle and Lowe's. BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary on connection therewith.

*Mayor Donohue:*

- *Recognized Nancy Burke for taking initiative to apply for the approved grant to help train EMS employees.*

21. RESOLUTION 189-21 – AUTHORIZING ACCEPTANCE OF CASH BOND – 608-610 MULLICA HILL RD LLC – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, 608-610 Mullica Hill Rd, LLC has received certain approvals for the property located at 210 North Main Street to include landscape buffering, and  
WHEREAS, the developer is about to or has commended development of the project together with the related improvement and has chosen to post a cash bond for the same.  
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the cash bond in the amount of \$11,000.00 is hereby accepted.  
FURTHER BE IT RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.

22. RESOLUTION 190-21 – 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.

23. PUBLIC COMMENT:

*Committeeman Gandy:*

- *Discussed successful opening day for baseball.*
- *Thanked Rachel Shepherd for all of her hard work in the construction office.*

*Committeeman Norris:*

- *Seconded Committeeman Gandy's comments on opening day.*
- *Thanked all involved in success of the day.*
- *Mentioned in-house summer basketball league open to all children in the County.*
- *Spoke of upcoming Drum Fish Tournament and Memorial Day Parade and activities.*
- *Also thanked everyone at the Township for all that they do and everyone who joined the meeting.*

*Mayor Donohue:*

- *Also recognized baseball opening day and Hurrikanen tribute.*
- *Stated that the Township is working on updating the basketball courts before the beginning of the season.*
- *Discussed the current State of COVID and active cases as well as going back to in-person meetings.*
- *Reviewed efforts to get information out to assist residents in getting vaccinated.*
- *Spoke of vaccine clinic at MLK Center and thanked all those who helped with the event.*
- *Also mentioned another clinic being scheduled and provided information on the same.*
- *Discussed Governor Murphy beginning to ease restrictions; excited to get back to traditions.*
- *Spoke of food drive being sponsored by the fire departments.*
- *Provided update on various road projects as well as bike path north project.*
- *Thanked public works for their efforts in the Township shred day.*
- *Discussed efforts to coordinate summer events.*
- *Spoke of Juneteenth event and Township's support of the same.*

*Jeff DeVico:*

- *Thanked all involved in helping with a personal situation including Township Officials and Police Department.*

*Mayor Donohue:*

- *Thanked Jeff for coming onto meeting.*
- *Stated that his family has been in everyone's thoughts and prayers.*

*Quanette Vasser-McNeal:*

- *Congratulated Rachel Shepherd on her employee of the month nomination.*
- *Asked various questions surrounding new hire.*

*Mayor Donohue:*

- *Explained that Suzanne Schumann was hired at the previous Township meeting and further explained the rationale around the hiring.*

*Kim Krauss:*

- *Also discussed classification of Civil Service title.*

*Quanette Vasser-McNeal:*

- *Asked if position was posted.*

*Kim Krauss:*

- *Further explained in-house titles and non-competitive titles as well as rationale behind the hire.*
- *Also explained that there is not a residency requirement for employees other than the Police.*

*Quanette Vasser-McNeal:*

- *Spoke of participance in Governor's Call regarding local issues.*
- *Mentioned focus on the DMV, affordable housing and lack of vaccinations.*
- *Questioned why the NAACP was excluded from recognition in various community events.*

*Mayor Donohue:*

- *Explained the circumstances that lead to the vaccine event being hosted by the Township.*
- *Discussed other Township events where organizations were honored for their service to the Township.*

*Quanette Vasser-McNeal:*

- *Spoke of e-mail received regarding Juneteenth celebration and Township's involvement of the same.*

*Mayor Donohue:*

- *Discussed partnership with organizations to hold event last year.*
- *Also explained Township's stance on involvement in the celebration; being held a Township-owned facility.*

*Kellie Fields:*

- *Introduced herself and explained her involvement in the NAACP.*
- *Discussed concerns with location of vaccine clinics as well as partnerships with African American organizations.*

*Mayor Donohue:*

- *Spoke of the State's role in orchestrating clinics and particulars surrounding event at the MLK Center; intention was not for anyone to feel excluded.*
- *Welcome constructive criticism during this time of learning.*

*Dawn Gayle:*

- *Asked why the Juneteenth event was not being held on the 19<sup>th</sup>.*
- *Spoke of annual Whitesboro Reunion and collaborative amongst organizations to plan the event.*

*Mayor Donohue:*

- *Discussed want to host the event on a Saturday.*
- *Also explained semantics around other events as well as lease agreements with the Concerned Citizens of Whitesboro.*
- *Explained reason behind Township offering to host events to alleviate insurance needs as well as provide staff.*

*Mr. Wilson:*

- *Pointed out that June 19<sup>th</sup> is also a Saturday.*

*Bob Noel:*

- *Asked if a committee is being considered to study pros and cons of marijuana licensing.*

*Mayor Donohue:*

- *Spoke of timeframe set fourth for municipalities to act as well as more particulars regarding restrictions.*
- *Provided explanation on State's role in licensing.*
- *Compared "banning" marijuana to towns that currently are considered "dry" towns as far as alcohol is concerned.*
- *Spoke of putting a group together in June and various components of the marijuana legalization that the group can potentially research.*

*Melissa Moore:*

- *Questioned if Township would still host Juneteenth event should the other involved organizations decide to back out.*

*Mayor Donohue:*

- *Listed various organizations invited to the event and hopes for talks with organizations on what they envision for the future of the event.*

*Melissa Moore:*

- *Explained meaning behind Juneteenth and expressed concerns with creating a divide and friction within the community.*

*Mayor Donohue:*

- *Stated that anyone backing out of the event was not considered.*

*Committeeman Norris:*

- *Spoke of conversation with another member of the organization to explain why the Township was offering to host the event, mainly to take on liability.*
- *Apologized for indicating the wrong date in the e-mail that was sent out.*

*Mayor Donohue:*

- *Stated that the NAAP can host the event and submit the proper paperwork.*
- *Spoke of the Township's desire for it to be a good event and for everyone to feel good about it.*

*Dawn Robinson:*

- *Asked if the Township could still offer services even if they do not host it.*

*Mayor Donohue:*

- *Responded that services can still be accessible and does not want the perception that the Township is attempting to take over the event.*

*Tracy Cardwell:*

- *Spoke of her thoughts surrounding language on fliers.*

*Mayor Donohue:*

- *Thanked everyone for coming to the meeting to provide input.*
- *Township will play the support role.*

*Bob Noel:*

- *Spoke of his hopes of all organizations co-hosting event together.*
- *Encouraged everyone to get together and work it out.*

*Mayor Donohue:*

- *Cited historical significance behind event.*

*Quanette Vasser-McNeal:*

- *Explained Juneteenth event held last year and reason behind concerns voiced at tonight's meeting.*
- *Spoke of planning over the last year for the event; currently securing insurance.*
- *Glad the situation was resolved.*

*Mayor Donohue:*

- *Reiterated that the Township is here to support the event.*

*Peggy Blank:*

- *Asked what is going in the old Burger King.*

*Mayor Donohue:*

- *Stated he believes it to be a Popeye's.*

*Mayor Donohue:*

- *Thanked everyone for coming out and encouraged participation in meetings.*

Motion to adjourn meeting – 8:01 pm

1<sup>st</sup>: Committeeman Gandy

2<sup>nd</sup>: Committeeman Norris

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

Kimberly D. Krauss, Township Clerk

Minutes prepared by A. Singley