### Cape May Court House, NJ December 20, 2021 REGULAR MEETING FLAG SALUTE THIS MEETING IS BEING RECORDED:

I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

The Township Committee met on the above date at 6:00 PM at the Middle Township Municipal Building. Members present were Mayor Donohue, Deputy Mayor Gandy, Committeemember Norris, Business Administrator/Township Clerk Kimberly Osmundsen, Deputy Business Administrator Suzanne Schumann, Deputy Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

# 1. PRESENTATION BY MAYOR AND COMMITTEE – NOVEMBER EMPLOYEE OF THE MONTH – BETZY MCCLINTOCK

Mayor Donohue:

- Honored to recognize Betzy McClintock; spoke of Betzy's amazing attitude all while facing a lot of challenges with the Finance Office; Spoke of Recognition at Christmas party for academic accomplishments

Committee:

- Presented Betzy with Employee of the Month Certificate

- 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.)
- 3. RESOLUTION 514-21 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. \$1,058,480.47
- RESOLUTION 515-21 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: 12/06/2021 Work Session and Regular Meetings.
- 5. REPORTS: Finance for the month of November
- 6. ORDINANCE NO.1636-21 AN ORDINANCE VACATING A PORTION OF NORTH 6<sup>TH</sup> AVENUE AT BLOCK 1104 LOT 6 AS SHOWN ON SHEET 11 OF THE TAX MAP OF MIDDLE TOWNSHIP -Following second reading, hearing, and consideration for adoption, Ordinance 1636-21 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.

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

SECTION 1. The public right, title and interest in, along, upon and over the following described land is hereby vacated, surrendered and extinguished: All that certain tract of parcel of land, situate in the Township of Middle as set forth in the "Graphic Drawing" labeled "Street Vacation for North 6<sup>th</sup> Avenue" prepared by Vincent Orlando P.E., attached as Exhibit "A", depicting the portion of land (45' X 50') of North 6th Avenue to be vacated herein.

SECTION 2. The Township of Middle, for itself, its successors and assigns, reserves unto itself the right to construct, install, build, operate, maintain, use, repair, replace and relocate such public utilities and cable television facilities, within the described premises, which it may, at any time hereafter, deem necessary for the public health, safety, convenience and welfare, and the Township of Middle further reserves unto itself the right to use, maintain, repair, replace and relocate all existing utilities and cable television facilities owned or controlled by it located in, adjacent to, upon or through said land, and further reserves unto itself an easement over, under, through and across the portion of the land described as may be necessary or expedient for the purpose of maintaining, replacing, relocating, installing, leveling, constructing and repairing its utilities, mains and appurtenances, if any, wherever there exists a pipeline and appurtenances thereto beneath the surface of the aforesaid described land. The Township of Middle further reserves for its benefit and the benefit of any utility or cable television company the right to maintain, repair, and replace utilities or facilities installed by them in, adjacent to, over or through the aforesaid land. All of the aforesaid rights shall be unaffected by this ordinance.

SECTION 3. Subsequent to the successful adoption of this ordinance the Township shall issue deeds to the adjoining land owners transferring the appropriate portion of the vacated lands as required by statute. SECTION 4. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. Should any part of this ordinance be declared unconstitutional or invalid, the remaining portions of this ordinance shall not be affected thereby, but shall remain in full force and effect, and to this end the provisions of this ordinance are declared to be severable. SECTION 6. This ordinance shall become effective immediately upon final passage and publication, according to law.

7. ORDINANCE NO. 1637-21 – AN ORDINANCE VACATING AN ALLEY WAY ON BLOCK 245, BETWEEN LOTS 12-22 LOCATED ON SCHOOLHOUSE LANE AS SHOWN ON SHEET NO. 34 OF THE TAX MAP OF MIDDLE TOWNSHIP - Following second reading, hearing, and consideration for adoption, Ordinance 1637-21 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. BE IT ORDAINED, by the Township Committee of the Township of Middle, in the County of Cape May and the State of New Jersey, as follows:

SECTION 1. The public right, title and interest in, along, upon and over the following described land is hereby vacated, surrendered and extinguished: All that certain tract of parcel of land, situate in the Township of Middle as set forth in the "Graphic Drawing" prepared by Vincent Orlando P.E., attached as Exhibit "A", depicting the portion of land between Lots 12-22, Block 245, Schoolhouse Lane to be vacated herein.

SECTION 2. The Township of Middle, for itself, its successors and assigns, reserves unto itself the right to construct, install, build, operate, maintain, use, repair, replace and relocate such public utilities and cable television facilities, within the described premises, which it may, at any time hereafter, deem necessary for the public health, safety, convenience and welfare, and the Township of Middle further reserves unto itself the right to use, maintain, repair, replace and relocate all existing utilities and cable television facilities owned or controlled by it located in, adjacent to, upon or through said land, and further reserves unto itself an easement over, under, through and across the portion of the land described as may be necessary or expedient for the purpose of maintaining, replacing, relocating, installing, leveling, constructing and repairing its utilities, mains and appurtenances, if any, wherever there exists a pipeline and appurtenances thereto beneath the surface of the aforesaid described land. The Township of Middle further reserves for its benefit and the benefit of any utility or cable television company the right to maintain, repair, and replace utilities or facilities installed by them in, adjacent to, over or through the aforesaid land. All of the aforesaid rights shall be unaffected by this ordinance.

SECTION 3. Subsequent to the successful adoption of this ordinance the Township shall issue deeds to the adjoining land owners transferring the appropriate portion of the vacated lands as required by statute. SECTION 4. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. Should any part of this ordinance be declared unconstitutional or invalid, the remaining portions of this ordinance shall not be affected thereby, but shall remain in full force and effect, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. This ordinance shall become effective immediately upon final passage and publication, according to law.

8. ORDINANCE NO. 1638-21 – AN ORDINANCE VACATING A PORTION OF READING AVENUE BETWEEN FOURTH AVENUE AND HEREFORD AVENUE AS SHOWN ON SHEET NO. 33 OF THE TAX MAP OF MIDDLE TOWNSHIP (ABUTTING BLOCK 328, LOTS 1 & 26) - Following second reading, hearing, and consideration for adoption, Ordinance 1638-21 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.

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

SECTION 1. The public right, title and interest in, along, upon and over the following described land is hereby vacated, surrendered and extinguished: All that certain tract of parcel of land, situate in the Township of Middle as set forth in the "Graphic Drawing" labeled "Street Vacation for Reading Avenue" prepared by Vincent Orlando P.E., attached as Exhibit "A", depicting the portion of land between Fourth Avenue and Hereford Avenue to be vacated herein.

SECTION 2. The Township of Middle, for itself, its successors and assigns, reserves unto itself the right to construct, install, build, operate, maintain, use, repair, replace and relocate such public utilities and cable television facilities, within the described premises, which it may, at any time hereafter, deem necessary for the public health, safety, convenience and welfare, and the Township of Middle further reserves unto itself the right to use, maintain, repair, replace and relocate all existing utilities and cable television facilities owned or controlled by it located in, adjacent to, upon or through said land, and further reserves unto itself an easement over, under, through and across the portion of the land described as may be necessary or expedient for the purpose of maintaining, replacing, relocating, installing, leveling, constructing and repairing its utilities, mains and appurtenances, if any, wherever there exists a pipeline and appurtenances thereto beneath the surface of the aforesaid described land. The Township of Middle further reserves for its benefit and the benefit of any utility or cable television company the right to maintain, repair, and replace utilities or facilities installed by them in, adjacent to, over or through the aforesaid land. All of the aforesaid rights shall be unaffected by this ordinance.

SECTION 3. Subsequent to the successful adoption of this ordinance the Township shall issue deeds to the adjoining land owners transferring the appropriate portion of the vacated lands as required by statute. SECTION 4. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. Should any part of this ordinance be declared unconstitutional or invalid, the remaining portions of this ordinance shall not be affected thereby, but shall remain in full force and effect, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. This ordinance shall become effective immediately upon final passage and publication, according to law.

9. RESOLUTION 516-21 - 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	
William	Public Works	Truck Driver	08/01/2022	
Mayerson				
Paul Mahan	Public Works	Laborer 1	03/01/2022	

10. RESOLUTION 517-21 - ACKNOWLEDGEMENT OF RESIGNATION - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following resignations listed below, are acknowledged.

NAME	POSITION	EFFECTIVE
Jennifer	Telecommunications Operator P/T	01/01/2022
Teasenfitz		
Mark DeVico	Records Support Technician 1	12/31/2021

11. RESOLUTION 518-21 - 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:

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NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE		
Joanne Ciccotelli	Administration and Executive	Keyboarding Clerk 1 / Receptionist	\$30,000.00	12/27/2021		

12. RESOLUTION 519-21 - 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
Joseph Dramis	Public Works	Laborer 1 P/T	Laborer 1 F/T	\$27,500.00	12/20/2021

- 13. RESOLUTION 520-21 EXTEND LEAVE OF ABSENCE 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 Leave of Absence without pay for William Dieffenderfer be extended from December 10, 2021 until January 3, 2022.
- 14. RESOLUTION 521-21 THROUGH 522-21 APPROVAL FOR PAYMENT TERMINAL LEAVE (ITEMS A THROUGH B) - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) WHEREAS, Dawn Stimmel retired with an effective date of January 1, 2022; and WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated vacation, compensation, sick and personal time; and

WHEREAS, the Human Resources Department has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employee in the amount referenced below:

0.57 Hours

0.49 Hours

406.78 Hours \*Capped at max (actual hours 1,4788.88)

Dawn Stimmel

Personal:

Sick:

Comp

\$12,951.66 (inclusive of payroll tax expense to the Township)

(B) WHEREAS, Brian Vergantino retired with an effective date of May 1, 2021; and

WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated vacation, compensation, sick and personal time; and

WHEREAS, the Human Resources Department has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employee in the amount referenced below:

Brian Vergantino

Sick:

187.50 Hours at 50% of annual salary per PBA contract \$3,260.92 (inclusive of payroll tax expense to the Township)

 RESOLUTION 523-21 – APPROVAL FOR PAYMENT OF CASH OUT SICK LEAVE – VARIOUS EMPLOYEES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Township allows the cash out of accumulated sick time by employees who meet the guidelines set forth in the personnel policy manual; and

WHEREAS, the personnel office has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time;

NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and the State of New Jersey, that payment be issued to the employees in the amount referenced on the attached.

NAME HOURS HOURLY RATE TOTAL COST (includes FICA) William Adams 60 69.04 4,459.07 Mark Bakley 60 28.10 1,814.91 Walter Belles Sr 60 13.22 853.95 Raymond Bradley 60 32.31 2,086.99 13.22 Linda Brannon 60 853.95 Nancy Burke 50 18.78 1,010.63 Gino Castellano 50.05 60 3,232.81 James D'Alonzo 60 50.05 3,232.81 Kristen Davis 60 13.22 853.95 Gregory DeCecco 60 25.44 1,643.20 39.23 Robert Flynn 40 1,689.28 Merill Fowle 24.5 20.99 553.55 Daniel Geiger 2,909.74 60 45.05 Jennifer Graham 60 30.23 1,952.23 Mark Higginbottom 60 62.88 4,061.38 Phillip Johnson 60 50.05 3,232.81 Armondo Jones 60 45.05 2,909.74 Dustin Kelly 60 15.79 1,019.93 Leonard Larkin 60 54.54 3,522.93 Christopher Leusner 30 84.37 2,724.60 Martin Lindholm 60 45.05 2,909.74 James Loftus 60 69.04 4,459.07 Trevor MacCormack 16 25.44 438.19 Kenneth Martin, Jr. 60 54.54 3,522.93 Blake Martindale 60 25.44 1,643.20 Matthew Martino 60 46.93 3,031.00 Jonas McInnis 60 28.10 1,814.91 Marilyn Miller 40 20.06 863.75 **Brian Murphy** 60 54.54 3,522.93 John Norton 60 50.05 3,232.81 Michael Pastore 60 32.31 2,086.99 Michael Reardon 28.10 60 1,814.91 Thomas Ritterhoff 60 28.10 1,814.91 Julio Ruiz 60 50.05 3,232.81 Thomas Runyon 60 25.44 1,643.20 Kurt Saettler 60 46.93 3,031.00 Suzanne Schumann 21 35.71 807.38 **Robert Shepherd** 60 69.04 4,459.07

60

60

60

60

60

28.10

62.88

54.54

14.00

14.26

1,814.91

4,061.38

3,522.93

904.25

920.76 **100,171.51** 

Benjamin Stiefel

Tracey Super

Joshua Tozer

Jason Sweitzer

Jennifer Teasenfitz

\*Total Cost is inclusive of payroll tax expense to the Township

16. RESOLUTION 524-21 - ADOPTING UPDATED PERSONNEL POLICY MANUAL AND

HANDBOOK – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, it has been deemed necessary to amend and update several sections personnel policy manual, as previously adopted; and

WHEREAS, it has further been deemed necessary to adopt an employee handbook.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the updates to Personnel Policy Manual as well as the employee Handbook are hereby adopted.

BE IT FURTHER RESOLVED, that a copy of said updated manual and handbook shall be distributed to each Township Committeemember, Township Administrator, Township Solicitor, and Head of each Department and further shall be utilized by the Human Resources & Training Department accordingly. FURTHER RESOLVED, that should any section, paragraph, sentence, clause or phrase of said manual and handbook be declared unconstitutional or invalid for any reason, the remaining portions of said manual and handbook shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of mentioned manual and handbook are hereby declared to be severable.

 RESOLUTION 525-21 – AWARD OF BID – JANITORIAL SERVICES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, it has been deemed necessary and desirable to solicit bids for Janitorial Services for various township buildings/locations; and

WHEREAS, sealed bids were received on December 8, 2021; and

WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest bid received, which complies with specifications.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the contract for Janitorial Services be and hereby is awarded to:

CNS Cleaning Company -Not to Exceed \$45,160.00

FURTHER BE IT RESOLVED, that this award is conditioned upon certification of availability of funds.

 RESOLUTION 526-21 – AUTHORIZING CONTRACT EXTENSION – POLICE UNFORMS – UNITED UNIFORMS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, on January 1, 2021, the Township of Middle and United Uniforms entered into a contract for Police Uniforms via Resolution 432-20 and;

WHEREAS, the Township and United Uniforms wish to further extend said contract an additional year effective January 1, 2022 through December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the contract between United Uniforms and the Township of Middle is hereby extended with a final expiration date of December 31, 2022.

BE IT FURTHER RESOLVED, that this contract extension is also conditioned upon certification of funds. FURTHER RESOLVED, that the amount certified shall not exceed the amount set aside in the municipal budget for said services.

United Uniforms Police Uniforms Not to Exceed - \$45,295.00

 RESOLUTION 527-21 – AFFIDAVIT OF TAX SALE POSTING – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. State of New Jersey

Ss County of Cape May

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

1. I am the Tax Collector of The Township of Middle, County of Cape May, State of New Jersey.

- A tax sale in-lieu of notice was mailed to each parcel listed in the tax sale pre postage paid. The first was mailed on November 17, 2021 and the second was mailed on
- November 24, 2021
- 3. Notice of The Tax Sale that was held on December 15, 2021 was published in the Herald-Times, Rio Grande, New Jersey, on December 1, 2021 and December 8, 2021
- 4. A Copy of the Notice of Sale was set up in five of the public places in the Municipality, namely:
- 1. Middle Township Municipal Hall
- 2. Green Creek Post Office
- 3. Cape May Court House Post Office
- 4. Whitesboro Post Office
- 5. Rio Grande Post Office
- 5. A Notice of Tax Sale was mailed to the owner of record, whose name appears in the
- List at the last known address, postage prepaid.

 RESOLUTION 528-21 – RENEWAL OF GRAVEL PIT PERMITS – 2021 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the gravel pit permit renewal applications listed below have been found to be in proper form, and the fee paid in each case, and

WHEREAS, the Township Committee finds and concludes that the excavation and soil removal work originally authorized has been in continuous operation during the period of the permit and has been performed in accordance with the conditions under which the original permit was granted, and WHEREAS, the Township Engineer undertook an inspection of the subject premises and has stated in his letter that recertification is currently recommended, and

WHEREAS, said applicants listed below have also received all necessary site plan review and are conditionally approved for their operations as set forth in Chapter 132 of the Township code.

NOW, THEREFORE, BE IT RESOLVED, that each of the following permits be and are hereby renewed for the calendar year 2021, and this permit is subject to the rules and regulations as set forth in the code of the Township of Middle known as Chapter 132, including but not limited to all parameters set forth by the Middle Township Planning Board as expressed in their approving resolutions:

NO.	NAME OF LICENSE	BLOCK/LOT	ACREAGE	FEE
4	Cape Mining & Recycling LLC	98/2	35.37	\$600.00
6	Cape Mining & Recycling LLC	94/19.02	57.1	\$600.00
7	Cape Mining & Recycling LLC	94/19.01 & 20	72	\$600.00
11	H4 Enterprises, LLC	95.03/21	42.1	\$600.00
12	Diamond Materials, LLC	168/2	42.5	\$600.00
24	TK Sand & Gravel, Inc.	96.01/17	8.08	\$200.00

FURTHER BE IT RESOLVED, that the above licenses be issued upon any and all conditions set forth by the Township Engineer and Middle Township Planning Board in the letters and resolutions attached to each license.

21. RESOLUTION 529-21 – AUTHORIZING THE EXECUTION OF AN AMENDED DEED OF EASEMENT BETWEEN APACHE DEVELOPMENT, LLC AND THE TOWNSHIP OF MIDDLE FOR BLOCK 99.02 LOT 117 IN CONNECTION WITH THE MIDDLE TOWNSHIP BIKE PATH NORTH – 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, are hereby authorized to sign the amended Deed of Easement relative to Block 99.02 Lot 117, for use in connection with the Middle Township Bike Path North Project.

22. RESOLUTION 530-21 – RATIFY AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND THE PBA LOCAL 59 SUPERIOR OFFICERS OF THE MIDDLE TOWNSHIP POLICE DEPARTMENT – 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, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the agreement dated January 1, 2022 through December 31, 2025 between the Superior Officers of the Middle Township Police Department and the Township of Middle, is hereby approved.

BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign said agreement in connection therewith.

23. RESOLUTION 531-21 – RATIFY AGREEMENT RENEWAL BETWEEN THE TOWNSHIP OF MIDDLE AND CHRISTOPHER LEUSNER, CHIEF OF POLICE – 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, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the agreement renewal between Christopher Leusner, Chief of the Middle Township Police Department and the Township of Middle, as attached, effective January 1, 2022, is hereby ratified.

BE IT FURTHER SOLVED, that the appropriate officials are hereby authorized to sign said agreement in connection therewith.

Mayor Donohue:

- Spoke of process of negotiating in good faith with all unions and attracting and retaining employees; discussed economic realities of retaining good employees; further discussed efforts to provide employees with increased salaries to help retain employees; recognized Kimberly Osmundsen on her leading efforts; thanked Chief Leusner and superior officers; spoke of 4-year contracts for all union employees and recognized these employees hard work; discussed continuing to face covid challenges

# 24. PUBLIC COMMENT:

Ed Dillio, CMCH:

- Echoed Mayor Donohue's comments
  - Expressed thanked and gratitude to Marilyn Miller; stated she is a bright light in the community; discussed holiday party at the senior center

Mayor Donohue:

- Stated he could not agree more with Mr. Dillio: stated the Township has a wealth of excellent employees; discussed Women of Wonder award that was presented to Marilyn Miller

# David Robinson, CMCH:

- Explained electric meter issue; discussed meeting with Kurt Lindsay the electrical inspector; discussed various entities he reached out to
- Kimberly Osmundsen:
  - Spoke of conversation with Mr. Robinson and facts of the case to all entities involved; spoke of meter on barn and cost associated with the same
- David Robinson, CMCH:
  - Spoke of cost of electrical permit; discussed \$1,500 fee for permit whether it is approved or not
- Kimberly Osmundsen:
  - Stated much of his information is convoluted
- David Robinson, CMCH:
  - Spoke of estimates from contractors; expressed concern of "committing perjury"
  - claiming the space as a business when it is not

# Kimberly Osmundsen:

- Stated he acted as his own contractor and asked if he is a licensed electrician; continued to discuss previous conversations with Mr. Robinson and his expressed issues with the associated costs
- David Robinson, CMCH:
  - Spoke of costs associated with the permit; discussed lack of response from Committee; discussed various other entities he reaches out to; spoke of being denied a refund even though the inspector provided inaccurate information
- Kimberly Osmundsen:
  - Spoke of discussions with Mr. Robinson explained fee goes to the inspector to go out to inspect the permits; explained that she and Mr. Robinson have discussed this at great lengths
- Mayor Donohue:
  - Asked Mr. Robinson what he is asking for

David Robinson, CMCH:

- Spoke of refund in comparison with paying taxes late
- Mayor Donohue:
- Stated he could go the court route if he so chooses
- David Robinson, CMCH:
  - Spoke of attendance at a Zoning Meeting and giving developers "everything they want"
- Mayor Donohue:
  - Stated Township Committee does not make any zoning decisions; explained decisions do not get sent to Committee for approval; explained he must follow Township code
- David Robinson, CMCH:
  - Spoke of being denied rights to speak at a Zoning Meeting

Committeeman Gandy:

- Asked if he went on front of zoning already for approvals for his second building on his property; stated it is the same process for all approvals; explained are no reflection of the Township
- David Robinson, CMCH:
  - Spoke of 2 houses on property; explained 1 building was rezoned as a house and discussed costs complete the process through zoning

### Committeeman Gandy:

- Discussed costs of profiting off selling houses

David Robinson, CMCH:

- Continued to discussed process permitting process when building his houses Committeeman Gandy:

- Asked if he discussed running electric to the barn when he submitted for his building permits; discussed need to be very specific with intentions
- David Robinson, CMCH:
- Began to discuss difficulty with building affordable housing
- Mayor Donohue:

- Spoke of affordable housing units already built within the Township

David Robinson, CMCH:

- Continued to discuss costs associated with property improvements

- Committeeman Gandy:
- Clarified that his first two buildings are businesses because he rents them out David Robinson, CMCH:
- Explained he live in the one building
- Committeeman Gandy:
- Asked why he can not bring the electric from one house to another
- David Robinson, CMCH:
- Not feasible
- Committeeman Gandy:

Explained it is not the Township's responsibility to provide him with better quality electric because he can not afford to do it; asked MR. Robinson exactly what he wants Township Committee to do

# David Robinson, CMCH:

Explained his intent for Committee to settle his meter issue and acknowledge that his pole barn is not a business

#### Mayor Donohue

Asked what gives Township's Committee's authority is over this situation David Robinson, CMCH:

Explained his reasoning behind Committee being able to provide this to him Mayor Donohue:

Explained that Township Committee does not have jurisdiction over this situation and he must go before the Zoning Board

David Robinson, CMCH:

Continued to discuss issues

#### Mark Higginbottom:

Thanked Committee on behalf of superior officers for working tirelessly on getting their contract done

Stan Doniger, Rio Grande:

Spoke of article on opioid settlement

# Marc Karavan:

- Spoke of formula being employed; explained Middle Township will receive a percentage but unsure of the dollar amount yet
- Stan Doniger, Rio Grande:

- Asked how will the money be spent; further asked if would go to EMS and police Mayor Donohue:

Spoke of avenues that can be taken to use funds

#### ENGINEER REPORT:

#### Vince Orlando:

- *Reviewed report presented to Committee:* 



- <u>Particla Ku</u>. Re-construct asphalt gutter time to improve drainage of gutter at Second Ave.
   <u>Birch, Avocado, Coconut & Cedar Rds</u>. construct new drainage recharge systems in various locations to improve drainage in recently reconstructed roads.
   <u>Highs Beach Rd</u>, Replace cross drain at creek.

- 2021 Road Project

  Contract to be awarded to Arawack Paving for \$228,900.00
- · Construction to begin early Spring
- Project includes:
  - Mount Vernon Ave, Crest Rd, & Romney Place Road reconstruct and paving. Barbie L.n. & Woodside Rd, Road reconstruct, paving and drainage o Barbie Ln. & Woodside Rd. - Road rec impre

Cambridge Professional Offices 5 Cambridge Drive, Ocean View, New Jersey 08230 PHONE: (609) 390-0332 \* FAX: (609) 390-9204

# Norbury Landing Project Survey work completed Conceptual design attached

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- · Preliminary comments received by NJDEP
- Pretemmany comments received by MJD/P
   Zoom meeting with MJDEP to be scheduled
   Plans and Specifications to be completed by March 1, 2022
   Project to be bid by mid-April 2022.
   Construction to begin June 2022.

Project Status Report December 20, 2021, 2021

 3rd Ave & Walsh- Reconstruction & Construction of New Readway

 • NJDOT grant received October 2021

 • Survey work to be completed by DeBlasio Associates

- · Construction plans and specifications to be completed by February 2022
- Construction pairs and specificate
   NJDOT approval by March 2022
   Construction to begin May 2022

TATUS 12-20-21

# COMMITTEE COMMENTS:

Committeeman Norris:

- Discussed south shore basketball program; wrestling scheduled to start soon; 3<sup>rd</sup>/4<sup>th</sup> grade travel team won the scoop Taylor championship; youth broadcasting program would be beginning January 8<sup>th</sup> with the k-12 league; discussed new Zumba class beginning on Saturdays at the recreation complex; congratulated Betzy McClintock on being name November Employee of the month
- Committeeman Gandy:
  - Thanked Betzy; thanked Chief for his great work with the Police Department: reiterated Public Works is hiring; thanked all employees and residents for a good year; Merry Christmas and Happy New Year to everyone

Mayor Donohue:

Spoke of challenges faced in 2021; discussed employee holiday party; stated shop with a cop event at Walmart had roughly 84 kids and was up from the 26 kids last year; recognized Justin Vitola for his efforts organizing the event; wished everyone a Happy Holiday; stated Reorg would be January 4<sup>th</sup> at 7pm; congratulated Committeeman Gandy on his second term on Township Committee

Motion to adjourn meeting – 6:48 PM

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

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

Andrea N. Singley, Deputy Township Clerk

Minutes prepared by E. Bowman