

Cape May Court House, NJ
January 19, 2022
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 Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

***Deputy Business Administrator Suzanne Schumann was absent**

1. PRESENTATION BY MAYOR AND COMMITTEE – 2021 EMPLOYEE OF THE YEAR – KYLE MORINELLI

Mayor Donohue:

- *Congratulated Kyle Morinelli; discussed Kyle's challenges since beginning with the Township at the beginning of COVID; spoke of Kyle's help towards keeping Township events and sports running; explained he had help elevate Township programs*

Committeeman Gandy:

- *Agreed with everything Mayor Donohue said; stated Kyle had enhanced the level of the Recreation Department; spoke of his appreciation for everything Kyle had done for the Township; thanked Kyle for helping solve many of the problems presented*

Committeeman Norris:

- *Spoke of discussion with Dustin Sturm about Kyle Morinelli and his recommendation of Kyle as a part of the Recreation Department; discussed changes implemented by Kyle that have been successful and beneficial for Middle Township; continued to discuss various programs implemented and profits brought in for the Township through each; stated Kyle and Dustin make his job easy and thanked them both for all their hard work; stated Kyle is very deserving of the award*

Mayor Donohue:

- *Explained reason behind the name of the employee of the year award, Darius Grant*
- *Presented Kyle with the Darius Grant Employee of the Year Award*

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.)

John Lauricella, Cape May Court House:

- *Asked about Cape Mediation item on the Bill List*

Mayor Donohue:

- *Explained the cost was a court related expense; further explained it is for trying to mediate a case before a person sees the Judge*

3. RESOLUTION 51- 22 – APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that payment for the following bills in the amounts indicated are hereby approved:
Current Acct. \$703,961.86

4. RESOLUTION 52-22– 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: 01/04/2022 Reorganization meeting.

5. REPORTS: Clerk for the month of December; Sewer Collection for the month of December; Tax Collection for the month of December; Sterback Harbor for the month of December; Zoning for the month of December and year 2022

6. RE-INTRODUCTION – ORDINANCE NO. 1639-22 – AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No. 1639-22 passed first reading for re-introduction. Second reading, public hearing and consideration for adoption will be held on 02/23/2022 at 6:00 p.m.
Complete Ordinance on file in the clerk's office

7. ORDINANCE NO. 1640-22 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND BY A PRIVATE AUCTION TO BE HELD AMONG CONTIGUOUS OWNERS OF BLOCK 1070, LOT 3 - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No. 1640-22 passed first reading. Second reading, public hearing and consideration for adoption will be held on 02/23/2022 at 6:00 p.m.

WHEREAS, New Jersey Statute 40A:12-13 provides the procedure for the sale of Township owned land, and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Township owned parcel, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and also provided that any such sale shall be for not less than the fair market value of the real property; and

WHEREAS, the Township owns a parcel of land identified as Block 1070, Lot 3 (the “Subject Property”) in the Whitesboro Section of the Township that qualifies for such a land sale; and

WHEREAS, the Township has received a “Request Sheet for Sale of Township Owned Real Estate” submitted by Charles A. Farrow, the owner of a property contiguous to the Subject Property

WHEREAS, there are, in total, three (3) owners of real estate who are contiguous to the Subject Property, specifically listed as follows:

- Block 1058 Lot 17 - Sheryl Hazel
45 Cochran Street
Cape May Court House, NJ 08210
- Block 1070, Lot 2 - Albert M. Winters
6012 Sligo Mill Road NE
Washington, DC 20011
South Caroline Avenue
- Block 397, Lot 4 - Charles & Gail Farrow
13 North Carolina Avenue
Cape May Court House, NJ 08210

WHEREAS, the three (3) owners shall be noticed and given an opportunity to participate in an open (private) auction limited to just the three of them participating to purchase the parcel but at a price which is no less than the fair market value of the parcel; and

WHEREAS, the assessment of Block 1070 Lot 3 is \$1,900.00, and the Township Tax Assessor has stated in writing that the fair market value of the land is \$1,900.00, which the Township therefore makes the minimum bid; and

WHEREAS, the statute also requires that the municipality file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of advertisements for the Ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the Township may conduct a private auction to sell the Subject Property owned by the Township to contiguous owners of the same.

SECTION 1.

1. The Township Committee of the Township of Middle shall sell a portion of real property identified as Block 1070, Lot 3 to the highest bidder of an open (private) auction to be held on March 9, 2022 at 10:00am. in the meeting room of the Township Hall, 33 Mechanic Street, Cape May Court House, New Jersey, at which time only those three owners of property contiguous to that portion of Block 1070, Lot 3 which is offered for sale shall participate; and
2. The minimum bid shall be \$1,900.00; and
3. The auction shall be conducted by the Township Chief Financial Officer, David Elliott; and
4. The winning bidder shall sign a contract of sale which is attached hereto as Exhibit A and the terms of which are incorporated herein in full; and
5. The winning bidder shall be provided a deed in the form attached hereto as Exhibit B; and
6. That the Clerk or the Clerk’s representative is to file the necessary affidavits with the Director of the Division of Local Government Services, and
7. The Mayor, Clerk, and any and all other Township Officials, are hereby authorized to sign those documents necessary to effectuate this transaction; and
8. Any and all costs associated with this transaction, including advertising and postage, are to be paid by the winning bidder.

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

8. RESOLUTION 53-22– ACKNOWLEDGMENT 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	DEPARTMENT	POSITION	EFFECTIVE
Stanley Vannotte	Public Works	Mechanic F/T	05/22/2021
Brian Hacking	Construction	Construction Official	01/22/2022

9. RESOLUTION 54-22 – ACKNOWLEDGEMENT OF DISCONTINUATION OF TEMPORARY APPOINTMENT – 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 discontinuation of appointments listed below, are acknowledged.

EMPLOYEE	DEPARTMENT/BOARD	POSITION	EFFECTIVE
Scotty P McLaughlin	Public Works	Laborer 1 P/T T/A	01/01/2021

10. RESOLUTION 55-22 THROUGH 58-22 – AMENDING RESOLUTIONS (ITEMS A THROUGH D) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
- (A) WHEREAS, Resolution 330-21 approved on August 16, 2021 approved the appointment of various new employees including Alfred Shaffer; and WHEREAS, Alfred Shaffer never began his employment with the Township as outlined in said Resolution. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 330-21 shall hereby be amended to remove the hiring of Alfred Shaffer.
- (B) WHEREAS, Resolution 424-21 approved on October 18, 2021 approved the appointment of various new employees including Ian Hynds; and WHEREAS, Ian Hynds never began his employment with the Township as outlined in said Resolution. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 424-21 shall hereby be amended to remove the hiring of Ian Hynds.
- (C) WHEREAS, Resolution 444-21 approved on November 1, 2021 approved the appointment of various new employees including William Murphy; and WHEREAS, William Murphy never began his employment with the Township as outlined in said Resolution. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 444-21 shall hereby be amended to remove the hiring of William Murphy.
- (D) WHEREAS, Resolution 521-21 approved on December 20, 2021 approved the payment for the Terminal Leave for Dawn Stimmel; and WHEREAS, it has been deemed necessary to amend said Resolution due to a miscalculation of said terminal leave. NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that Resolution No. 521-21 shall hereby be amended to reflect the total terminal leave pay for Dawn Stimmel to \$12,031.27.

11. RESOLUTION 59-22 THROUGH 60-22– APPOINTMENTS (ITEMS A THROUGH B) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) 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 person be and are hereby appointed to the board/position for the term of office opposite their name:

NAME	BOARD	POSITION	TERM EFFECTIVE	TERM EXPIRES
Sean McDevitt	Emergency Management	Deputy	01/01/2022	12/31/2022

(B) NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following employees are hereby appointed to the following position at the salaries opposite their names:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Mark Shaw	Public Works	Laborer 1 F/T T/A (6 months)	\$15.00 per hour	01/19/2022

12. RESOLUTION 61-22 THROUGH 62-22– CANCEL TAXES (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, A cancellation of taxes is due to the below property owner who qualifies for 100% Disabled Veteran status as of December 13, 2021.

Account	Block	Lot	Owner/location	2021	2022
1460	62	1	Camp, Edward C & Constance E Property location: 820 Goshen Rd	\$285.94	\$2,903.07

(B) 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 cancellation is due to property tax exemption for 2022:

Account	Block	Lot	Owner/location	2022
14499	1450	1	County of Cape May	\$2,876.87

			Property location: 1115 RTE 47 S	
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13. RESOLUTION 63-22 – REFUND OF TAXES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, A Refund is due to the below property owner due to payment made on exempt property.

ACCT	BLOCK	LOT	OWNER/LOCATION	2021
1460	51	62	Camp, Edward C & Constance E 820 Goshen Rd Cape May Court House, NJ 080210 Property location: 820 Goshen Rd	\$285.94

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw check in the above noted amounts payable to the above-mentioned party, as a refund of 2021 taxes.

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

14. RESOLUTION 64-22 – REFUND OF SEWER PAYMENT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, A Refund is due to the below property owner due to overpayment of 2021 sewer.

ACCT	BLOCK	LOT	OWNER/LOCATION	2021
12169	1005	11	Wildwoodknights LLC 112 E Wiley St Cape May Court House, NJ 08210 Property location: 1504 Rte 9 S	\$332.00

BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, that the Chief Financial Officer be instructed to draw check in the above noted amounts payable to the above-mentioned party, as a refund of 2021 sewer.

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

15. RESOLUTION 65-22 – AUTHORIZING FORECLOSURE GROUP #200- On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, it appears to be in the best interest of this Township that the attached list of Tax Sale Certificates, designated as foreclosure Group #200, be foreclosed, pursuant to N.J.S.A. 54:5-104, 29-75 as amended, known as the In-Rem Foreclosure Act.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, the governing body of the Township of Middle, a Municipal Corporation of the State of New Jersey, that the Collector is hereby directed to forward the list of certificates to Attorney Keith Bonchi to proceed to Foreclose In-Rem, the lands and premises covered by said certificates.

16. RESOLUTION 66-22 – REDUCTION OF PERFORMANCE BOND NO. 3 – TOMPKINS BUILDERS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, \$223,546.27 is being held as a performance guarantee for Tompkins Builders, for Block 355.01, Lot 12 & 13, otherwise known as 1121 and 1125 Route 9 South; and

WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$74,653.08 have been completed; and

WHEREAS, it has been further recommended that the performance guarantee for the above stated project be reduced to \$148,893.19; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the performance guarantee as listed above be and is hereby reduced to \$148,893.19.

17. RESOLUTION 67-22 – RELEASE OF PERFORMANCE BOND – POSTING OF MAINTENANCE BOND – ACCEPTANCE OF STREET IMPROVEMENTS – EGRET TRAIL/ENCLAVE AT STONE HARBOR – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the improvements located at Block 99.02 Lot 35.01, otherwise known as Egret Trail/Enclave at Stone Harbor constructed by Enclave 1204, LLC is complete, and

WHEREAS, the Engineer for the Township of Middle has conducted his inspection and certified that all improvements have been completed, and

WHEREAS, the Engineer has recommended that the performance bond deposited by Philadelphia Indemnity Insurance Company in the amount of \$202,661.60 be released, and

WHEREAS, the applicant has also submitted a maintenance bond in the amount of \$20,000.00 for a two-year period effective January 19, 2022.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the release of the performance bond and acceptance of the maintenance bond and guarantee are hereby authorized.

BE IT FURTHER RESOLVED, that Egret Trail improvements have been accepted and said street is accepted into the Township Road system for continuous maintenance.

18. RESOLUTION 68-22 – RELEASE OF PERFORMANCE BOND – CAPE REGIONAL MEDICAL CENTER – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, \$48,850.00, is being held as a performance guarantee by Travelers Casualty and & Surety for Cape Regional Medical Center for site improvements at Block 131, Lot 1, otherwise known as 2 Stone Harbor Boulevard; and
 WHEREAS, the Township Engineer and Zoning Official have recommended the release of said bond, as outlined in P.L. 2017, Chapter 312 amendment.
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of \$48,850.00 is hereby released.
19. RESOLUTION 69-22 – 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.
20. RESOLUTION 70-22– APPROVAL TO SUBMIT A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY JUVENILE JUSTICE PROGRAM – 2022 SUMMER EXPANSION PROGRAM – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle formally approve the grant application for the above stated program.
 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
21. RESOLUTION 71-22 – TABULATION COMMITTEE – CONTRACT #2021-1 – MIDDLE TOWNSHIP HOME REHABILITATION PROJECT – 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 Township Officials be and hereby are appointed to tabulate the bids to be taken on February 16, 2022 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

CONTRACT #2021-1
 MIDDLE TOWNSHIP HOME REHABILITATION PROJECT

22. RESOLUTION 72-22 – RENEWAL – TOWING LICENSES – 2022 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, the towing license renewal application listed below has been found to be in proper form, and the fees paid accordingly.
 NOW, THEREFORE, BE IT RESOLVED, that each of the following licenses be and are hereby renewed for the calendar year of 2022:

License #	Tradename	Truck #	License Plate Number	Truck Make/ Model	Fee	Sticker Fee Paid
1	Kindle Towing	1	XGLJ86	2018 Ford F650 Flatbed	\$450.00	\$50.00
1	Kindle Towing	2	XLPY65	2021 Ram 5500 4x4 Wrecker		\$50.00
4	Blakeslee Towing & Recovery LLC dba Court House Towing	1	XGAD83	2017 Ford 550 W/L	\$450.00	\$50.00
4	Blakeslee Towing & Recovery LLC dba Court House Towing	2	XHWP74	2019 Ford 750 Flatbed		\$50.00
4	Blakeslee Towing & Recovery LLC dba Court House Towing	3	XJAW32	2021 Ford 650 Flatbed		\$50.00
5	Gary's Automotive	1	XERU56	2007 Chevy 5500 Flatbed	\$450.00	\$50.00
7	Hi-Tech Towing	1	XHWP21	2020 Freightliner M-2 Flatbed	\$450.00	\$50.00
9	South Jersey Towing & Recovery LLC	1	XFZZ71	2017 Hino 371 Flatbed	\$450.00	\$50.00

9	South Jersey Towing & Recovery LLC	2	XFFN48	2017 Ford 550 W/L		\$50.00
10	D.A.D.'s Towing Service, LLC	1	XJHA56	2010 International 430 Flatbed	\$450.00	\$50.00
10	D.A.D.'s Towing Service, LLC	2	XKUW41	2016 Ford F-550 Super Duty Flatbed		\$50.00
11	ANA Towing and Recovery	1	XJSM64	2020 Ford 550W/L	\$450.00	\$50.00
11	ANA Towing and Recovery	2	XJSM65	2020 Ford 550 W/L		\$50.00
11	ANA Towing and Recovery	3	XGFY19	2019 Ford 550 Flatbed		\$50.00
11	ANA Towing and Recovery	4	XHWN49	2019 Ford 650 Flatbed		\$50.00
11	ANA Towing and Recovery	5	XHWN88	2019 Pet. Heveq		\$50.00

23. RESOLUTION 73-22– RENEWAL OF GRAVEL PIT PERMITS – 2022 – 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 2022, 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
8	Court House Sand & Gravel, LLC	472/93	75.94	\$600.00
9	Indian Trail Sand and Gravel, LLC	472/32	7.9	\$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.

24. RESOLUTION 74-22 – APPROVE SECONDHAND MERCHANT AND DEALER OF PRECIOUS METAL LICENSES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the following applicants applied for a Secondhand Merchant & Dealer of Precious Metals License to operate in the Township of Middle; WHEREAS, proper applications have been made to the Township of Middle, County of Cape May, State of New Jersey, reviewed by the Middle Township Police Department, and the proper fees have been paid; and NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey that the below Secondhand Merchant and Dealer of Precious Metals applicants are hereby licensed by the Township of Middle to operate within the Township of Middle from January 1, 2022 through December 31, 2022. BE IT FURTHER RESOLVED, that said agreement is contingent upon the review and approval of all documents required per the Code of the Township of Middle by the Township's Solicitor and Insurance Carrier.

License #	Applicant	Location	Fee
1	AU Gold Buyers, LLC	1127 Route 47 South, Suite 10, Rio Grande	\$500.00
2	GameStop, Inc. dbc GameStop #4718	1500 Route 47, Suite C-7 Rio Grande	\$500.00

25. RESOLUTION 75-22 – SUPPORT COUNTY STUDY TO EVALUATE SPEED REDUCTION – RAILROAD AVENUE – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the County of Cape May Engineering Department has received a request from a resident along Railroad Avenue to investigate a proposed speed reduction from 45mph in the area of Route 47 and Railroad Avenue; and WHEREAS, the County of Cape May requires a resolution of support from the municipality in order to promulgate a traffic study. NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, the governing body thereof, does hereby support a traffic study along Railroad Avenue with regards to a Speed Reduction.

26. RESOLUTION 76-22 – APPROVING AND AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT FOR CONSTRUCTION OFFICIAL BETWEEN THE TOWNSHIP OF MIDDLE AND CITY OF NORTH WILDWOOD – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. 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 and sharing of services; and WHEREAS, Dan Speigel currently serves as the Construction Official, Fire Official and Zoning Official of the City of North Wildwood; and WHEREAS, resulting from a recent vacancy in their Construction Office, the Township of Middle is interested in entering into a Shared Services Agreement with the City of North Wildwood for part-time Construction Official Services; and WHEREAS, in accordance with the Unformed Shared Services Act, North Wildwood is agreeable to a Shared Services Agreement with Middle Township for Construction Official on a part-time schedule. NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the City of North Wildwood, in the County of Cape May and State of New Jersey as follows:
1. All of the statements of the preamble hereto are repeated and incorporated herein by this reference thereto as though the same were set forth at length.
 2. This Agreement has been approved by Resolution of the governing body, adopted in accordance with the law at public meetings held in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq.
 3. On behalf of the Township of Middle and contingent upon the adoption of a Resolution by the governing body of the City of North Wildwood that is substantially similar to this Resolution, the Mayor and the Township Clerk be and they hereby are authorized to execute the Shared Services Agreement with the City of North Wildwood that is annexed hereto as Exhibit “A” which allows for the providing of services by the City of North Wildwood’s Construction Official to the Township of Middle on a part-time basis.
 4. The initial term of this Agreement shall begin on the Effective Date and shall end on December 31st, 2022.
 5. Upon expiration of the Initial Term, this Agreement automatically shall renew on an annual basis, but the last annual renewal shall expire no later than December 31st, 2024.
 6. Either Party may terminate this Agreement by providing written notice of termination to the other Party, upon thirty (30) days’ notice, in accordance with the notice provisions of this Agreement.
 7. If the North Wildwood Construction Official ceases to be employed by the City of North Wildwood during the Initial or Renewal Term of this Agreement, then this Agreement automatically shall terminate upon such cessation of employment.
27. RESOLUTION 77-22 - AUTHORIZING MAYOR TO SIGN NJDEP PROPERTY OWNER CERTIFICATION ON BEHALF OF SOUTH JERSEY GAS – SEAVILLE CROSSING PROJECT – 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 Mayor is hereby authorized to sign the NJDEP Property Owner Certification form on behalf of South Jersey Gas relative to a CAFRA permit for the Seaville Crossing Project.
28. RESOLUTION 78-22 - AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015)(Mount Laurel IV), in 2019, the Township filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter “Fair Share Plan”) satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and WHEREAS, the Township simultaneously sought, and ultimately secured, a protective order providing Middle immunity from all exclusionary zoning lawsuits while it pursues approval of its existing Fair Share Plan; and WHEREAS, the trial judge also appointed Hon. Stephen P. Perskie, J.S.C. (ret.) as the “Special Master,” as is customary in Mount Laurel matters adjudicated in the courts; and WHEREAS, with assistance from the Special Master, Middle, and FSHC engaged in good faith negotiations which resulted in an amicable accord on the various substantive terms and conditions as set forth in the Settlement Agreement attached hereto as Exhibit A; and WHEREAS, through this process, the Township and FSHC agreed upon the Township’s affordable housing obligations and the compliance techniques necessary for Middle to satisfy its “fair share” of the regional need for low- and moderate-income housing; and WHEREAS, the Township and FSHC also agreed to present the Settlement Agreement to the Trial Judge for approval via duly-noticed Mount Laurel “Fairness Hearing;” and WHEREAS, although there is a well-established policy favoring the settlement of all forms of litigation, the settlement of Mount Laurel litigation is particularly favored because (1) it avoids the expenditure of finite public resources; and (2) expedites the construction of safe, decent housing for the region’s low- and moderate-income households; and WHEREAS, in light of the above, and on the recommendation of the Township’s Special Mount Laurel Counsel, the Township Committee finds that it is in the best interests of Middle to execute the attached Settlement Agreement with FSHC and to take various other actions delineated below which will ultimately result in approval of the Township’s Fair Share Plan which, in turn, will maintain the Township’s immunity from all Mount Laurel lawsuits for the ten-year period set forth in the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to 329.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of January, 2022, by the Committee of the Township of Middle, County of Cape May, State of New Jersey, as follows:

1. The Township Committee hereby authorizes and directs the Mayor to execute the attached Settlement Agreement and to provide a copy of same to the Township's Special Mount Laurel Counsel as soon as practicable thereafter.
2. The Township hereby directs its Special Mount Laurel Counsel to file the fully-executed Settlement Agreement with the Court and take all actions reasonable and necessary to secure an Order approving the Settlement Agreement and ultimately to secure judicial approval of the Township's Fair Share Plan, as may be amended by the Land Use Township pursuant to the Agreement and subject to the public hearing process set forth in the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq.

Mayor Donohue:

- *Discussed existing affordable housing in Middle Township; further discussed plan for designation of affordable housing as related to development; explained process going forward from this point; continued to discuss various details involved in affordable housing set aside; commented on the negative effects of the questioning of the Township's legal status with Fair Share Housing*

Ed Dillio, Cape May Court House:

- *Spoke of original stance against Fair Share Housing; explained visit to the affordable housing development in Cape May Court House and the benefit they are to the community*

Mayor Donohue:

- *Explained fear of the unknown during the initial development of the affordable housing communities; stated the Township will continue to manage the process; explained there is a need for this type of housing in the Community*

Kimberly Osmundsen:

- *Thanked Mike Jedziniak, Marc Karavan and Vince Orlando on all their work done through this process*

Mayor Donohue:

- *Stated the plan will be made available to the public*

Mike Jedziniak:

- *Explained this process is about planning and his job is to make sure Fair Share housing center does not take advantage of the Township with insisting items that were not to the benefit of the Township; stated the planning has been working great for the last couple years and feels this agreement fits in while with the Townships overall planning*

Mayor Donohue:

- *Stated it is a tribute to our planning and zoning boards and the efforts to all coordinate together*

29. PUBLIC COMMENT:

Clare Herm, Rio Grande:

- *Discussed strip in the middle of the road going into the development of the Gatherings; explained damage being done to the strip*

Kimberly Osmundsen:

- *Explained the location of the median Ms. Herm is speaking of*

Clare Herm, Rio Grande:

- *Explained they own a partial section of the area*

Kimberly Osmundsen:

- *Explains the Township has taken over a section of the area*

Vince Orlando:

- *Further explained the Township maintains the street*

Kimberly Osmundsen:

- *Further explained this area was fixed a year ago; further explained drivers continuously go over the curb; stated she would discuss the issue with Rob Flynn*

Vince Orlando:

- *Explained the only solutions would be to remove the median or shorten it*

Kimberly Osmundsen:

- *Stated that would be something they could look at in the future*

Vince Orlando:

- *Continued to discuss reasons for the damage done to the median and ways to correct the issue*

Kimberly Osmundsen:

- *Asked if the islands are necessary*

Clare Herm, Rio Grande:

- *Explained the damage previously done and how it was fixed*

Kimberly Osmundsen:

- *Stated the last time the median was repaired it was done by the Township*

Trudy Trapler, Rio Grande:

- *Continued to discuss strip and deterioration of the street due to Harbor Freight; stated she would like to know when it will be repaired*

Mayor Donohue:

- *Stated the Township will look into the road and median*

Committeeman Gandy:

- *Asked Vince Orlando to look at it and see if he can determine a solution*

Ed Dillio, Cape May Court House:

- *Stated the upcoming Friday there would be a peaceful gathering in front of the Court House Pro Life of One Life*

Mayor Donohue:

- *Clarified he meant the County Court House*

Ed Dillio, Cape May Court House:

- *Stated yes*

Committeeman Norris:

- *Confirmed the time would be from 12 pm to 1pm*

Clare Herm, Rio Grande:

- *Stated yes*

Trudy Trapler, Rio Grande:

- *Commented on snow removal within the Gatherings Community; stated no streets were cleared by Middle Township; explained development landscaper cleared the Roads within the Community; asked who they need to follow up with for snow removal on the streets*

Committeeman Gandy:

- *Stated the call Public Works and speak with Cindy and Rob Flynn; explained that Public Works is under staffed and they tried to plow the roads as quickly as possible; apologized for the delay but they did work to get the roads done quickly and to the best of their ability*

Kimberly Osmundsen:

- *Stated it was very similar with all communities in the Township as they had some struggles and some equipment that broke*

Mayor Donohue:

- *Discussed that they can have excuses but that the Township is obligated to service the Township to the best of their ability; explains challenges due to the storm as far as ice and lack of effects the salt had on the type of storm it was; explained process of determining road priority when clearing; stated they will continue to try to improve*

Trudy Trapler, Rio Grande:

- *Asked if they can have their contractors reach out to the Township to coordinate snow removal*

Mayor Donohue:

- *Stated no the Township has its own contractors and if they are unable to clear they will reach out to those preapproved contractors; continued to discuss situation with the state of Public Works*

Trudy Trapler, Rio Grande:

- *Stated she would like their contractors to be able to reach out to determine when the Township will be taking care of their number hood*

Mayor Donohue:

- *Stated he understands the expectations but they do have 72,000 square miles they must maintain and are unable to coordinate with private contracts for specific times they wish to clear certain developments*

ENGINEER REPORT:

Vince Orlando:

- *Reviewed engineer report presented to Committee*

Committeeman Gandy:

- *Asked if CTX is new to the area*

Vince Orlando:

- *Stated it was the first time they have come down to this area; explained the company is based out of Hammonton*
- *Continued to review the report*

COMMITTEE COMMENTS:

Committeeman Gandy:

- *Discussed new employees added to Public Works; explained they are still looking for more staff for Public Works; discussed the great work Public Works is doing with being short staffed; discussed doing the reorganization via zoom due to testing positive for COVID and thanked everyone to readjusting and all their support*

Committeeman Norris:

- *Discussed opening of various sports; stated they are looking for coaches; congratulated Kyle Morinelli on being named employee of the year; briefly discussed the successfulness of the Land Sale; thanked Kim and her team on the great job done*

Mayor Donohue:

- *Reiterated comments about the Land Sale; discussed benefits of the land sales; gave update on the Bike Path project; stated they are closing in on the county park and hope to have it finished by mid-February; thanked Vince Orlando for keeping the road drainage and improvement projects moving; discussed beginning of the budget season; explained challenges of determining a budget; stated they will try to keep any increase to a minimum; further explained they are focused on providing the best*

municipal services at the lowest cost; discussed agreements reached for the various unions within the Township; stated it was the first time settling all the employee contracts by the end of the previous year

Motion to adjourn meeting – 6:51PM

1st: Committeeman Gandy

2nd: Committeeman Norris

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

Andrea N. Singley, Deputy Township Clerk

Minutes prepared by E. Bowman