

**Cape May Court House, New Jersey  
TOWNSHIP OF MIDDLE  
TOWNSHIP COMMITTEE  
WORK SESSION AGENDA  
April 19, 2021 5:00 PM (prevailing time)**

**CALL TO ORDER:**

Mayor's Announcement: 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).

Notice of this meeting was properly given in Resolution No. 26-21 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 7, 2021.

Members present are Mayor Donohue, Deputy Mayor Gandy, and Committeemember Norris

Business Administrator/Township Clerk Kimberly Krauss, Deputy Township Clerk Andrea Singley, Township Engineer Vincent Orlando & Municipal Solicitor Marcus Karavan

**FLAG SALUTE:****SPECIAL PRESENTATIONS OR DISCUSSIONS:**

Proposed Ordinance Amendment  
RE: Shopping Carts

*Mayor Donohue:*

- *Explained nuisance shopping carts have been within the Municipality*
- *Discussed previous meetings regarding shopping carts and discussions with various stores located in Middle Township about shopping carts in an attempt to bring some control and maintenance over the situation*

*Kimberly Krauss:*

- *Explained this is the third attempt at this ordinance; stated the first attempt was in early 2015*
- *Gave overview of shopping cart control problems*
- *Spoke of efforts to work with the various stores to have them maintain their shopping carts more effectively*
- *Discussed rules and regulations for shopping carts that must be picked up by the Township*

*Mayor Donohue:*

- *Clarified that abandoned carts are carts that leave the premise of the stores; asked if carts are still required to be picked up by the Township*

*Kimberly Krauss:*

- *Stated yes Public Works will have to pick up the carts from premises if the stores do not; further explained regulations and fines within the ordinance for non-compliance*

*Committeeman Gandy:*

- *Asked why the ordinance had not moved forward in the past*

*Kimberly Krauss:*

- *Explained reason for previously introduced ordinances not being adopted*
- *Discussed ongoing issue of shopping carts being abandoned around the Township*

*Mayor Donohue:*

- *Clarified there were currently no representatives present from any of the Stores located within the Township*

*Kimberly Krauss:*

- *Stated the introduction would be on the regular meeting agenda and representatives may be present during the adoption of the ordinance*
- *Explained the issue was costing taxpayers money to continuously pick up shopping carts*

*Marc Karavan:*

- *Clarified the various options offered in the new ordinance to store owners to correct the problem*

*Committeeman Norris:*

- *Spoke of support of the Ordinance*

*Marc Karavan:*

- *Explained penalties for not collecting the carts*

*Committeeman Gandy:*

- *Asked what the recourse would be for businesses that do not rally their carts*

*Marc Karavan:*

- *Further clarified fines associated with non-compliance*

*Mayor Donohue:*

- *Asked about grace period for businesses*

*Kimberly Krauss:*

- *Continued to go over penalties for non-collection of carts once they are picked up by the Township*
- *Discussed language and penalties in the current form of the ordinance*

*Chief Leusner:*

- *Asked if there is a fine or penalty if the owner does not show up to collect the cart*

*Marc Karavan:*

- *Explained fine will be imposed but if the cart is not collected then the cart is discarded and the fine is still imposed on the owner*

Chief Leusner:

- Explained an amended Ordinance was originally in 2015
- Further explained that taking a cart from the premise of the store is considered shoplifting
- Discussed difficulty with getting larger box stores to comply
- Stated he is in total support of this amended ordinance

Kimberly Krauss:

- Explained ordinance is currently reflecting stores with 6 carts or more
- Further discussed language regarding cart allowance before ordinance is implemented on a store

Committeeman Gandy:

- Agreed the number of carts should be increased as to not affect mom and pop shops and smaller store owners

Kimberly Krauss:

- Continued to discuss cart numbers

Chief Leusner:

- Suggested limit be at 15 carts

Mayor Donohue:

- Discussed ordinance revisions and how process can be handled

Kimberly Krauss:

- Explained process to change items in the ordinance and introduction

Mayor Donohue:

- Spoke of hesitation regarding \$250 fine immediately

Kimberly Krauss:

- Asked for timeframe

Mayor Donohue:

- Suggested 48 hours

Committeeman Gandy:

- Agreed with timeframe proposed by Mayor Donohue

Chief Leusner:

- Indicated that he believes businesses will save money implementing electronic locking mechanisms but it is a private business decision

Mayor Donohue:

- Asked about notification process that carts have been picked up

Kimberly Krauss:

- Discussed language in ordinance for stores to set up a process and spoke of various ways to contact the business owners

Chief Leusner:

- Gave various ways of contacting store owners and documenting the discussions

Committeeman Gandy:

- Asked about research of other towns that have implemented similar ordinance

Kimberly Krauss:

- Explained ordinance has been drafted based off of various other ordinances collected from other towns but reworded to be more geared towards Middle Township

Committeeman Gandy:

- Spoke of Township doing due-diligence before proposing ordinance again

Mayor Donohue:

- Asked if the only change is in the notification

Kimberly Krauss:

- Discussed proposed ordinance is a re-write and reviewed changes to draft discussed throughout meeting
- Confirmed that Committee would be voting on the Ordinance with the changes included

Committeeman Norris:

- Asked if there is any leniency about the 48-hour deadline to pick up carts

Kimberly Krauss:

- Spoke of keeping open communication with shop owners as well as repeat offenses

Marc Karavan:

- Further elaborated on modification that can be made to give discretion on how the fine is implemented

## **DEPARTMENTAL REPORTS AND PROJECT UPDATES:**

### **Administration:**

### **Finance:**

### **Public Works:**

### **Engineering:**

### **Legal:**

### **Tax Collection:**

### **Tax Assessment:**

### **Construction/Planning/Zoning:**

### **Recreation:**

**Police / Animal Control/ Code Enforcement:**

**Buildings and Grounds:**

**Sewer:**

**Economic Development:**

**Personnel:**

**Zoning:**

**Township Clerk:**

**PUBLIC COMMENT: NONE**

Motion to Adjourn Meeting – 5:35pm

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

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

Roll Call Vote: Committeeman Gandy, Committeeman Norris, Mayor Donohue

Kimberly D. Krauss, Township Clerk

Minutes prepared by E.Bowman