

Cape May Court House, NJ
April 4, 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, Deputy Business Administrator Suzanne Schumann, Deputy Township Clerk Andrea Singley, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

**Business Administrator/Township Clerk Kimberly Osmundsen was absent*

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 item number 8.*

Leon Costello, Ford Scott & Associates:

- *Explained reason behind emergency appropriations.*

Stan Donigar, Rio Grande:

- *Asked if the ambulance contract would be discussed during meeting.*

Mayor Donohue:

- *Explained that the item is on the agenda and therefore, open for discussion*

Stan Donigar, Rio Grande:

- *Questioned what would happen with the current equipment and building*

Mayor Donohue:

- *Responded that it depends on if Inspira has interest in it*
- *Also explained that if they do not, that the Township can discuss the same with other rescue squads*

Stan Donigar, Rio Grande:

- *Asked for confirmation that this is not a part of the agreement*
- *Also questioned billing for Middle Township residents without coverage.*

Mayor Donohue:

- *Spoke of Inspira's agreement to not "chase" Middle Township residents for payment*

Stan Donigar, Rio Grande:

- *Also questioned what will happen to the current staff*

Mayor Donohue:

- *Spoke of Inspira job fair and willingness to hire anyone that meets their criteria for hire*
- *Explained dispatch agreement was intergovernmental*

Stan Donigar, Rio Grande:

- *Asked if coverage would be the same*

Mayor Donohue:

- *Provided overview of expected services from Inspira and how it compares to current coverage*
- *Spoke of expected level of service*
- *Also clarified for Mr. Donigar that billing will be handled by Inspira as well*

Stan Donigar, Rio Grande:

- *Asked about effects on Rio Grande EMS*

Mayor Donohue:

- *Spoke of correspondence being forwarded to all agencies if agreement passes*
- *Also discussed agreement in place between Middle Township Ambulance Corps and Inspira*

2. RESOLUTION 187-22 – 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. \$242,768.05
3. RESOLUTION 188-22 – 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: 03/23/2022 Work Session and Regular Meetings.
4. REPORTS: Clerk for the month of March; Tax/Sewer Collection for the month of March; Sterback Harbor for the month of March; Zoning for the month of March

5. ORDINANCE NO. 1642-22 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY TO SELL TOWNSHIP OWNED LAND BY A PRIVATE AUCTION TO BE HELD AMONG CONTIGUOUS OWNERS OF BLOCK 418, LOT 10 IN THE TOWNSHIP OF MIDDLE - Following second reading, hearing, and consideration for adoption, Ordinance 1642-22 was adopted on motion by Committeeman Gandy seconded by and passed on roll call.
Committeeman Norris abstained

Mayor Donohue:

- *Explained private auction process*

***No public comment.**

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 418, Lot 10 (the "Subject Property") in the Del Haven 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 James A Norris IV, 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 418 Lot 9	-	James A Norris IV 113 S 10 th Street Del Haven, NJ 08251
Block 418, Lot 1	-	Olatunji Olaniyan & Ebulomo Alao 112 S 9 th Street Del Haven, NJ 08251
Block 417, Lot 1	-	Charles W & Michelle L Weiss Jr. 902 Bay Shore Road Del Haven, NJ 08251

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 418 Lot 10 is \$7,000.00, and the Township Tax Assessor has stated in writing that the fair market value of the land is \$7,000.00, which the Township therefore makes the minimum bid; and

WHEREAS, the Township has determined that the property divested shall be the subject of a deed of consolidation together with the real property owned by the contiguous high bidder in order to eliminate an undersized lot that does not meet minimum development standards;

WHEREAS, said deed of consolidation must be filed with the County Clerk within sixty (60) days of the private auction; 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 418, Lot 10 to the highest bidder of an open (private) auction to be held on April 20, 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 418, Lot 10 which is offered for sale shall participate; and

2. The minimum bid shall be \$7,000.00; 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.

6. ORDINANCE NO. 1644-22 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY TO AMEND CHAPTER 108 OF THE TOWNSHIP CODE REGARDING BOUNCED CHECK FEES - On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No. 1644-22 passed first reading. Second reading, public hearing and consideration for adoption will be held on 05/02/2022 at 6:00 p.m.

Mayor Donohue:

- *Explained that Ordinance has not been updated in many years.*

WHEREAS, Local Ordinance Section 108-1 imposes a fee of twenty dollars (\$20.00) for a check tendered to the Township which check upon presentment to the bank “bounces”, which fee has not changed since 2010.

BE IT ORDAINED by the Township Committee of the Township of Middle, County of Cape May and State of New Jersey that Chapter 108-1 of the Code of Township of Middle be revised as follows:

SECTION 1. Chapter 108-1 is deleted in its entirety and replaced with the following:

Section 108-1. Fee Imposed.

The Township shall hereafter impose a fee of thirty-eight dollars (\$38.00) against individuals who issue a check payable to the Township of Middle, which check is subsequently dishonored by the individual’s bank for insufficient funds or any other cause.

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.

7. 2022 BUDGET PRESENTATION - LEON COSTELLO, FORD SCOTT & ASSOCIATES AND DAVID ELLIOTT, CFO

Leon Costello:

- *Discussed introduction and adoption process of the budget*
- *Spoke of several meetings that took place in preparation of budget*
- *Provided background on tax rate increase; spoke of use of fund balance and COVID relief funds*
- *Spoke of revenue impact since COVID; well within LEVY and spending cap*
- *Also discussed increase in rateables*
- *Mentioned public hearing on May 2nd for the public to address any concerns*
- *Also mentioned potential changes prior to adoption*

David Elliott:

- *Thanked Kim and Suzanne for their assistance with 2022 budget*

Mayor Donohue:

- *Spoke of another challenging year*
- *Mentioned contract negotiations and retention of quality employees*
- *Also referenced savings with County Dispatch agreement and privatizing EMS*

Leon Costello:

- *Spoke of land sale revenue*

8. RESOLUTION 189-22 - EMERGENCY TEMPORARY APPROPRIATION – 2022 QUARTER 2 – 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 \$6,958,093.30 for the

Current Fund and \$770,966.50 for the Sewer Utility Operating Fund.

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 \$6,958,093.30 for the Current Fund and \$770,966.50 for the Sewer Utility Operating Fund as follows:

			2022	2022	2022	2022
			Temp	Emergency	Quarter 2	Temp Budget
Budget Acct	Budget Account Description	SW/OE	Budget	Res.	Emergency Appropriation	Plus Emergencies
2-01-20-100	General Administration	SW	43,378.13		45,621.87	89,000.00
2-01-20-100	General Administration	OE	12,501.56		15,498.44	28,000.00
2-01-20-105	Human Resources (Personnel)	SW	30,765.00		28,235.00	59,000.00
2-01-20-105	Human Resources (Personnel)	OE	8,137.50		8,862.50	17,000.00
2-01-20-110	Mayor and Committee	SW	13,781.25		13,218.75	27,000.00
2-01-20-110	Mayor and Committee	OE	0.00		0.00	0.00
2-01-20-120	Township Clerk	SW	43,837.50		44,162.50	88,000.00
2-01-20-120	Township Clerk	OE	9,639.00		10,361.00	20,000.00
2-01-20-120	Township Clerk	OE	2,257.50		2,742.50	5,000.00
2-01-20-120	Public Affairs / Information / Events	OE	2,625.00		2,375.00	5,000.00
2-01-20-130	Financial Administration	SW	43,837.50		46,162.50	90,000.00
2-01-20-130	Financial Administration	OE	13,912.50		14,087.50	28,000.00
2-01-20-130	Grants and Administration	SW	13,928.78		14,071.22	28,000.00
2-01-20-130	Grants and Administration	OE	6,956.25		6,043.75	13,000.00
2-01-20-135	Audit Services	OE	8,531.25		44,268.75	52,800.00
2-01-20-140	Information Technology	SW	19,713.75		19,286.25	39,000.00
2-01-20-140	Information Technology	OE	3,517.50		9,482.50	13,000.00
2-01-20-145	Collection of Taxes	SW	50,462.21		45,537.79	96,000.00
2-01-20-145	Collection of Taxes	OE	8,898.75		9,101.25	18,000.00

			2022	2022	2022	2022
			Temp	Emergency	Quarter 2	Temp Budget
Budget Acct	Budget Account Description	SW/OE	Budget	Res.	Emergency Appropriation	Plus Emergencies
2-01-20-150	Assessment of Taxes	SW	41,417.25		40,582.75	82,000.00
2-01-20-150	Assessment of Taxes	OE	11,550.00		11,450.00	23,000.00
2-01-20-155	Liquidation of TTL and Foreclosed Property	OE	7,875.00		8,125.00	16,000.00
2-01-20-155	Legal Services and Costs	OE	81,375.00		93,625.00	175,000.00
2-01-20-165	Engineering Services	OE	26,250.00		26,750.00	53,000.00
2-01-21-180	Planning Board	OE	1,312.50	8,250.00	0.00	9,562.50
2-01-21-185	Zoning Board	SW	28,612.50		30,387.50	59,000.00
2-01-21-185	Zoning Board	OE	12,064.50		12,935.50	25,000.00
2-01-22-195	Construction Official	SW	34,125.00		17,875.00	52,000.00
2-01-22-195	Construction Official	OE	3,150.00		3,850.00	7,000.00
2-01-22-197	Fire Protection	OE	1,312.50		1,687.50	3,000.00
2-01-22-200	Code Enforcement	SW	20,000.00		20,000.00	40,000.00
2-01-22-200	Code Enforcement	OE	1,312.50		1,687.50	3,000.00
2-01-23-210	Insurance - General Liability	OE	43,968.75		80,031.25	124,000.00
2-01-23-215	Insurance - Workers Compensation Insurance	OE	139,125.00		140,875.00	280,000.00
2-01-23-220	Insurance - Employee Group Health	OE	979,000.00		979,000.00	1,958,000.00
2-01-23-222	Health Benefits Waivers	SW	31,500.00		2,500.00	34,000.00
2-01-23-225	Unemployment Compensation Insurance	OE	3,937.50		4,062.50	8,000.00
2-01-25-240	Police	SW	1,364,238.75		1,360,761.25	2,725,000.00
2-01-25-240	Police	OE	96,767.21		103,232.79	200,000.00
2-01-25-250	Police and Radio Communications	SW	119,358.75		0.00	119,358.75
2-01-25-250	Police and Radio Communications	OE	1,837.50		0.00	1,837.50
2-01-25-252	Emergency Management Services - OEM	OE	262.50		237.50	500.00
2-01-25-260	Contribution to First Aid Squads	OE	21,000.00		21,000.00	42,000.00
2-01-25-261	Rescue Squad - EMS	SW	137,287.50		112,712.50	250,000.00
2-01-25-261	Rescue Squad - EMS	OE	7,875.00		47,125.00	55,000.00
2-01-25-275	Municipal Prosecutor	OE	9,450.00		26,550.00	36,000.00
2-01-26-290	Road Repairs and Maintenance	SW	266,700.00		279,300.00	546,000.00
2-01-26-290	Road Repairs and Maintenance	OE	37,314.38		42,685.62	80,000.00
2-01-26-290	Storm Recovery	OE	5,250.00	16,445.00	0.00	21,695.00
2-01-26-300	Shade Tree Commission	OE	196.88		553.12	750.00
2-01-26-305	Garbage and Trash Removal	OE	129,150.00		130,850.00	260,000.00
2-01-26-305	Recycling	OE	129,150.00		130,850.00	260,000.00
2-01-26-310	Demolition of Substandard Buildings	OE	2,625.00		2,375.00	5,000.00
2-01-26-310	Public Buildings and Grounds	OE	111,116.25		112,883.75	224,000.00
2-01-26-315	Motor Pool	OE	69,431.25		70,568.75	140,000.00
2-01-27-330	Board of Health	SW	223.13		626.87	850.00
2-01-27-330	Board of Health	OE	223.13		626.87	850.00
2-01-27-340	Animal Control	SW	19,556.25		14,443.75	34,000.00
2-01-27-340	Animal Control	OE	2,100.00		2,900.00	5,000.00
2-01-27-340	Animal Shelter	OE	52,338.30		47,481.16	99,819.46
2-01-28-370	Recreation	SW	81,000.00		81,000.00	162,000.00
2-01-28-370	Recreation	OE	14,437.50		15,562.50	30,000.00
2-01-28-370	Senior Center	SW	14,831.25		12,168.75	27,000.00
2-01-28-370	Senior Center	OE	5,250.00		6,750.00	12,000.00
2-01-28-380	Beach Restoration	OE	26.25		73.75	100.00
2-01-30-415	Terminal Leave	SW	0.00		50,000.00	50,000.00
2-01-31-430	Street Lighting	OE	2,500.00		2,500.00	5,000.00
2-01-31-435	Electricity	OE	100,000.00		100,000.00	200,000.00
2-01-31-435	Natural Gas	OE	15,000.00		0.00	15,000.00
2-01-31-440	Internet	OE	5,775.00		12,225.00	18,000.00
2-01-31-440	Telephone	OE	26,250.00		25,750.00	52,000.00
2-01-31-445	Water	OE	5,250.00		5,750.00	11,000.00
2-01-31-447	Gasoline	OE	60,000.00		50,000.00	110,000.00
2-01-32-465	Sanitary Landfill	OE	144,375.00		145,625.00	290,000.00
2-01-36-471	PERS	STAT	100,000.00		381,236.00	481,236.00
2-01-36-472	Social Security System	STAT	170,000.00		175,000.00	345,000.00
2-01-36-475	PFRS	STAT	175,000.00		1,332,972.00	1,507,972.00
2-01-36-477	DCRP	STAT	5,906.25		6,093.75	12,000.00

		2022		2022		2022	
		Temp		Emergency		Temp Budget	
		Budget		Res.		Plus	
Budget Acct	Budget Account Description	SW/OE	Budget	Res.	Appropriation	Emergencies	Temp Budget
2-01-42-106	Interlocal - CMC Tech and MTBOE Police	SW	50,656.46		54,059.14	104,715.60	
2-01-42-107	Interlocal - Construction Official	SW	0.00	11,070.51	13,750.00	24,820.51	
2-01-42-119	JIF Insurance - MT FD1	OE	4,910.85		24,573.15	29,484.00	
2-01-42-119	JIF Insurance - MT FD2	OE	4,708.73		14,187.27	18,896.00	
2-01-42-119	JIF Insurance - MT FD3	OE	3,604.13		14,384.87	17,989.00	
2-01-43-490	Municipal Court	SW	61,083.75		58,916.25	120,000.00	
2-01-43-490	Municipal Court	OE	8,066.63		8,933.37	17,000.00	
2-01-43-495	Public Defender	OE	4,725.00		4,275.00	9,000.00	
2-01-44-910	Improvements to Bldgs/Grounds/Equipment	OE	30,000.00		0.00	30,000.00	
Total Current Fund Temporary Budget			5,481,377.51		6,958,093.30	12,475,236.32	

		2022		2022		2022	
		Temp		Emergency		Temp Budget	
		Budget		Appropriation		Plus	
Budget Acct	Budget Account Description	SW/OE	Budget	Appropriation	Emergencies	Temp Budget	Plus
2-07-55-501	Operating - Salaries & Wages	SW	52,500.00	61,500.00	114,000.00		
2-07-55-502	Operating - Other Expenses	OE	100,000.00	25,000.00	125,000.00		
2-07-55-502	Operating - Insurance	OE	20,000.00	6,000.00	26,000.00		
2-07-55-502	Operating - MUA User Charges	OE	574,759.50	672,666.50	1,247,426.00		
2-07-55-540	Statutory Expenditures - PERS	STAT	40,000.00	0.00	40,000.00		
2-07-55-541	Statutory Expenditures - Social Security System	STAT	4,200.00	5,800.00	10,000.00		
Total Sewer Utility Fund Temporary Budget			791,459.50	770,966.50	1,562,426.00		

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.

9. RESOLUTION 190-22 – INTRODUCTION OF BUDGET BY TITLE ONLY – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the 2022 Budget for the Township of Middle be introduced, approved and given first reading by title only.

10. RESOLUTION 191-22 – 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
Robert Shepherd	Public Safety – Police	Police Captain	09/01/2022

11. RESOLUTION 192-22 – 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

EMPLOYEE	DEPARTMENT/BOARD	POSITION	EFFECTIVE
Adam McGraw	Public Works	Laborer 1 F/T T/A	03/29/2022

acknowledged.

12. RESOLUTION 193-22 – 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
Joshua Bryan	Public Safety – Police	Police Sergeant	04/01/2022

13. RESOLUTION 194-22 – 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	EFFECTIVE DATE
Daniel Branco	Public Works	Laborer 1 F/T T/A	Laborer 1 P/T Permanent	04/08/2022
Curt Kuemmerle	Public Works	Laborer 1 F/T T/A	Laborer 1 P/T Permanent	04/08/2022

14. RESOLUTION 195-22 – APPOINTMENTS – VOLUNTEER BOARDS – 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 individual is hereby appointed to the volunteer board opposite their name:

NAME	POSITION	BOARD	TERM EXPIRES
Bill Jennings	Member	Rent Leveling Board	04/04/2022
Francis R. King	Member	Rent Leveling Board	04/04/2022
Shannon Feltwell	Member	Veteran’s Advisory Board	04/04/2022
Henry Buchy	Member	Veteran’s Advisory Board	04/04/2022
Lee Green	Member	Veteran’s Advisory Board	04/04/2022
Nancy McDevitt	Secretary	Veteran’s Advisory Board	04/04/2022

15. RESOLUTION 196-22 – AUTHORIZING EXECUTION OF AGREEMENT – 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 Mayor and Township Clerk are hereby authorized to execute the agreement, as reviewed and approved by counsel, between Joseph Trombetta and the Township of Middle.

16. RESOLUTION 197-22 THROUGH 198-22 – APPROVE TRANSIENT MERCHANT VENDOR LICENSE (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 R. Brown dba Jim’s Mister Softee of Cape May County, LLC has applied for a Vendor’s License to operate an ice cream truck in Middle Township, and WHEREAS, proper application has been made to the Township of Middle, County of Cape May, State of New Jersey and the proper fees have been paid. 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 vendor applicant is hereby licensed by the Township of Middle to operate an ice cream truck in Middle Township from April 4, 2022 through December 31, 2022. (B) WHEREAS, A&T Ice has applied for a Vendor’s License to operate an ice cream truck in Middle Township, WHEREAS, proper applications have been made to the Township of Middle, County of Cape May, State of New Jersey and the proper fees have been paid. 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 vendor applicant is hereby licensed by the Township of Middle to operate an ice cream truck in Middle Township from April 4, 2022 through December 31, 2022.

17. RESOLUTION 199-22 – ESTABLISHING GREEN TEAM FOR SUSTAINABLE JERSEY PROGRAM – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the Township Committee of the Township of Middle strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally, and socially; a community which would thrive well into the new century; and WHEREAS, the Township Committee of the Township of Middle wishes to build a model of government which benefits our residents now and far into the future with green community initiatives outlined in the Sustainable Jersey Program, which are easy to replicate and affordable to implement; and WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green Team; and WHEREAS, the Township Committee of the Township of Middle wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first; and WHEREAS, the following actions will be priorities for the Green Team as the Township moves to do their share to lessen the environmental impact of its operations: energy conservation; smart growth principals; protection of natural resources; smart growth principals of development; and community education. NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that we do hereby establish a Green Team consisting of all the members of the Middle Township Environmental Commission. BE IT FURTHER RESOLVED, by the Middle Township Governing Body, that we do hereby appoint the following persons to the Green Team for 2022:
 Vilma Pombo, Chairman
 Rachel Shepherd
 Amanda DeVico
 Betsy Haskin
 Betsy Kohler
 Tarin Mason
 Josh Nemeth
 Sylvia Lockwood
 Katrina Born, Secretary

18. RESOLUTION 200-22 – SUSTAINABLE LAND USE PLEDGE – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, land use is an essential component of overall sustainability for a municipality; and
WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and
WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and
WHEREAS, Given New Jersey’s strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;
NOW THEREFORE, we the Township of Middle, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making Township of Middle a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.
Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.
Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.
Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.
Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.
Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.
Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.
Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.
19. RESOLUTION 201-22 – RATIFY SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MIDDLE AND COUNTY OF CAPE MAY FOR THE PROJECT KNOWN AS “NORBURY’S LANDING PARK” – CAPE MAY COUNTY OPEN SPACE AND FARMLAND PRESERVATION PROGRAM – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, the Township has submitted an application under the County’s 2021 Open Space Program for Norbury’s Landing Park; and
WHEREAS, it is desired for the County and the Township to enter into this Shared Services Agreement in order for the County to provide funding to the Township.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the appropriate officials are hereby authorized and directed to sign said Shared Services Agreement with the County of Cape May for the term of April 26, 2022 through April 25, 2024.
20. RESOLUTION 202-22 – REDUCTION OF PERFORMANCE BOND NO. 4 – TOMPKINS BUILDERS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, \$148,893.19 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 \$26,187.02 have been completed; and
WHEREAS, it has been further recommended that the performance guarantee for the above stated project be reduced to \$122,706.17; 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 \$122,706.17.
21. RESOLUTION 203-22 – CONFIRMATION OF LAND SALE – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, the Township Committee of the Township of Middle, by proper resolution, directed that a public sale be held at the meeting room, 33 Mechanic Street, Cape May Court House, New Jersey, and that certain lands and premises owned by, and situated within, the Township of Middle, County of Cape May, State of New Jersey, be sold as follows:
Resolution No. 472-21 Adopted: November 15, 2021 Sale Date: January 19, 2022 at 10:00 am
WHEREAS, said public sale was held at the above time and place, and said premises were sold to the highest bidder, as follows:
Block 929 Lot 4 - 207 Reading Avenue, Cape May Court House, New Jersey 08210

WHEREAS, said highest bidder has requested that said lands and premises be conveyed as follows: MiddlealumniRE LLC, 57 W. Katherine Avenue, Suite B, Ocean View, NJ 08230
NOW THEREFORE BE IS RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, that the sale of said premises, upon the above consideration, be and is hereby confirmed, and the Mayor and Clerk of the Township of Middle are hereby authorized and directed to convey said premises as directed by said highest bidder, by Bargain and Sale Deed, free and clear of all taxes up to and including the calendar quarter during which said sale was held.

22. RESOLUTION 204-22 – AWARD OF RFP – EMERGENCY MEDICAL SERVICES – INSPIRA MEDICAL CENTERS, INC. – 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 request proposals for emergency medical services; and
WHEREAS, RFPs were received on March 1, 2022 at 10:00 AM; and
WHEREAS, it appears that the following bids submitted represents a figure equal to the lowest responsible bids received, which complies with specifications and requirements as set forth by the State of New Jersey.
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the following contract for services shall be awarded as follows:

INSPIRA MEDICAL CENTERS, INC. / INSPIRA HEALTH
EMERGENCY MEDICAL SERVICES
24-month term (with the option of 3 additional one-year term extensions)
\$100,000.00 each yr, for year(s) 1& 2

23. RESOLUTION 205-22 – RATIFY CONTRACT WITH MIDDLE TOWNSHIP AMBULANCE CORPS – JOINT PROVIDING OF EMERGENCY MEDICAL SERVICES TO PEOPLE 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, the Township and Middle Township Ambulance Corps. seek to enter into an agreement for the providing of emergency medical services to the people of the Township of Middle, and
WHEREAS, it has been deemed necessary and desirable to reduce the understanding and agreement of the parties to writing.

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 contract between the Township of Middle and Middle Township Ambulance Corps. is hereby ratified.

BE IT FURTHER RESOLVED, that this position designated below shall be for a period of one year, from January 1, 2022 to December 31, 2022 for a sum of \$40,000.00 annually for the term of this contract.

BE IT FURTHER SOLVED, that a contract be executed by the Township of Middle with the following group to supply services for the period from January 1, 2022 to December 31, 2022:

Middle Township Ambulance Corps.
PO Box 331
202 South Main Street
Cape May Court House, NJ 08210

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the Herald-Times as required by law.

FURTHER RESOLVED that this contract is contingent upon the certification of availability of funds and submission of State Affirmative Action Certification.

24. PUBLIC HEARING – PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0506-33-001-008

Bill Bumbernick:

- *Introduced himself and his wife, Megan*
- *Discussed proposed ideas for the restaurant*
- *Spoke of working with Township Engineer to determine what will work well with site*

Mayor Donohue:

- *Welcomed the Bumbernicks to Middle Township*

***No public comment.**

25. RESOLUTION 206-22 – AUTHORIZING AND APPROVING THE APPLICATION FOR THE PERSON-TO-PERSON TRANSFER OF THE PLENARY RETAIL CONSUMPTION LICENSE FROM RIO STATION INC. TO TSP RIO, LLC – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, application has been made to the Township Committee, of the Township of Middle, in the County of Cape May of the State of New Jersey, to permit the Person-to-Person transfer of Liquor License No. 0506-33-001-008 from Rio Station Inc. to TSP Rio, LLC

WHEREAS, said application for such Person-to-Person transfer was duly advertised as required by N.J.A.C. 13:2-7.4 with Affidavits of Publication of said notice having been filed in the Office of the Township Clerk, and

WHEREAS, the submitted application form is complete in all respects, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes and Regulations promulgated hereunder, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, no objections have been filed, in writing or verbally by any person that would prevent such application being approved.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the said application for the Person-to-Person Transfer, as stated above for Liquor License No. 0506-33-0001-008 from Rio Station Inc. to TSP Rio, LLC be approved and shall become effective 04/05/2022.

BE IT FURTHER RESOLVED the Township Clerk is hereby authorized and directed to execute the

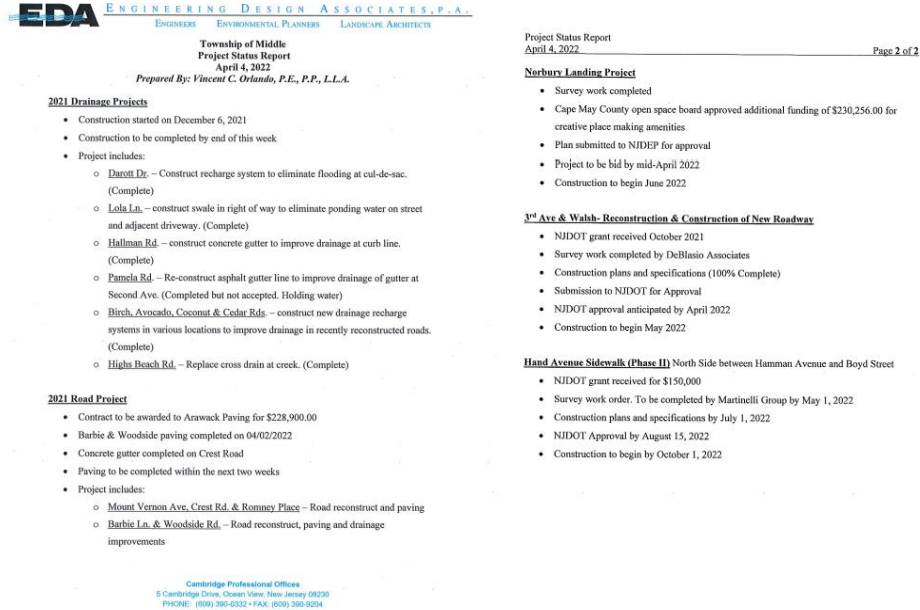
endorsement of transfer.

BE IT FURTHER RESOLVED that certified copies of this Resolution be filed with the New Jersey Division of Alcoholic Beverage Control, NJ Division of Taxation, the Chief of Police of the Township of Middle and the applicant.

26. ENGINEERING REPORT:

Vincent Orlando:

- Reviewed attached engineering report



27. PUBLIC COMMENT:

William Morrison, Romney Place:

- Discussed accident on Romney & Magnolia
- Spoke of signatures gathered for speed enforcement in the area
- Also mentioned lack of speed limit signs
- Referenced past efforts by residents to get more speed restrictions in the area

Mayor Donohue:

- Indicated that this is his first time hearing of the issue
- Stated that the Township can have speed limit signs put in place
- Also stated that Residential speed limits are 25 mph by statute

William Morrison, Romney Place:

- Suggested signs that would display speed of drivers, digitally

Mayor Donohue:

- Stated that the Township has portable signs that can be placed temporarily
- Explained process to establish permeant signage

William Morrison, Romney Place:

- Stated that his neighbors will be very happy

Stan Donigar, Rio Grande:

- Asked about bill list charges for long distance calls
- Stated that he has inquired about said charges in the past and was hoping for an update

Suzanne Schumann:

- Explained reason behind long distance charges
- Stated that multiple lines were canceled and others were transferred to the respective departments for billing purposes

Stan Donigar, Rio Grande:

- Questioned various bill list items relative to the Police Department

Mayor Donohue:

- Discussed finger printing software utilized by the Police Department as well as the main power DMS for the police station

Stan Donigar, Rio Grande:

- Asked about paving of Railroad Avenue

Mayor Donohue:

- Spoke if discussion with Atlantic City Electric about upcoming projects; one piece of work to do at substation off of bike path which will require opening the road
- Stated that paving is being held off until that is complete

Stan Donigar, Rio Grande:

- Also inquired about Church Street

Mayor Donohue:

- Reviewed process of determining which streets get paved

COMMITTEE COMMENTS:

Committeeman Norris:

- *Spoke of family fun night and thanked all organizations that partnered with the Township to help with the event*
- *Welcomed the Bumbernicks to Middle Township*
- *Provided updated on Del Haven water project*
- *Thanked all EMS employees for all of their hard work over the years*
- *Stated that Sean McDevitt should be proud of his departments*
- *Also thanked all volunteer companies for the job they do as well*

Committeeman Gandy:

- *Described difficulty making the decision regarding EMS*
- *Thanked all EMS employees for all they have done*
- *Congratulated Captain Shepherd on his retirement*
- *Also congratulated the Bumbernicks on their purchase of Rio Station*

Mayor Donohue:

- *Also recognized Captain Shepherd on his retirement*
- *Discussed how tough it was to come to the decision to privatize EMS services*
- *Spoke of current EMS circumstances and explained that it is the job of Township Committee to bring the best services to the town at the best cost*
- *Stated that the Township will do their best to work with current employees to assist in the next steps and thanked them all for their service.*

Motion to adjourn meeting – 6:37pm

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