

**Cape May Court House, New Jersey
TOWNSHIP OF MIDDLE
TOWNSHIP COMMITTEE
WORK SESSION AGENDA
March 23, 2022 4:00 PM (prevailing time)**

CALL TO ORDER:

The Work Session Meeting scheduled for Monday, March 21, 2022 at 4:00pm was cancelled due to a scheduling conflict. This Special Meeting was called pursuant to the provisions of the Open Public Meeting Law. Notices of this meeting were emailed to 98.7 The Coast, The Press of Atlantic City and the Cape May County Herald on March 10, 2022 and advertised in the Cape May County Herald on March 16, 2022. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk on aforementioned date. Notices on the bulletin board have remained continuously posted.

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

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

FLAG SALUTE:**PRESENTATIONS OR DISCUSSIONS:**

Ch 204 – Sewer Rates and Connection
Charges - Sewer Flow Meter Requirements

Kimberly Osmundsen:

- *Reviewed correspondence sent regarding commercial properties that are not currently in compliance with the ordinance; provided brief background on ordinance requirements; explained residential versus commercial rates and how they are calculated*
- *Spoke of letters sent to property owners not in compliance; explained next step to have code enforcement go out and provide additional notice; discussed amending rates in ordinance for commercial properties that refuse to comply*

Committeeman Gandy:

- *Asked how long they have been in arrears*

Kimberly Osmundsen:

- *Explained this has been ongoing since Sandy Beasley took over as Tax Collector and began finding these non-compliance properties; discussed local restaurant that disconnected their meter*

Steve Mills, Sewer Administrator:

- *Spoke of experience going into establishments to read meters*

Kimberly Osmundsen:

- *Poke of billing difficulties; asked Committee their thoughts on the next steps*

Steve Mills, Sewer Administrator:

- *Discussed 2 more establishments that have connected since the list was provided; explained number 7 and 8 enterprise drive is connected; commented on providing establishments with instructions on how to go about the process; stated establishments that did not respond received a second notice*

Kimberly Osmundsen:

- *Discussed 3 commercial businesses that were retro billed; asked if meters were discussed*

Sandy Beasley, Tax Collector:

- *Spoke of the lack of communication with some of the businesses*

Steve Mills, Sewer Administrator:

- *Explained he went to specific businesses to show them what they needed but they did not follow through*

Sandy Beasley, Tax Collector:

- *Explained businesses are being charged the minimum fees*

Kimberly Osmundsen:

- *Explained what is being charged is what can be charged legally or they can amend the ordinance*

Mayor Donohue:

- *Stated the building owner of Kelly Products had questions about the meter; explained the business only has one restroom; discussed providing proof that water is not going into the lines*

Kimberly Osmundsen:

- *Explained problem is that there is no meter to read how much water is flowing through these businesses*

Vince Orlando:

- *Discussed the state standards that the flow can be applied to; provided calculation examples*

Kimberly Osmundsen:

- *Explained it can be done simultaneously; stated they can amend the ordinance to amend the rates and at the same time send out code enforcement; suggested having code enforcement send out letter as well*

Mayor Donohue:

- *Spoke of similar experience with grassy sounds*

Vince Orlando:

- *Commented on the State standards being set very high*

Kimberly Osmundsen:

- *Explained it could incentivize non-compliant businesses to connect*

Sandy Beasley, Tax Collector:

- *Discussed due diligence done to get businesses on board*

Steve Mills, Sewer Administrator:

- *Explained the parts are available on amazon for between \$00 to \$255 and the remote display is \$38; further explained the costs will not affect the businesses*

Committeeman Norris:

- *Asked if anyone had given a reason for not connecting*

Steve Mills, Sewer Administrator:

- *Stated that some have said they do not receive calls back from plumbers*

Mayor Donohue:

- *Confirmed that the general consensus is to have some teeth in the ordinance*

Kimberly Osmundsen:

- *Explained commercial requirements; discussed changes from 4-inch to 6-inch lines due to flow; spoke of issues requiring this change depending on the type of use; explained they have to determine if they should change the ordinance to require the change in line to be dependent on the amount of flow*

Mayor Donohue:

- *Stated he has heard from various people asking why they are required to connect; spoke of renovation costs and complications in older buildings; discussed establishing flow rates to determine line size requirements*

Kimberly Osmundsen:

- *Asked Steve Mills his thoughts on separating fees and or requirements*

Steve Mills, Sewer Administrator:

- *Stated they are going to have to be stricter than the NJ Universal Plumbing Code; spoke of NAPA in Court House becoming a brewery and having to cross Route 9*

Mayor Donohue:

- *Discussed separating out total change use versus change of use with no change of flow*

Steve Mills, Sewer Administrator:

- *Continued to discuss change of use effects on flow*

Kimberly Osmundsen:

- *Spoke of backing up other units; discussed areas where older infrastructure affects newer infrastructures*

Steve Mills, Sewer Administrator:

- *Continued to discuss various size lines and effects from having the wrong infrastructure*

Kimberly Osmundsen:

- *Discussed cleaning up the way the ordinance reads and set standards and structure for retail versus commercial*

Committeeman Gandy:

- *Suggested getting into the higher state standard requirements*

Mayor Donohue:

- *Asked Vince Orlando about keeping the ordinance the same but adding an appeal process*

Vince Orlando:

- *Discussed doing an addendum to the Ordinance if they have existing 4-inch lateral and are doing a conversion; explained they must submit a flow determination based off use to be sure the 4-inch line would work; further stated that the Sewer Director would have to approve*

Kimberly Osmundsen:

- *Spoke of adding a clause that they must jet their own lines if they do not follow Township recommendations*

Mayor Donohue:

- *Stated not to change the standard; discuss the right to appeal; further discussed the burden on the applicant to supply certified documentation from an engineer that existing infrastructure will support use*

Vince Orlando:

- *Expressed that they need to have a procedure in place*

Committeeman Gandy:

- *Discussed local building that has a proposed a total change of use*

Mayor Donohue:

- *Discussed facilitating responsible business development; proposed appeal process and steps for the process*

Kimberly Osmundsen:

- *Asked Vince Orlando and Marc Karavan to get together to draft an amendment to the ordinance*

Vince Orlando:

- *Asked if there was an ordinance to upgrade line*

Kimberly Osmundsen:

- *Stated it is just standard since conception*

Vince Orlando:

- *Discussed requirement for 6-inch line for all new construction; discussed appeal if there is an existing 4-inch line and they can justify that the line is adequate to handle the flow; explained the appeal would be accompanied by a floor plan; stated the engineer will have to prove that they won't exceed the calculation; stated then the application would be submitted for review by the Township's Sewer Engineer*

Mayor Donohue:

- *Asked if there will still be a requirement for a separate lateral for each unit*

Kimberly Osmundsen:

- *Stated every separated unit should have their own clean out*

Vince Orlando:

- *Explained buildings with 4 units should have 2 4-inch lines with clean outs; further explained each unit should have a separate 4-inch lateral*

Steve Mills, Sewer Administrator:

- *Suggesting language to recommend a 6 inch but if they choose to have a 4-inch that they are own their own*

Vince Orlando:

- *Stated the appeal will be clear regarding the 6-inch lateral and why they are stating they do not need that lateral*

Committeeman Gandy:

- *Agreed they should have to prove why they do not need a 6-inch lateral*

Vince Orlando:

- Stated only for existing buildings with existing laterals; explained new construction will require 6; asked Kim if she would like these changes for the next meeting

Kimberly Osmundsen:

- Stated yes; discussed amendments to chapter 204

Sandy Beasley, Tax Collector:

- Stated Suzanne Schumann was looking into 204 as well; stated Suzanne Schumann had asked the Collectors office if they wanted anything added that may be beneficial

Mayor Donohue:

- Asked Steve to be honest in the process to protect the department and the Township; further explained they have to find the best way to enforce the 6-inch lateral but still allow people to appeal that decision as long as they can provide proper proof

Steve Mills, Sewer Administrator:

- Stated to put responsibility on them

Rob Flynn, Public Works Superintendent:

- Stated the appeal can always be denied by the Sewer Engineer

DEPARTMENTAL REPORTS AND PROJECT UPDATES:

Administration:

Finance:

Public Works:

Engineering:

Legal:

Tax Collection:

Tax Assessment:

Construction/Planning/Zoning:

Recreation:

Police / Animal Control/ Code Enforcement:

Buildings and Grounds:

Sewer:

Economic Development:

Personnel:

Zoning:

Township Clerk:

PUBLIC COMMENT: NONE

Motion to Adjourn Meeting – 4:38 pm

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Andrea N. Singley, Deputy Township Clerk