

Cape May Court House, NJ
May 2, 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, Committee member 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.)

Stan Doniger, Rio Grande:

- *Asked about COAH charge on bill list with regards to impact and how it can be recouped*

Mayor Donohue:

- *Spoke of need for affordable housing as well as funds in trust fund paid by developers and ability to use a certain amount of those funds towards administrative costs*

Stan Doniger, Rio Grande:

- *Questioned if there is a mechanism to transfer the cost to the builder*

Mayor Donohue:

- *Explained that developers pay into the fund; further explained*

Marc Karavan:

- *Discussed category of projects; dependent on size of project*
- *Explained it is paid over a period of time*

2. RESOLUTION 224-22 – 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. \$3,345,836.84
3. RESOLUTION 225-22 – 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: 04/18/2022 Regular Meeting.
4. REPORTS: NONE
5. 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 - Following second reading, hearing, and consideration for adoption, Ordinance 1644-22 was adopted on motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.

Kimberly Osmundsen:

- *Explained reason behind Ordinance; housecleaning for bounced check fees*

***No public comment.**

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.

6. **ORDINANCE NO. 1646-22 – AN ORDINANCE REPEALING CHAPTER 131 OF THE CODE 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, Township Committee has reviewed Chapter 131, entitled Emergency Medical Transport Services of the Code of Township of Middle;
WHEREAS, Township Committee on 04/05/2004 adopted Ordinance 1148-04, with any fully adopted amendments, establishing EMS billing to insurance companies and/or persons that are provided emergency medical services;
WHEREAS, EMS services to the residents of Middle Township shall be provided by a third-party provider which will be responsible for any and all maintenance of service records and billing for EMS services.
BE IT ORDAINED, by the TOWNSHIP COMMITTEE, the governing body of the Township of Middle that CHAPTER 131 of the Code Township of Middle be and is hereby Repealed
BE IT FURTHER ORDAINED, that this ordinance shall become effective immediately upon final passage and publication, according to law

7. **ORDINANCE NO. 1647-22 – AMENDING SECTION 193-1 ET SEQ. OF THE CODE OF THE TOWNSHIP OF MIDDLE** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No. 1647-22 passed first reading. Second reading, public hearing and consideration for adoption will be held on 06/06/2022 at 6:00 p.m.
WHEREAS, the Township of Middle previously adopted Ordinance 1539-17, which set forth within the Township’s Property Maintenance Standards, certain regulations regarding the classification and registration of vacant properties with the Township; and
WHEREAS, it is the opinion of the Township Committee, the Governing Body of the Township of Middle, that said prior Ordinance (now codified as Section 193 of the Township Code) should be modified to narrow the scope of the properties classified under the Ordinance and to adjust the registration fees associated with the same;
NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Middle in the County of Cape May and the State of New Jersey as follows:

SECTION 1. The averments above are incorporated herein is if set forth at length
SECTION 2. Section 193 of the Code of the Township of Middle shall be amended as follows:
a. The text of Section 193-4, defining “VACANT PROPERTY”, which provides that “Any real property located in Middle Township, whether vacant or occupied, that...” shall be stricken and the following verbiage shall be substituted in its place:
“Any real property located in Middle Township that is not occupied, and that...”
b. The text of Section 193-27 entitled “Fee Schedule” shall be stricken and the following verbiage shall be substituted in its place:
“The initial and subsequent annual registration fee for each building shall be \$500. Registrations must be renewed annually in accordance with § 193-24(d).”
SECTION 3. All other Ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency
SECTION 4. 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 5. This Ordinance shall become effective immediately upon final passage and publication, according to law.

8. **RESOLUTION 226-22 – 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
Sean McDevitt	Public Safety – EMS	Chief EMT	07/01/2022

9. **RESOLUTION 227-22 – 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
Robert Luzny	Public Works	Laborer 1	\$35,000.00	05/01/2022
Nick Montalbano	Recreation	Recreation Aide P/T T/A (6 months)	\$15.00 per hour	04/21/2022

10. RESOLUTION 228-22 – 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	SALARY	EFFECTIVE DATE
Mark Shaw	Public Works	Laborer 1 F/T T/A	Laborer 1 F/T Permanent	\$35,000.00	04/21/2022
Brian Milburn	Public Works	Laborer 1 F/T T/A	Laborer 1 F/T Permanent	\$35,000.00	05/01/2022
Daniel Branco	Public Works	Laborer 1 P/T Permeant	Laborer 1 F/T Permeant	\$35,000.00	05/01/2022

11. RESOLUTION 229-22 – ACKNOWLEDGEMENT OF TERMINATION – 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 termination listed below, is acknowledged.

EMPLOYEE	DEPARTMENT	POSITION	EFFECTIVE
Luke Smearman	Public Works	Laborer 1 F/T Permanent	04/22/2022
Eric Kelly	Sewer	Sewer Repairer 1	03/16/2022

12. RESOLUTION 230-22 – EMERGENCY TEMPORARY APPROPRIATION – VARIOUS LINE ITEMS – 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 (\$49,683.01), 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 (\$49,683.01) as follows:

Audit Services	
Other Expenses	(\$20,300.00)
Planning Board	
Other Expenses	(\$4,562.50)
Shared Service Agreements	
Interlocal – Construction	(\$24,820.51)

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.

13. PUBLIC HEARING ON INTRODUCED BUDGET

Leon Costello, Municipal Auditor:

- *Provided Committee with a presentation*
- *Explained amendment to introduced budget that will not affect the rate*
- *Spoke of an adjustment for an additional MUA bill that came in higher than expected*
- *Stated the budget is under caps and all of American Rescue Money funds were used for to fund the budget*
- *Directed Committee to change to the ordering of the budget related Resolutions on the agenda*

David Elliott, CFO:

- *Spoke of final steps of budget process*
- *Also mentioned recovery effects of COVID*
- *Reviewed page 2 of chart with references to anticipated revenues; still not at pre-pandemic levels*
- *Continued to review various pages of the presentation and explained various budget line items including increase in starting salary for Township employees.*
- *Spoke of decrease in down payments for capital improvements and increase for MUA user charges.*
- *Spoke of maintaining quality services throughout the pandemic*

Leon Costello, Municipal Auditor:

- *Added that entire \$500,000 credit from 2021 was used for capital projects*
- *Mentioned that not as much was received this year*
- *Stated that the State has approved adoption*

Mayor Donohue:

- *Explained budget process.*

**No public comment*

14. RESOLUTION 231-22 – AMEND 2022 BUDGET – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, the local municipal budget for the year 2022 was approved on the 2nd day of May, 2022, and WHEREAS, the public hearing on said budget has been held as advertised, and WHEREAS, it is desired to amend said approved budget, NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, that the following amendments to the approved budget of 2022 be made:

CURRENT FUND:			
	From	To	
ANTICIPATED REVENUES:			
3. Miscellaneous Revenues			0.00
Section F: Special Items with Prior Written Consent of the Director of LGS - Public and Private Revenues Offset with Appropriations			0.00
NJDOT Grant - Magnolia Drive	-	300,000.00	300,000.00
Total Section F: Special Items with Prior Written Consent of the Director of LGS - Public and Private Revenues Offset with Appropriations	457,390.00	757,390.00	300,000.00
Total Miscellaneous Revenues	7,942,898.29	8,242,898.29	300,000.00
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	9,807,898.29	10,107,898.29	300,000.00
6. Amount to be Raised by Taxes for Support of Municipal Budget			0.00
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	14,604,098.43	14,604,098.43	0.00
7. Total General Revenues	<u>24,411,996.72</u>	<u>24,711,996.72</u>	300,000.00
ANTICIPATED APPROPRIATIONS:			
8. General Appropriations:			0.00
a) Operations - excluded from "CAPS"			0.00
Public and Private Programs Offset by Revenues			0.00
NJDOT Grant - Magnolia Drive	0.00	300,000.00	300,000.00
Total Public and Private Programs Offset by Revenues	457,390.00	757,390.00	300,000.00
Total Other Operations - excluded from "CAPS"	824,267.40	1,124,267.40	300,000.00
Detail: Other Expenses	628,826.00	928,826.00	300,000.00
H-2 Total General Appropriations for Municipal Purposes Excluded from "CAPS"	2,218,711.69	2,518,711.69	300,000.00
O) Total General Appropriations Excluded from "CAPS"	2,218,711.69	2,518,711.69	300,000.00
I) Subtotal General Appropriations (Items (H-1) and (O))	24,036,429.67	24,336,429.67	300,000.00
J) Subtotal General Appropriations (Items (H-1) and (O))	375,567.05	375,567.05	0.00
9. Total General Appropriations	<u>24,411,996.72</u>	<u>24,711,996.72</u>	300,000.00
SEWER UTILITY FUND:			
ANTICIPATED REVENUES:			
Operating Surplus Anticipated	0.00	230,000.00	230,000.00
Total Sewer Revenues	<u>5,244,000.00</u>	<u>5,474,000.00</u>	230,000.00
ANTICIPATED APPROPRIATIONS:			
Operating:			
MUA User Charges	2,550,000.00	2,780,000.00	230,000.00
Total Sewer Appropriations	<u>5,244,000.00</u>	<u>5,474,000.00</u>	230,000.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of a local municipal budget so amended.

15. RESOLUTION 232-22 – ADOPT 2022 MUNICIPAL BUDGET – 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 it is hereby declared that the Local Budget of the Township of Middle for the year 2022 was introduced and approved at a regular meeting of the Township Committee held on April 4, 2022 and was thereafter advertised in the Herald-Times in its issue on April 13, 2022, which advertisement contained a notice of the date, time and place of the public hearing, and that at least one week prior to public hearing a complete copy of the approved budget as advertised was posted in the Middle Township Hall and made available to each person requesting the same during said week, and that sufficient copies of same are available for each person requesting the same at the scheduled public hearing; and BE IT FURTHER RESOLVED, that the Local Budget of the Township for the year 2022 was hereby read by title only, and also had public hearing on May 2, 2022; and FURTHER RESOLVED, that the Summary of Appropriations be made part of this resolution for the adoption of the budget for the year 2022; and FURTHER RESOLVED, that the Local Budget of the Township of Middle for the year 2022 is hereby adopted.

16. RESOLUTION 233-22 THROUGH 234-22 – AWARD OF BID (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, it has been deemed necessary and desirable to solicit bids for the Home Rehabilitation Program for Contract No 2021-01, and WHEREAS, bids were received on February 16, 2022, and WHEREAS, said bids were rejected on March 23, 2022 via Resolution 181-22 and a tabulation committee was re-established; and WHEREAS, the Township received bids on April 13, 2022; and WHEREAS, it appears that the following bid submitted below represents a figure equal to the lowest bid received, which complies with specifications. NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the contract for the following Home Rehabilitation Programs be and hereby is awarded as described:

Contract No.	Awarded to:	Total Bid Amount
2021-01	D N.A.S.A. & S Construction LLC	\$31,500.00

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

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

(B) WHEREAS, the Township of Middle, following public advertisement, received bids for Phase II of Pump Station Improvements; and

WHEREAS, sealed bids were received on April 13, 2022; and

WHEREAS, it appears that the following bid 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:

B & H Contracting Inc.
Pump Station Improvements – Phase II
Contract No. 2021-01
Not to Exceed \$2,120,000.00

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

17. RESOLUTION 235-22 – AUTHORIZE MAYOR TO EXECUTE DISCHARGE OF MORTGAGE – 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 that the mortgage loan for Habitat for Humanity for the property located at 210 Hand Avenue, Cape May Court House, New Jersey 08210, in the amount of \$85,000.00 is hereby authorized to be discharged.

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

18. RESOLUTION 236-22 – AUTHORIZING A RETURN PAYMENT TO FREEDOM MORTGAGE CORPORATION FOR PAYMENTS MADE ON BEHALF OF SHARON MCNEAL-SILNICKI – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, Ordinance No. 1580-18 was passed by the Middle Township Committee on December 17, 2018 and memorialized on December 26, 2018 entitled “AN ORDINANCE ESTABLISHING A UNIFIED CODE GOVERNING VACANT AND UNSAFE STRUCTURES AND PROPERTY MAINTENANCE IN MIDDLE TOWNSHIP”; and

WHEREAS, the property located at 1043 Route 47 S., Rio Grande, NJ was subject to the registration requirements and associated fees as found in said Ordinance; and

WHEREAS, Freedom Mortgage Corporation has made payments totaling Two Thousand One Hundred Eighty-Five (\$2,185.00) Dollars for fees incurred pursuant to Chapter 193-27 of the Middle Township Code on behalf of Sharon McNeal-Silnicki, who resides at 1043 Route 47 S. Rio Grande, NJ; and

WHEREAS, Sharon McNeal-Silnicki, filed a Chapter 13 petition in the United States Bankruptcy Court for the District of New Jersey under Case No. 19-11614, and in conjunction with same, has filed an affidavit with the Court confirming that she has consistently lived in said residence and that the same has not been vacant during the time period for which fees were imposed by the Code; and

WHEREAS, considering the Memorandum of Decision recently entered by the Honorable Julio L. Mendez, A. J. S. C. in the matter entitled McCormick 106 LLC vs. Community Champions Corporation, et al., such continued occupancy would exempt the premises from any fees or payments resulting from the application of the ordinance; and

WHEREAS, the Township has amended the subject Ordinance to be consistent with the Court’s guidance as aforesaid.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE, the governing body of the Township of Middle, as follows:

1. The averments set forth above are incorporated herein as if set forth at length.
2. The monies described above in the amount of Two Thousand One Hundred Eighty-Five (\$2,185.00) Dollars shall be refunded to the mortgagee of record, Freedom Mortgage Corporation forthwith.
3. The Municipal Clerk/Administrator, Municipal Solicitor and all other appropriate personnel, agent, servants, and employees of the Township of Middle are hereby empowered and authorized to take such action as may be necessary to implement to the provisions of this resolution.

19. RESOLUTION 237-22 THROUGH 238-22 – SOCIAL AFFAIRS PERMIT (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, Our Lady of Angels Church has applied for approval to sell alcoholic beverages at an event to be held at the Shore Club, 1170 Golf Club Road, Cape May Court House, New Jersey 08210 on May 17, 2022 from 1:00pm until 6:00pm; and

WHEREAS, they have provided proper documentation to the Township of Middle.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.

(B) WHEREAS, the Rio Grande Volunteer Fire Co. has applied for approval to sell alcoholic beverages at an event to be held at Rio Grande Fire Co., 1120 Rte 47 South, Rio Grande, NJ on May 21, 2022 from 4:00 pm to 9:00 p.m., and

WHEREAS, they have provided proper documentation to the Township of Middle,

NOW, THEREFORE BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Social Affairs Permit.

20. RESOLUTION 239-22 – DESIGNATING THE MONTH OF MAY AS “BAG UP NJ” MONTH – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, P.L.202, c.117, signed into law on November 4, 2020 is the most progressive disposable bag law in the country, with the goal of phasing out single-use plastic and paper bags and encouraging the use of reusable bags throughout New Jersey; and

WHEREAS, New Jersey is working to reduce reliance on single-use products to ensure that future generations have a clean and healthy environment to live, work, and recreate in; and

WHEREAS, banning or limiting the use of single-use plastic and paper carryout bags is a significant step in this effort; and

WHEREAS, the New Jersey Clean Communities Council, the New Jersey Department of Environmental Protection, the New Jersey Department of State, policymakers, environmental and business groups, as well as other stakeholders, are working together to educate consumers, businesses, and communities about the new law and encouraging residents to "Bag Up" before the ban on single-use plastic bags goes into effect on May 4, 2022; and

WHEREAS, the comprehensive "Bag Up NJ" campaign will include educational programs, public and media engagement and reusable bag distribution programs throughout the state, with an emphasis on underserved communities; and

WHEREAS, this statewide public education campaign will provide residents, businesses and visitors with information about the types of reusable and sustainable bags and containers that they may use and where to access these products.


NOW, THEREFORE, BE IT RESOLVED, by the Township of Middle that it is critical to begin educating the public about this new law; and

BE IT FURTHER RESOLVED, that one way to gain important recognition is to deem the month of May each year as “Bag Up NJ” month in Township of Middle as a further reminder that all residents should bring their own reusable bags to the store; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to the NJ Clean Communities Council, and the New Jersey State League of Municipalities.

21. ENGINEERING REPORT:

Vincent Orlando:
- *Reviewed prepared Engineering Report*



Township of Middle
Project Status Report
May 2, 2022
Prepared By: Vincent C. Orlando, P.E., P.P., L.L.A.

2021 Drainage Projects

- Construction started on December 6, 2021
- Construction completed
- Project includes:
 - Danett Dr.** – Construct recharge system to eliminate flooding at cul-de-sac. (Complete)
 - Lola Ln.** – construct swale in right of way to eliminate ponding water on street and adjacent driveway. (Complete)
 - Hallman Rd.** – construct concrete gutter to improve drainage at curb line. (Complete)
 - Pamela Rd.** – Re-construct asphalt gutter line to improve drainage of gutter at Second Ave. (Completed but not accepted. Holding water)
 - Birch, Avocado, Coconut & Cedar Rds.** – construct new drainage recharge systems in various locations to improve drainage in recently reconstructed roads. (Complete)
 - Highs Beach Rd.** – Replace cross drain at creek. (Complete)

2021 Road Project

- Contract to be awarded to Arawack Paving for \$228,900.00
- Project includes:
 - Mount Vernon Ave, Crest Rd. & Romney Place** – Road reconstruct and paving (Complete)
 - Barbie Ln. & Woodside Rd.** – Road reconstruct, paving and drainage improvements (Complete)

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Norbury Landing Project

- Survey work completed
- Cape May County open space board approved additional funding of \$230,256.00 for creative place making amenities
- Plan submitted to NJDEP for approval (Anticipated approval date June 28, 2022)
- Construction to be started by August 1, 2022

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

- NJDOT grant received October 2021
- Survey work completed by DeBlasio Associates
- Construction plans and specifications (100% Complete)
- Submission to NJDOT for Approval
- NJDOT approval pending
- Construction to begin June 2022

Hand Avenue Sidewalk (Phase II) North Side between Hamman Avenue and Boyd Street

- NJDOT grant received for \$150,000
- Survey work order completed April 15, 2022
- Construction plans and specifications by July 1, 2022
- NJDOT Approval by August 15, 2022
- Construction to begin by October 1, 2022

Magnolia Avenue

- NJDOT Grant received 04/25/2022 for \$300,000.00
- Project consists of repaving from Magnolia Avenue to entrance drive into Acme Shopping Center *Mechanics*
- Schedule currently being developed

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

22. PUBLIC COMMENT:

Stan Doniger, Rio Grande:

- *Asked about new flood insurance program and if the Township opted out*

Kimberly Osmundsen:

- *Responded that reports have be completed through the construction office*
- *Also explained that the process was started with the previous construction official and the new official has taken over the project and is in talks with the State*
- *Spoke of rating scale and end result in reduction of overall flood insurance for the entire municipality*
- *Also mentioned raising homes*

Mayor Donohue:

- *Spoke of other surrounding municipalities being 100% in the flood zone*

Stan Doniger, Rio Grande:

- *Discussed concerns over cost of flood insurance*
- *Also spoke of basin failures during Hurricane Sandy*

Mayor Donohue:

- *Stated that many areas not prone to flooding that flooded during Hurricane Sandy*
- *Also spoke of effect of adding new areas into flood zones*
- *Continued to discuss various aspects of flood zones*

Stan Doniger, Rio Grande:

- *Recommended a cost benefit analysis in the event the area is impacted by another storm like Hurricane Sandy*

Kimberly Osmundsen:

- *Explained CRS rating and list of qualifications provided by the State to get a rating scale*

Lillian Wing, Whitesboro:

- *Spoke of dirt bikes on the bike path by her church*

Kimberly Osmundsen:

- *Explained fencing is going to be extended to prevent people from using the church parking lot*

Lillian Wing, Whitesboro:

- *Also mentioned lack of signage on Route 9 in Rio Grande in the area of Rio Station*

Mayor Donohue:

- *Spoke of traffic congestion in the area*
- *Explained that the responsibility is on the State as it is a state road; will bring up the issue to them and try to maintain a strong police presence in the area*

Kimberly Osmundsen:

- *Also added that approvals for Rio Station and other surrounding businesses can be reviewed to see what signage requirements were included*

Lillian Wing, Whitesboro:

- *Expressed specific concern for the Starbucks location*

Ed Beddow:

- *Provided background on his bus stop request*

Mayor Donohue:

- *Spoke of reports regarding the same and added that the State Legislature is on it*
- *Also stated that the NJDOT has been down in the area to review the request*

Kimberly Osmundsen:

- *Mentioned e-mail from the State asking for information pertaining to the request and explained that the entire file was forwarded.*

Ed Beddow:

- *Spoke of conversation with the Chief of Staff at the NJDOT*
- *Continued to provide background on request*
- *Discussed feeling of discouragement*

Mayor Donohue:

- *Spoke of Mr. Beddow advocating for the stop for quite of while*

Ed Beddow:

- *Discussed NJDOT employee salaries*

Kimberly Osmundsen:

- *Explained she will resend the information to the NJDOT and NJ Transit*
- *Further explained that the Township can endorse but ultimately the decision is on the other two entities*

Mayor Donohue:

- *Suggested having Mr. Guiest call the Township as he is relatively new to his position so he is likely to be unsure of the history*

Ed Beddow:

- *Asked for a copy of the resolution*

Andrea Singley:

- *Advised she would send via email the next day*

Stan Doniger, Rio Grande:

- *Spoke of EMS contract with Inspira*

- *Commented on Inspira salaries*
- *Spoke of concern for pricing for Inspira Ambulance versus volunteer*

Kimberly Osmundsen:

- *Explained that insurance dictates how much is paid*
- *Further explained they can charge what they choose*

Stan Doniger, Rio Grande:

- *Asked about uniform pricing*

Kimberly Osmundsen:

- *Discussed billing*

Stan Doniger, Rio Grande:

- *Asked about non-Township residents*

Kimberly Osmundsen:

- *Explained same goes for either*

Mayor Donohue:

- *Resident distinction*

Kimberly Osmundsen:

- *Explained they will still receive a bill but won't send to collections*

COMMITTEE COMMENTS

Committeeman Norris:

- *Discussed AAU Basketball game in Pitman and the start of the program the previous year; stated the summer basketball league registration was underway and registration could be completed using RecDesk*
- *Spoke of the upcoming Coach Grier Basketball Clinic at the MLK Center*
- *Discussed the rebuilding of the recreation department*
- *Thanked Leon Costello and David Elliott for their work on the 2022 Budget*
- *Acknowledged Sean McDevitt's retiring; stated it was an honor to have him lead EMS*

Committeeman Gandy:

- *Spoke of Sean McDevitt's over 30-year career; explained he had done a great job and worked hard throughout his career*
- *Discussed great work done by Leon Costello and David Elliott on the Budget; further discussed goal of keeping the levy flat but explained covid is still affecting the budget*
- *Commented on lack of staff in the Public Works Department; explained they have increased pay to try to attract new employees*
- *Stated Construction and Zoning are performing well; explained Rachel Shephard, Zoning Officer, had really stepped up and doing a great job*
- *Announced the Township is still hiring for the Sewer and Public Works Department*
- *Commented on newspaper title regarding tax increase*

Mayor Donohue:

- *Explained no one was happy to raise taxes but the Township is facing the same pressures as business currently are; discussed the current environment being the perfect storm; further explained the Township is trying to set itself up to move forward proactively and economic development; discussed population growth and providing the best municipal services at the most affordable costs; explained the Township is now in a solid footing with the unions; spoke if the raising of salaries and attempt to attract and retain good employees*
- *Discussed continuing to push forward with infrastructure improvements*
- *Thanked everyone who worked hard on the budget*
- *Mentioned upcoming Roberson golf tournament; explained the renaming of the High School gym after Mr. Roberson; discussed his positive influence throughout the County and his personality of being a gentle giant who was always positive and encouraging*

Motion to adjourn meeting – 6:50PM

1st: Committeeman Gandy

2nd: Committeeman Norris

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

Kimberly D. Osmundsen, Township Clerk