

Cape May Court House, NJ
June 6, 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, Township Engineer Vince Orlando, & Municipal Solicitor Marcus Karavan

***Municipal Solicitor Marcus Karavan Absent – Steven Morris present on behalf**

1. PRESENTATION BY MAYOR AND COMMITTEE – RECOGNITION OF RETIREMENT – SEAN MCDEVITT

Mayor Donohue:

- *Discussed Sean's longevity with the Township; spoke of personal history between each other; wished him best of luck*

Committeeman Gandy:

- *Discussed relationship with Sean; thanked him for all his work throughout the years*

Committeeman Norris:

- *Thanked Sean for his service*

Kimberly Osmundsen:

- *Discussed her long standing relationship with Sean; pleasure to work with him*

Chief Leusner:

- *Stated it was an honor to work with Sean; spoke of working relationship; proud and honored to be able to go through the years with him*

2. PRESENTATION BY MAYOR AND COMMITTEE – 18th ANNUAL MIDDLE TOWNSHIP DRUM FISH TOURNAMENT AWARDS

Mayor Donohue:

- *Reviewed winners and total pounds of fish caught; thanked anglers for participating; explained reason behind tournament; thanked team that put the tournament together; stated the tournament raised over \$4,000 for the recreation department*

3. 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.)

NONE

4. RESOLUTION 255-22 – 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. \$3,378,118.70

5. RESOLUTION 356-22 – 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: 05/16/2022 Work Session and Regular Meetings.

6. REPORTS: Tax/Sewer Collection for the month of May; Sterback Harbor for the month of May; Zoning for the month of May; Clerk for the month of May

7. ORDINANCE NO. 1646-22 – AN ORDINANCE REPEALING CHAPTER 131 OF THE CODE OF THE TOWNSHIP OF MIDDLE - Following second reading, hearing, and consideration for adoption, Ordinance 1646-22 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.

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.

8. ORDINANCE NO. 1647-22 – AN ORDINANCE AMENDING SECTION 193-1 ET SEQ. OF THE CODE OF THE TOWNSHIP OF MIDDLE - Following second reading, hearing, and consideration for adoption, Ordinance 1647-22 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. 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 in 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.

9. RESOLUTION 257-22 THROUGH 258-22 – APPOINTMENTS (ITEMS A THROUGH B)– On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) 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
Guglielmo Ficco	Public Works	Laborer 1 F/T T/A (6 months)	\$15.00 per hour	06/21/2022
Christian Rafter	Recreation	Recreation Aide P/T T/A (6 months)	\$15.00 per hour	06/03/2022

(B) NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the following person is hereby appointed to the position opposite their name:

NAME	POSITION	BOARD	TERM EXP.
Camille Fitzmartin	Alternate Member #2	Zoning Board of Adjustment	12/31/2022*

*Filling unexpired vacant term

10. RESOLUTION 259-22 – 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
Kellie Wood	Recreation	Recreation Aide F/T	Recreation Aide P/T	\$15.00 per hour	06/05/2022

11. RESOLUTION 260-22 – AUTHORIZING THE EXECUTION OF GRANT AGREEMENT – DMHAS YOUTH LEADERSHIP GRANT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, The Township Committee of the Middle, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for DMHAS Youth Leadership funding through the Governor’s Council on Alcoholism and Drug Abuse through the County of Cape May;

NOW, THEREFORE, BE IT RESOLVED by the Township of Middle, County of Cape May, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for DMHAS Grant funding for the Township of Middle Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding \$2,598.83

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

12. RESOLUTION 261-22 THROUGH 263-22 – APPROVE CHANGE ORDER (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, a Contract was awarded, on November 1, 2021, via Resolution No. 461-21 to CTX Infrastructure, LLC for the 2021 Drainage Project.

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 CTX Infrastructure, LLC for the 2021 Drainage Project is hereby approved, and that the change order results in an increase of \$18,279.00 for an amended contract amount of \$204,455.00.

(B) WHEREAS, a Contract was awarded, on November 15, 2021, via Resolution No. 479-22 to Arawak Paving Co., Inc. for the 2021 Various Road Paving Project.

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 Arawak Paving Co., Inc. for the 2021 Various Road Paving Project is hereby approved, and that the change order results in an increase of \$18,105.35 for an amended contract amount of \$247,005.35.

(C) WHEREAS, a Contract was awarded, on April 5, 2021, via Resolution No. 141-21 to Arawak Paving Co., Inc. for the Swainton Road Project.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the attached Change Order #2 for the project awarded to Arawak Paving Co., Inc. is hereby approved, and that the change order results in an increase of \$13,335.93 for an amended contract amount of \$271,154.92 for an overall project net decrease of \$7,745.08.

13. RESOLUTION 264-22 – AUTHORIZING CREATION OF LIEN ON PROPERTY – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, N.J.S.A. 40:48-2.13 authorizes the governing body of every municipality the power to make, enforce, amend and repeal ordinances requiring the owner or tenant of a dwelling or of lands lying within the municipality to provide for the removal or destruction of brush, weeds, debris, etc. constituting fire hazard or injurious to public health or safety and to provide for the imposition of penalties for the violation of any such ordinance; and

WHEREAS, N.J.S.A. 40:48-2.14 authorizes the municipality the right to place a lien against such dwelling or lands to provide for the cost of removing brush, weeds, debris, etc.; and

WHEREAS, the Township of Middle has adopted Ordinance No. 316-76 known as Article I of Chapter 193 of the Code of the Township of Middle “Property Maintenance;” and

WHEREAS, the Township of Middle has noticed the following property owners as indicated below and furthermore these violations had not been remedied; and

WHEREAS, in absence of compliance by said owners, the Township of Middle commenced and completed abatement of these violations; and

WHEREAS, the Code Enforcement Officer of the Township of Middle has certified the following cost as listed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that it hereby imposes a lien on the properties listed below as indicated.

FURTHER RESOLVED, that a copy of this lien shall be filed in the Office of the Tax Collector of the Township of Middle.

OWNER	PROPERTY LOCATION	BLOCK // LOT	AMOUNT
Craig, Patricia	5 Colgate Street	392 // 6	\$590.42
Roy, Paul	12 Susan Lane	469 // 10	\$633.62
Wolf, Michael	350 Route 47 South	472 // 13	\$609.34
Alary, Nicola	101 Ridge Road	1410.02 // 14	\$609.34
Rte South Rio Grande LLC/Walgreens	3300 Route 9 South	1468 // 3	\$652.54
Bradway Properties LLC	1304 Route 47 South	1485 // 8	\$652.54
3707 Route 9 South Realty LLC	3707 Route 9 South	1450 // 8	\$822.24
Ocean Drive Clevelander Inc.	4005 Route 9 South	1450 // 12	\$758.99

Samselski, Traci L	34 Mimosa Drive	1430 // 4	\$413.72
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14. RESOLUTION 265-22 THROUGH 266-22 – 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 August 10, 2022 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

2022 ROAD PROJECT

(B) WHEREAS, on April 18, 2022, Township Committee established a Tabulation Committee to accept bids for the Ockie Wisting Site Improvements, on Thursday, May 19, 2022; and WHEREAS, no bids were received for said project.

NOW THEREFORE BE IT FURTHER 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 bids to be taken on June 15, 2022 at 10:00 AM in the Middle Township Municipal Building, 2nd Floor Conference Room, 33 Mechanic Street, Cape May Court House, NJ for the following:

OCKIE WISTING SITE IMPROVEMENTS

15. RESOLUTION 267-22 – RENEWAL OF ALCOHOLIC BEVERAGE LICENSES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, certain licensees have filed for renewal of their Alcoholic Beverage License for one (1) year; beginning July 1, 2022; and

WHEREAS, the said applications are in due and proper form with the fee of \$720.00 for each Plenary Retail Consumption License and Retail Distribution License; \$188.00 for each Club License and with no objection filed with all \$200.00 State Filing Fees received; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Plenary Retail Consumption License to:

TSP Rio, LLC	0506-33-001-009
Avalon Development & Golf, Inc.	0506-33-005-008
Cape Hospitality Group LC dba Bellevue Tavern	0506-33-002-006
9 South Bar & Restaurant, LLC	0506-33-009-008
Salty Hands, Inc.	0506-33-014-001
Menz Restaurant Inc.	0506-33-012-002

BE IT FURTHER RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Plenary Retail Distribution License to:

Mattera’s Liquor trading as Joe Canals Discount Liquor	0506-44-003-007
Acme Markets, Inc. T/A Acme	0506-44-013-005

BE IT FURTHER RESOLVED, that the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, issue a Club License to:

Cape May County Chapter 44 Disabled American Veterans	0506-31-010-002
Royal Oaks Club Inc.	0506-31-011-001
Wildwood Golf & Country Club	0506-31-006-004
Jersey Devil Country Club T/A The Links Club	0506-31-008-002

BE IT FURTHER RESOLVED, that these licenses be signed, sealed and delivered by the Clerk of the Township of Middle in accordance with the rules and regulations of the State Department of Alcoholic Beverage Control and appropriate Ordinances of the Township of Middle.

16. RESOLUTION 268-22 – 2022-2023 HOTEL/MOTEL LICENSE APPROVAL – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the Township of Middle has established a Hotel/Motel License in connection with Ordinance No. 1157-04; and

WHEREAS, a Hotel/Motel shall be defined for purposes in connection with this ordinance/license as a type of building or combination of buildings within the same complex having 4 or more rooms available for sleeping and lodging to the public for a fee; and

WHEREAS, prior to any person, operating a Hotel/Motel regulated by this ordinance, said person or entity must acquire an annual Hotel/Motel License from the Township Clerk by the 1st of July in each calendar year; and

WHEREAS, prior to the issuance or renewal of any annual Hotel/Motel License, the applicant for such license shall have made the payment of delinquent property and sewer tax. The Township of Middle retains the right of revocation or suspension for non-payment of property taxes when three (3) or more consecutive quarters are delinquent; and

WHEREAS, the annual license fee to operate a Hotel/Motel within the Township of Middle shall be \$1,000.00; and

WHEREAS, said approval is contingent upon all applicable building, housing, health and safety codes and regulations as set forth by all appropriate local, county and state agencies, and as outlined in Chapter 222-22 of the Code of the Township of Middle; and

WHEREAS, The Township of Middle shall have the right to inspect the licensed premises and the owner/applicant shall provide for the inspection of licensed facilities; and

NOW, THEREFORE, BE IT RESOLVED, that each of the following licenses be and are hereby authorized for the license year of 2022-2023:

LIC. #	APPLICANT	TRADENAME	LOCATION	SITES
3	Om Rudra, Inc.	Flamingo Motel	1604 Route 47 South	28 + Manager Apt.
6	Economy Motel, LLC	Economy Motel	3172 Route 9 South	34 + Manager Apt.
7	Trisha Rio Grande, LLC	Prime Inn	1031 Route 47 South	16 + House
11	38 East Mechanic Street, LLC	Hyland Motor Inn	38 East Mechanic Street	34 + Manager Apt.
14	Robert & Ruth Worth T/A Marlee	Marlee Motel	1003 Route 47 South	13 + House
16	Isha Hospitality, LLC	Red Roof Inn	1801 Route 47 South	49
17	Nelson Rossi & Jamie Cherego	Sea Gull's Motel, LLC	11	
19	Tarak Patel	Shelton Motel	1410 Route 47 South	22
20	Louis Altobelli	Silver Birch Motel	1019 Route 47 South	10
22	Whispering Woods, Inc.	Whispering Woods	535 Route 47 South	28

17. RESOLUTION 269-22 – AUTHORIZATION TO CLOSE SEAGULL LANE – NEIGHBORHOOD BLOCK PARTY – 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 authorization is hereby given to close Seagull Lane on Saturday, June 25, 2022, starting 10:00am-10:00pm, for a neighborhood block party.
 BE IT FURTHER RESOLVED, that the request for an extension on the Middle Township Noise Ordinance is hereby granted until 10:00 pm.

18. RESOLUTION 270-22 THROUGH 273-22 – AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS (ITEMS A THROUGH D) – 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 of the Township of Middle, the governing body thereof, that the Agreement between Anderson Entertainment Management, Inc and the Township of Middle for the Shot of Southern Performance for the Summer Concert Series, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.
 FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

Anderson Entertainment Management, Inc
 Shot of Southern – Summer Concert Series
 July 12, 2022
 Not to exceed \$4,000.00

BE IT FURTHER RESOLVED, that in the event of a cancellation due to rain, inclement weather or conditions out of the control of the Township, both parties may agree on an alternate date for the performance.

BE IT FURTHER RESOLVED, that this approval is contingent upon obtaining any and all requirements and approvals as set forth by the Atlantic County Municipal Joint Insurance Fund.

(B) NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Ultra Artists and the Township of Middle for the Best of the Eagles Performance for the Summer Concert Series, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

Ultra Artists
 Best of the Eagles – Summer Concert Series
 July 05, 2022
 Not to exceed \$6,000.00

BE IT FURTHER RESOLVED, that in the event of a cancellation due to rain, inclement weather or conditions out of the control of the Township, both parties may agree on an alternate date for the performance.

BE IT FURTHER RESOLVED, that this approval is contingent upon obtaining any and all requirements and approvals as set forth by the Atlantic County Municipal Joint Insurance Fund.

(C) NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Animal House and the Township of Middle for their Performances for the Independence Day Celebration, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

BE IT FURTHER RESOLVED, that the award of this contract is contingent upon obtaining any and all requirements and approvals as set forth by the Atlantic County Municipal Joint Insurance Fund.

Animal House – Independence Day Celebration

July 4, 2022

Not to exceed \$2,500.00

BE IT FURTHER RESOLVED, that in the event of a cancellation due to rain, inclement weather or conditions out of the control of the Township, both parties may agree on an alternate date for the performance.

BE IT FURTHER RESOLVED, that this approval is contingent upon obtaining any and all requirements and approvals as set forth by the Atlantic County Municipal Joint Insurance Fund.

BE IT FURTHER RESOLVED, that this approval is contingent upon the receipt of executed documents necessary for insurance review and approval of the same.

(D) NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middle, the governing body thereof, that the Agreement between Schaefer Pyrotechnics, Inc. and the Township of Middle for the fireworks display at the July 4, 2022, Middle Township Fourth of July Celebration, with a rain date of to be mutually agreed upon by both parties, be and is hereby ratified and the contract is hereby awarded through the Non-Fair and Open Process as described in Pay-To-Play Statutes.

FURTHER RESOLVED, that the appropriate officials are hereby authorized and directed to sign said agreement.

Schaefer Pyrotechnics, Inc.
4th of July Celebration
Not to Exceed - \$8,614.00

BE IT FURTHER RESOLVED, that in the event of a cancellation due to rain, inclement weather or conditions out of the control of the Township, both parties may agree on an alternate date for the performance.

19. RESOLUTION 274-22 – REFUND OF TAXES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

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

ACCT	BLOCK	LOT	OWNER/LOCATION	2022
15112		168 33	Kallok, Mark T & Theresa R 73 West Johnstown Lane Cape May Court House, NJ 08210 Property location: 73 West Johnstown Lane	\$446.64
4205		212.03 41	Davenport, William N Jr & Linda M 1 Shadow Lane Cape May Court House, NJ 08210 Property location: 1 Shadow Lane	\$645.78
17561		1443 9	Erwin, Joseph P & Eileen D 215 School Lane Rio Grande, NJ 08242 Property location: 215 School Lane	\$399.97

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 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.

20. RESOLUTION 275-22 – AFFIDAVIT OF FORECLOSURE #200 POSTING – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

State of New Jersey

Ss

County of Cape May

I Sandra B. Beasley, BEING DULY SWORN ACCORDING TO LAW ON MY OATH STATE:

- I Sandra Beasley, tax collector of The Township of Middle, County of Cape May, State of New Jersey of full age, by way of certification in accordance with R.1:4-4(b), says
- I am an agent of the plaintiff in foreclosure action #F-003215-22
- Between the dates of May 4th, 2022 and May 12, 2022 a copy of the Notice of In Rem Tax Foreclosure of Tax Lien Titles, dated and published on May 4, 2022 was posted in five locations set forth on the list below, the same being conspicuous places within the Township of Middle.
- I certify that the foregoing statements made by me are true.
- A Copy of the Notice of Sale was set up in five of the public places in the Municipality, namely:

Township of Middle Tax Collector's Office
33 Mechanic St.

Cape May Court House, NJ 08210
Posted May 6, 2022

Whitesboro Post Office In Middle Township
6 E Main St.

Whitesboro, NJ 08252
Posted May 12, 2022

Rio Grande Post Office in Middle Township

1087 Route 47 S
Rio Grande, NJ 08210
Posted May 6, 2022
Green Creek Post Office in Middle Township
501 Route 47 S
Green Creek, NJ 08219
Posted May 6, 2022
Cape May Court House Post Office in Middle Township
615 Route 9 S
Cape May Court House, NJ 08210
Posted May 6, 2022

21. RESOLUTION 376-22 – URGING THE SWIFT PASSAGE OF S-330 WHICH RESTORES ENERGY TAX RECEIPTS – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Middle in the county of Cape May urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Assemblyman Erik Simonsen, Assemblyman Antwan McClellan, Senator Mike Testa, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

22. ENGINEERING REPORT:

23. PUBLIC COMMENT:

Stan Doniger, Rio Grande:

- *Discussed article in newspaper regarding off duty police officer's use of marijuana; asked about Township's stance*

Mayor Donohue:

- *Discussed concerns on the matter; stated they would not be able to actively defy the Attorney General*

Chief Leusner:

- *Spoke of discussions between the Attorney General and Chief of Police Association; spoke of stance on the subject; explained process to established influence while on duty*

Stan Doniger, Rio Grande:

- *Further asked about the allowance*

Mayor Donohue:

- *Discussed law in relation to EMS and Fire Districts*

Chief Leusner:

- *Explained his understanding of the law*

Steve Morris:

- *Further discussed establishment of the law*

Mary Ann Alulis, CMCH:

- *Asked about inquiry on bike path*

Mayor Donohue:

- *Discussed inquiry*

Vince Orlando:

- *Spoke of evaluation of the area*

Mary Ann Alulis, CMCH:

- *Spoke of concerns of the area*

Kimberly Osmundsen:

- *Provided review of the portion in question*
- Kimberly Osmundsen, Mayor Donohue & Vince Orlando:*
 - *Discussed various possibilities to correct various parts of the path*
- Mary Ann Alulis, CMCH:*
 - *Asked about speed limit change on Stone Harbor Boulevard*
- Mayor Donohue:*
 - *Discussed the County's reason for change*
- Ed Dillio, CMCH:*
 - *Spoke of shooting in Texas and concern for children within the community*
- Mayor Donohue:*
 - *Spoke of the event and steps taken to be proactive within our community*
- Chief Leusner:*
 - *Discussed various training techniques for officers; further discussed safety measures discussed and taken with the school to increase security*
- Committeeman Norris:*
 - *Commented on additional security measures added to the school district while he was on school board*
- Lillian Wing, Whitesboro:*
 - *Asked about who to contact regarding traffic in Rio Grande*
- Mayor Donohue:*
 - *Advised who to contact depending on the road*
- Lillian Wing, Whitesboro:*
 - *Discussed concerns with Route 9*
- Mayor Donohue;*
 - *Spoke of previous efforts to contact the state regarding her concerns*
- Pete Ritchie, Avalon Manor:*
 - *Requested more speed limit signs within his development; discussed concerns for proposal by marina for a restaurant and parking within Avalon Manor*
- Kimberly Osmundsen:*
 - *Explained the application would go in front of the Planning Board not Committee; spoke of discussions with Vince Orlando regarding the application*
- Vince Orlando:*
 - *Discussion application*
- Pete Ritchie, Avalon Manor:*
 - *Asked various questions about the application*
- Vince Orlando:*
 - *Answered Mr. Ritchie's questions about the application*
- Stan Doniger, Rio Grande:*
 - *Asked about vendors for an event at the MLK Center and Township oversight of the vendors*
- Kimberly Osmundsen:*
 - *Explained special events application process*
- Stan Doniger, Rio Grande:*
 - *Continued to ask questions about the Township's oversight of vendors*
 -

COMMITTEE COMMENTS:

- Committeeman Norris:*
 - *Commented of success of Memorial Day Parade; discussed flag football registration opening; welcomed Christian Rafter back to the recreation team; urged residents to go out and vote at the Primary Elections the next day*
- Committeeman Gandy:*
 - *Discussed Memorial Day Parade; commented on completion of Bike Path; explained Public Works is still looking for employees; stated the Planning Board is back in person and meeting regularly*
- Mayor Donohue:*
 - *Mentioned the Memorial Day Parade and service held; spoke of paving of Goshen Swainton Road; discussed upcoming paving of Dias Creek Road; commented on planned ribbon cutting for the final section of the Bike Path; thanked everyone involved in the funding of the completion of the project; continued to discuss the bike path completion; discussed various projects the Township currently is working on*

Motion to adjourn meeting – 7:02 pm

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Kimberly D. Osmundsen, Township Clerk

Minutes prepared by E. Bartleson