

Cape May Court House, NJ  
February 7, 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 Business Administrator Suzanne Schumann, Deputy Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

1. 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 agenda item 6 regarding resignations and the reasons for them*

*Kimberly Osmundsen:*

- *Explained some are just housekeeping of employees that are no longer with the Township; continued to explained reasons for resignations*

*John Lauricella, Cape May Court House:*

- *Asked about agenda item 24 and the reason for one lot*

*Mayor Donohue:*

- *Stated yes there have been multiple easements and gave background on the easement*

*Stan Doniger, Rio Grande:*

- *Asked about chage on bill list for H4 snow removal*

*Mayor Donohue:*

- *Explained the bill was for the last snow storm*

*Kimberly Osmundsen:*

- *Further explained reason for the emergency appropriation was due to not having enough in the temporary budget*

*Stan Doniger, Rio Grande:*

- *Asked if we were now up to date*

*Kimberly Osmundsen*

- *Stated yes*

*Stan Doniger, Rio Grande:*

- *Asked about verizon bill on the bill list and expressed concern for phone charges*

*Kimberly Osmundsen:*

- *Explained various charges received from Verizon*

*Stan Doniger, Rio Grande:*

- *Asked about detailed listing of charges*

*Kimberly Osmundsen:*

- *Explained there were too many to list*

*Stan Doniger, Rio Grande:*

- *Asked about charge to Douglass Landscaping*

*Kimberly Osmundsen:*

- *Explained the charge was for the final bill for the previous year and the Township is going out to bid for the current years landscaping*

2. RESOLUTION 79-22 – 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. \$7,715,854.89
3. RESOLUTION 80-22 – 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: 01/19/2022 Work Session and Regular Meetings.
4. REPORTS: Zoning for the month of January; Sterback Harbor for the month of January; Tax & Sewer Collection for the month of January; Clerk for the month of January

5. **ORDINANCE NO. 1641-22 – AN ORDINANCE AMENDING ORDINANCE NOS. 1636-21, 1637-21 AND 1638-21 (STREET VACATIONS)** - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No. 1641-22 passed first reading. Second reading, public hearing and consideration for adoption will be held on 03/07/2022 at 6:00 p.m. WHEREAS, on November 15, 2021, Ordinances 1636-21, 1637-21 and 1638-21 were Introduced to the Governing body of the Township of Middle. These ordinances provided for paper streets which are located within the Township of Middle to be vacated; and WHEREAS, on November 24, 2021, publications appeared in the Cape May County Herald; the assigned official newspaper for the advertising of said ordinances. WHEREAS, on December 20, 2021, the 3 ordinances were adopted by the Governing Body of the Township of Middle; and WHEREAS, Public Notices of the adoption were certified on December 29, 2021; and WHEREAS, The Titles of said Ordinances contained inaccurate Tax Sheet Numbers; and WHEREAS, the Township intends to file said Ordinances with the Clerk of the County of Cape May as opposed to issuing individual deeds to the landowners; NOW, THEREFORE, BE IT ORDAINED by the TOWNSHIP COMMITTEE, the governing body of the Township of Middle that ORDINANCES No. 1636-21, 1637-21, 1638-21 of The Township of Middle be and are hereby amended as follows:
- SECTION 1.** The averments above shall be incorporated herein as if set forth at length.
- SECTION 2.** Ordinance 1636-21 shall be and is hereby amended to read as follows:  
 2.1 The Title shall be: AN ORDINANCE VACATING A PORTION OF NORTH 6<sup>TH</sup> AVENUE AT BLOCK 1104, (ABUTTING LOTS 1& 6) AS SHOWN ON SHEET NO. 15.02 OF THE TAX MAP OF MIDDLE TOWNSHIP.  
 2.2 Said Ordinance shall be and is hereby further amended to reflect that the Township intends to file said Ordinance with the Clerk of the County of Cape May as opposed to issuing an individual deed to the landowner(s). Accordingly, no deed shall issue.
- SECTION 3.** Ordinance 1637-21 shall be and is hereby amended to read as follows:  
 3.1 The Title shall be: AN ORDINANCE VACATING AN ALLEY WAY ON BLOCK 245, BETWEEN LOTS 12-22 LOCATED ON SCHOOL HOUSE LANE AS SHOWN ON SHEET NO. 36.01 OF THE TAX MAP OF MIDDLE TOWNSHIP.  
 3.2 Said Ordinance shall be and is hereby further amended to reflect that the Township intends to file said Ordinance with the Clerk of the County of Cape May as opposed to issuing an individual deed to the landowner(s). Accordingly, no deed shall issue.
- SECTION 4.** Ordinance 1638-21 shall be and is hereby amended to read: as follows:  
 4.1 The Title shall be: AN ORDINANCE VACATING A PORTION OF READING AVENUE BETWEEN FOURTH AVENUE AND HEREFORD AVENUE AS SHOWN ON SHEET NO. 35 OF THE TAX MAP OF MIDDLE TOWNSHIP (ABUTTING BLOCK 328, LOTS 1.01 & 26).  
 4.2 Said Ordinance shall be and is hereby further amended to reflect that the Township intends to file said Ordinance with the Clerk of the County of Cape May as opposed to issuing an individual deed to the landowner(s). Accordingly, no deed shall issue.
- SECTION 5:** Any other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.
- SECTION 6** 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 7:** This Ordinance shall become effective immediately upon final passage and publication, according to law.

6. **RESOLUTION 81-22 – 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	DEPARTMENT	POSITION	EFFECTIVE
Molly Van Trieste	Public Safety – Police Records	Clerk 1	01/14/2022
Gabriella C Grey	Public Safety – Telecommunications	Public Safety Telecommunicator Trainee P/T	01/31/2022

7. **RESOLUTION 82-22 – 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
William Lazaro	Public Works	Laborer 1 F/T T/A	02/04/2022
Joseph Rodano	Public Works	Laborer 1 F/T T/A	02/04/2022

8. RESOLUTION 83-22 – AUTHORIZING 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 LaConte	Sewer	Laborer 1 F/T T/A	Laborer 1 F/T Permanent	\$35,000.00	02/03/2022

9. RESOLUTION 84-22–TITLE CHANGE – 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 following employee is hereby appointed to the civil service title opposite their name:

NAME	DEPARTMENT	TITLE	EFFECTIVE
Jennifer Graham	Public Safety – Police Records	Clerk 2	03/01/2022

10. RESOLUTION 85-22 – 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	TITLE	SALARY	EFFECTIVE
Christina McCormick-Povio	Zoning	Clerk 1	\$30,000.00	02/08/2022
Eve Ulbrich	Public Safety – Police Records	Clerk 1	\$30,000.00	02/07/2022
Gary Seabridge Jr.	Public Safety – Emergency Medical Services	Emergency Medical Technician P/T	\$15.00 per hour	02/04/2022

11. RESOLUTION 86-22 THROUGH 87-22 – 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, James Amenhauser retired with an effective date of February 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:

James Amenhauser  
 Personal Hours: 0.25  
 Sick Hours: 1.76  
 Vacation Hours: 14.58  
 Comp Hours: 0.50  
 \$409.72

(B) WHEREAS, William Adams retired with an effective date of February 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:

William Adams  
 Personal Hours: 26.00  
 Sick Hours: 545.50  
 Vacation Hours: 260.00  
 \$32,336.78

12. RESOLUTION 88-22 THROUGH 89-22 – AMENDING RESOLUTIONS (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, Resolution No. 92-21 authorized an agreement with Laura Bishop Communications, LLC for services as public information officer, as a non-fair and open contract pursuant to the Pay to Play regulations in an amount not to exceed \$35,000.00; and

WHEREAS, said contract needs to be amended to include additional services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the agreement with said contractor is hereby amended.

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

LAURA BISHOP COMMUNICATIONS LLC  
Public Information Officer – Additional Services CY2021  
Not to Exceed an additional - \$1,541.25  
(Total Contract Amount \$36,541.25)

(B) WHEREAS, Resolution No. 76-22 authorized a Shared Services agreement with The City of North Wildwood relative to the services of a Construction Official; and  
WHEREAS, there is a need to amend said Resolution and agreement to reflect the terms of said agreement to conform with UCC regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Shared Services Agreement with the City of North Wildwood for Construction Official be and is hereby amended to reflect a contract term of 4 years.

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

13. RESOLUTION 90-22 – 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.

\*Attachments available for viewing in the Clerk’s Office

14. RESOLUTION 91-22 – AUTHORIZING THE RELEASE AND REFUND OF PERMIT FEES – DAVID ROBINSON – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Construction Official of the Township of Middle has certified to the Township Committee that David Robinson, submitted and paid \$162.00 for permit fees.

WHEREAS, the Construction Official of the Township of Middle has certified to the Township Committee that David Robinson, is entitled to have \$128.00 refunded to them since the job has been canceled, less the DCA fee and the plan review fees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle that the appropriate Officials are authorized to refund the permit fees to David Robinson in the amount referenced above.

15. RESOLUTION 92-22 – CANCEL TAXES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, A cancellation of taxes is due to the below property owner who qualifies for 100% Disabled Veteran status as of December 17, 2021.

Account	Block	Lot	Owner/location	2021	2022
16128	322.01	39	Sexton, Jody D & Christine	\$215.02	\$3,174.93
			Property location: 19 Secluded Hollow Rd		

16. RESOLUTION 93-22 – INACTIVE SEWER STATUS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the following property has attained inactive sewer status in accordance with The Township of Middle Code 204-32 application, 204-33 documentation, 204-34 certificate of eligibility, 204-35 fee; and  
WHEREAS, the bills have been adjusted effective January 1, 2022.

ACCT	BLOCK	LOT	OWNER/LOCATION	adjustment amount
4703	241	2.01	Rybczynski, Joseph & Elizabeth	\$332.00
			Property location: 113 Hand Ave	

The Municipal fee for this is \$308.00 per year.

17. RESOLUTION 94-22 THROUGH 95-22 – REFUND OF UTILITY/TAX PAYMENT (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 Refund is due to the below property owner due to payment made on exempt property.

ACCT	BLOCK	LOT	OWNER/LOCATION	
16128	322.01	39	Sexton, Jody D & Christine 19 Secluded Hollow Rd Cape May Court House, NJ 08210	• \$615.54
			Property location: 19 Secluded Hollow Rd	

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 2021/2022 taxes.

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

(B) WHEREAS, A Refund is due to the previous Property Owner referenced below due to 1<sup>st</sup> quarter sewer being paid via ACH and the property was sold on 10/29/2021.

ACCT	BLOCK	LOT	OWNER/LOCATION	2022
14023	1422	7 C0003	SEAJ Development LLC 3124 Shunpike	\$160.00

Please make check payable and mail to:

Sandra J Hall  
1431 S Ocean Blvd #86  
Pompano Beach, FL 33062

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 a check in the above noted amount payable to the above-mentioned parties, as a refund of 2022 sewer.

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 96-22 THROUGH 100-22 – ASSIGNMENT OF TAX TITLE LIENS (ITEMS A THROUGH E) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) WHEREAS, the Township of Middle is the holder of Tax Sale Certificate #2021-0010 acquired under N.J.S.A. 54:5-34; and,

WHEREAS, it is deemed financially beneficial to, and in the best interests of, the Municipality to sell or assign that tax sale certificate; and

WHEREAS, the Tax Collector will mail notice of the potential assignment to the property owner at the address as it appears on the tax duplicate within five days prior to the action; and

WHEREAS, notice of the assignment will be posted in three public places within the Township of Middle and published in the Herald Newspaper, within five days prior to the action as required by law.

NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Middle, County of Cape May, State of New Jersey on this 7<sup>th</sup> day of February, 2022 that the Committee hereby authorizes the sale by assignment of the Tax Sale Certificate #2021-0010 in the amount of \$830.64 plus the cost of advertisement to:

Gabriel Spector  
Maguire & Partners Property Group  
528 E Lancaster Ave.  
St. Davids, PA 19087

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A. 54:5-113,

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized execute and deliver all assignment forms or other legal documents necessary to effectuate the various sales permitted by this Resolution.

(B) WHEREAS, the Township of Middle is the holder of Tax Sale Certificate #2021-0017 acquired under N.J.S.A. 54:5-34; and,

WHEREAS, it is deemed financially beneficial to, and in the best interests of, the Municipality to sell or assign that tax sale certificate; and

WHEREAS, the Tax Collector will mail notice of the potential assignment to the property owner at the address as it appears on the tax duplicate within five days prior to the action; and

WHEREAS, notice of the assignment will be posted in three public places within the Township of Middle and published in the Herald Newspaper, within five days prior to the action as required by law.

NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Middle, County of Cape May, State of New Jersey on this 7<sup>th</sup> day of February, 2022 that the Committee hereby authorizes the sale by assignment of the Tax Sale Certificate #2021-0017 in the amount of \$965.48 plus the cost of advertisement to:

Gabriel Spector  
Maguire & Partners Property Group  
528 E Lancaster Ave.  
St. Davids, PA 19087

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A. 54:5-113,

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized execute and deliver all assignment forms or other legal documents necessary to effectuate the various sales permitted by this Resolution.

(C) WHEREAS, the Township of Middle is the holder of Tax Sale Certificate #2021-0015 acquired under N.J.S.A. 54:5-34; and,

WHEREAS, it is deemed financially beneficial to, and in the best interests of, the Municipality to sell or assign that tax sale certificate; and

WHEREAS, the Tax Collector will mail notice of the potential assignment to the property owner at the address as it appears on the tax duplicate within five days prior to the action; and

WHEREAS, notice of the assignment will be posted in three public places within the Township of Middle and published in the Herald Newspaper, within five days prior to the action as required by law.

NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Middle, County of Cape May, State of New Jersey on this 7<sup>th</sup> day of February, 2022 that the Committee hereby authorizes the sale by assignment of the Tax Sale Certificate #2021-0015 in the amount of \$1,172.44 plus the cost of advertisement to:

Gabriel Spector  
Maguire & Partners Property Group  
528 E Lancaster Ave.  
St. Davids, PA 19087

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A. 54:5-113,  
BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized execute and deliver all assignment forms or other legal documents necessary to effectuate the various sales permitted by this Resolution.  
(D) WHEREAS, the Township of Middle is the holder of Tax Sale Certificate #2021-0025 acquired under N.J.S.A. 54:5-34; and,  
WHEREAS, it is deemed financially beneficial to, and in the best interests of, the Municipality to sell or assign that tax sale certificate; and  
WHEREAS, the Tax Collector will mail notice of the potential assignment to the property owner at the address as it appears on the tax duplicate within five days prior to the action; and  
WHEREAS, notice of the assignment will be posted in three public places within the Township of Middle and published in the Herald Newspaper, within five days prior to the action as required by law.  
NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Middle, County of Cape May, State of New Jersey on this 7<sup>th</sup> day of February, 2022 that the Committee hereby authorizes the sale by assignment of the Tax Sale Certificate #2021-0025 in the amount of \$989.68 plus the cost of advertisement to:

Gabriel Spector  
Maguire & Partners Property Group  
528 E Lancaster Ave.  
St. Davids, PA 19087

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A. 54:5-113,  
BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized execute and deliver all assignment forms or other legal documents necessary to effectuate the various sales permitted by this Resolution.  
(E) WHEREAS, the Township of Middle is the holder of Tax Sale Certificate #2021-0011 acquired under N.J.S.A. 54:5-34; and,  
WHEREAS, it is deemed financially beneficial to, and in the best interests of, the Municipality to sell or assign that tax sale certificate; and  
WHEREAS, the Tax Collector will mail notice of the potential assignment to the property owner at the address as it appears on the tax duplicate within five days prior to the action; and  
WHEREAS, notice of the assignment will be posted in three public places within the Township of Middle and published in the Herald Newspaper, within five days prior to the action as required by law.  
NOW, THEREFORE, BE IT RESOLVED by Township Committee of the Township of Middle, County of Cape May, State of New Jersey on this 7<sup>th</sup> day of February, 2022 that the Committee hereby authorizes the sale by assignment of the Tax Sale Certificate #2021-0011 in the amount of \$1,113.88 plus the cost of advertisement to:

Gabriel Spector  
Maguire & Partners Property Group  
528 E Lancaster Ave.  
St. Davids, PA 19087

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the periods set forth, all as provided for and permitted under N.J.S.A. 54:5-113,  
BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized execute and deliver all assignment forms or other legal documents necessary to effectuate the various sales permitted by this Resolution.

19. RESOLUTION 101-22 – EMERGENCY TEMPORARY APPROPRIATION – SNOW REMOVAL – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2022 budget and no adequate provision has been made in the 2022 temporary budget for the aforesaid purposes, and  
WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and  
WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2022 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$16,445.00,  
NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Middle, in the County of Cape May, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$16,445.00 as follows:

**STORM RECOVERY**

Other Expenses \$16,445.00

2. Said emergency temporary appropriations will be provided for in the 2022 budget.

3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

20. RESOLUTION –102-22 THROUGH 103-22 TABULATION COMMITTEE (ITEMS A THROUGH B)– On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) NOW THEREFORE BE IT RESOLVED, by the Township Committee, 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 25, 2022 at 10:00 AM in the Middle Township Municipal Building, 2<sup>nd</sup> Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

LANDSCAPING SERVICES AT VARIOUS TOWNSHIP LOCATIONS

(B) 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 April 13, 2022 at 9:00 AM in the Middle Township Municipal Building, 2<sup>nd</sup> Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

PUMP STATION IMPROVEMENTS – PHASE II – CONTRACT NO. 2021-01

21. RESOLUTION 104-22 THROUGH 106-22 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS (ITEMS A THROUGH C) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) WHEREAS, the Township of Middle has a need to enter into an agreement with Laura Bishop Communications, LLC to provide services relevant to Public Information Officer as a non-fair and open contract pursuant to the provisions under the Pay to Play regulations; and

WHEREAS, the Township of Middle will be entering into an agreement with Laura Bishop Communications, LLC where the total amount is \$35,000.00, which exceeds the non-fair and open limitation of \$17,500.00; and

WHEREAS, Laura Bishop Communications, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that said entity has not made any reportable contributions to a political or candidate committee in the Township of Middle in the previous one year, and that the contract will prohibit Laura Bishop Communications, LLC from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that authorization is hereby granted to enter into an agreement with said contractor for a term beginning on the date of this Resolution until December 31, 2022, and that the appropriate officials are hereby authorized to sign any and all document in connection therewith.

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

(B) WHEREAS, The Township of Middle has a need to award a contract for employee benefits insurance and broker consulting services as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.4; and

WHEREAS, it has been determined that the value of the acquisition shall exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract shall be for the 2022 year; and

WHEREAS, the Township of Middle wishes to hire Tom Rotondi of the Marsh & McLennan Agency as the consultant for the Township, and

WHEREAS, The Marsh & McLennan Agency has completed and submitted a Business Entity Disclosure Certification, which certifies that they have not made any reportable contributions to a politician or candidate for Committee in the Township of Middle in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the contract amount shall be charged to Group Insurance OE in the amount of \$50,000.00 contingent upon the approval of the 2022 budget; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, is hereby authorized to enter into a contract with Tom Rotondi of the Marsh & McLennan Agency as described herein and that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that a copy of this Award Resolution shall be published in the Cape May County Herald as required by law.

(C) WHEREAS, the Township of Middle has a need to enter into an agreement with Consulting & Municipal Engineers to provide affordable housing planning services as a non-fair and open contract pursuant to the provisions under the Pay to Play regulations; and

WHEREAS, the Township of Middle will be entering into an agreement with Consulting & Municipal Engineers where the total amount is \$30,500.00, which exceeds the non-fair and open limitation of \$17,500.00; and

WHEREAS, Consulting & Municipal Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that said entity has not made any reportable contributions to a political or candidate committee in the Township of Middle in the previous one year, and that the contract will prohibit Consulting & Municipal Engineers from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that authorization is hereby granted to enter into an agreement with said contractor for a term beginning on the date of this Resolution until December 31, 2022, and that the appropriate officials are hereby authorized to sign any and all document in connection therewith.

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

22. RESOLUTION 107-22 – AUTHORIZING A NEGOTIATED CONTRACT – MIDDLE TOWNSHIP HOME REHABILITATION PROGRAM CONTRACT #2019-9 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the Township of Middle advertised for bids for the Middle Township Home Rehabilitation Project Contract #2019-9 on five different occasions; and WHEREAS, four times, there were no bids received for said contract; and WHEREAS, the Township of Middle received a bid on January 11, 2022, after advertisement, for said contract which far exceeded the anticipated cost of the project; and WHEREAS, N.J.S.A. 40A:11-5.3 permits the governing body of the Township of Middle to negotiate and award a contract based on the bid specifications being advertised, prior to, on two separate occasions receiving no bids or high bids. WHEREAS, the homeowner and contractor have agreed on a modified scope of work limited to ceilings, doors and a second-floor common bathroom. NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for the following Home Rehabilitation Programs be and hereby is awarded as described:

Contract No.	Awarded to:	Total Contract Amount
2019-9	Buggy Construction, LLC	\$21,513.00

FURTHER BE IT RESOLVED, that these awards are conditioned upon certification of availability of funds.

23. RESOLUTION 108-22 – APPROVE CHANGE ORDER NO. 1 – SECLUDED LANE ROADWAY IMPROVEMENTS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, a Contract was awarded, on November 1, 2021, via Resolution No. 460-21 to South State, Inc. for Secluded Lane Roadway Improvements. NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the attached Change Order #1 for the project awarded to South State, Inc. for Secluded Lane Roadway Improvements is hereby approved, and that the change order results in an extension of contract until March 31, 2022.

24. RESOLUTION 109-22 – AUTHORIZING THE EXECUTION OF BIKE PATH CONSERVATION EASEMENT BETWEEN FHM PROPERTIES LLC AND THE TOWNSHIP OF MIDDLE FOR BLOCK 99.02 LOT 115.03 – 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 Bike Path Conservation Easement relative to Block 99.02 Lot 115.03, for use in connection with the Middle Township Bike Northern Extension Project.

25. RESOLUTION 110-22 – AUTHORIZING MAYOR TO SIGN 2022 SAFETY INCENTIVE PROGRAM CONTRACT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the governing body of the Township of Middle does hereby recognize the important role that an effective safety program plays in lowering employee injury rates, reducing lost time accidents, and cutting insurance costs, all of which contributes to greater employee safety and lower tax rates, and WHEREAS, as part of the 2022 Safety Incentive Program, the JIF hereby request that the municipality execute a “2022 Safety Contract” essentially agreeing to support and participate in all aspects of the JIF Safety Program. 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 Mayor and Township Clerk are hereby authorized to sign any and all documents in connection with said 2022 Safety Contract.

26. RESOLUTION 111-22 – AUTHORIZING RIO GRANDE VOLUNTEER FIRE COMPANY TO SOLICIT FUNDS IN THE ROADWAYS OF THE TOWNSHIP OF MIDDLE – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, Ordinance 1009-98 permits application to made to the Township of Middle by charitable organizations to solicit funds in the roadway of the Township of Middle; and WHEREAS, Rio Grande Volunteer Fire Company has submitted an application to the Municipal Clerk as required per said ordinance; and WHEREAS, the dates and times of the charitable solicitation are listed within the written application submitted by the Rio Grande Volunteer Fire Company and attached to this Resolution; and WHEREAS, the Chief of Police of the Township of Middle has reviewed the application of the Rio Grande Volunteer Fire Company and has determined that there is no public safety reason for the Township of Middle to deny this application; and NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, of the Township of Middle, County of Cape May, State of New Jersey, hereby grants permission for the Rio Grande Volunteer Fire Company to solicit funds on the roadways of Middle Township on the dates as set forth on the attached application form.



27. PUBLIC COMMENT:

*John Lauricella, Cape May Court House:*

- *Asked about outsourcing EMS*

*Mayor Donohue:*

- *Explained the Township has not outsourced EMS*

*John Lauricella, Cape May Court House:*

- *Explained he thought the Township had*

*Mayor Donohue:*

- *Explained that Lower Township had outsourced their EMS; discussed the research Middle Township had done regarding EMS recently and explained they have gone out to bid to collect solicitation for privatizing; further explained they would determine a final decision after bids were received*

*John Lauricella, Cape May Court House:*

- *Reiterated he thought a decision had been made*

*Mayor Donohue:*

- *Explained the Township is very deliberative about the decision; further explained they are looking at all angle to provide Township residents with the best services; spoke of upcoming meeting with Township rescue squads; discussed difficulties obtaining and training new EMTs and volunteers*

*Stan Doniger, Rio Grande:*

- *Asked about various location's bills on the bill list; asked about having an energy audit*

*Mayor Donohue:*

- *Stated the Township have had at least 3 energy audits completed in all building and discussed the various upgrades made*

*Kimberly Osmundsen:*

- *Further explained the various upgrades done the multiple Township buildings*

*Stan Doniger, Rio Grande:*

- *Asked if they Township is satisfied that the buildings are in decent shape*

*Mayor Donohue:*

- *Explained each energy program and that the township tries to be prudent with which upgrades are done at the various locations*

*Stan Doniger, Rio Grande:*

- *Asked if 400 Mechanic Street is the public works building*

*Mayor Donohue:*

- *Stated yes*

*Stan Doniger, Rio Grande:*

- *Clarified addresses for various buildings*

*Kimberly Osmundsen:*

- *Explained some could be pump stations*

*Stan Doniger, Rio Grande:*

- *Asked about bills for the pump stations and the upgrades being done; asked if the stations are energy hogs*

*Mayor Donohue:*

- *Explained how pump stations run; further explained the upgrades are to help better monitor each one*

*Kimberly Osmundsen:*

- *Further explained that the electric used at each station can depend on the type of pump being used*

*Stan Doniger, Rio Grande:*

- *Stated understanding that certain addresses bills are significantly higher than others*

*Mayor Donohue:*

- *Explained pump stations must run 24 hours*

*Kimberly Osmundsen:*

- *Stated there is a pump station at 400 Mechanic Street*

ENGINEER REPORT:

*Vince Orlando:*

- *Reviewed report presented to Committee*

*Kimberly Osmundsen:*

- *Asked what he means regarding an early spring start for the 2021 road project*

*Vince Orlando:*

- *Stated about the first week in March; continued to review report*

*Kimberly Osmundsen:*

- *Asked to about details for Norbury Landing before submitting to the County for approval*

*Vince Orlando:*

- *Explained the County's involvement and requirements for the project; discussed sustainability of the items required by the County; explained they could discuss the require items with Leslie Gimeno to give him the Township's thought on their sustainability*

*Mayor Donohue:*

- *Stated he believes they should be entitled to some say on the items being placed as the Township must maintain the maintenance bond*

*Vince Orlando:*

- *Continued to discussed report; spoke of Zoning and Planning Boards*

*Mayor Donohue:*

- *Asked if they are still meeting via zoom*

*Vince Orlando:*

- *Stated yes*

#### COMMITTEE COMMENTS:

*Committeeman Norris:*

- *Explained the first skills competition the previous weekend; stated south shore is getting close to their playoff games; discussed that the kitchen and snack stand had been brought back for the basketball league and they were all to recoup the costs for the league; discussed Zumba classes at the Rec; stated lacrosse and track signups had begun*

*Committeeman Gandy:*

- *Discussed snowfall received during the previous weeks; commended the Police Department, Fire departments and Public Works on all their work done during the Storm; thanked Chief Leusner and Kimberly Osmundsen on their work getting everyone together*

*Mayor Donohue:*

- *Discussed first storm on the year; spoke of enhanced efforts to provide better service during the second storm; recognized Rob Flynn and the changes his team made to help keep up with the storm as well as Kimberly Osmundsen, her team and the outside contractor used; explained they will continue to work with the County and state to make sure to maintain safety within the Township; discussed secluded lane; discussed meeting he and Kimberly Osmundsen had with the County and gave updates on county projects; spoke of meeting with county representatives about down town Court House and efforts and hopes to upgrade the area; stated goal is to have a work session in the future to receive residents input*

*Vince Orlando:*

- *Stated the new owners of the old Bank of American on Main Street went before the Planning Board to discuss putting in a restaurant and apartments*

*Mayor Donohue:*

- *Expressed happiness that the upgrades are happening organically; continued to discuss efforts to help assist with economic development of down town Court House*

Motion to adjourn meeting – 6:31

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

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

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Andrea N. Singley, Deputy Township Clerk