

Cape May Court House, NJ
 August 15, 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, Township Clerk/Business Administrator Kimberly Osmundsen, Deputy Township Clerk Emily Bartleson, 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 COMMITTEE – AUGUST EMPLOYEE OF THE MONTH – ELIZABETH SIMPKINS

Mayor Donohue:

- *Recognized Liz for all the tasks she does outside her office duties to help maintain Town Hall*

Kimberly Osmundsen:

- *Spoke of the many jobs Liz handles besides being Deputy Tax Assessor*

Committeeman Gandy:

- *Commented on Liz’s cheerful and helpful demeanor*

Committeeman Norris:

- *Thanked Liz for all her hard work and for helping make Middle Township a better place*

2. RESOLUTION 352-22 – PROMOTIONS – POLICE DEPARTMENT – On motion by Mayor Donohue seconded by Committeeman Gandy and passed on roll call, the following resolution was adopted. BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following employees in the Middle Township Police Department are hereby promoted to the titles opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFF. DATE
Jen Delanzo	Public Safety – Police	Acting Captain	\$147,903.88	08/15/2022
Brian Murphy	Public Safety – Police	Lieutenant	\$134,712.67	08/15/2022

3. SWEARING IN OF PROMOTED POLICE OFFICERS

Mayor Donohue:

- *Discussed path to elevate officers within the Police Department*
- *Spoke of Brian’s great work effect*
- *Commented on Jen’s time with the department and being a prominent face within the Township*
- *Swore in Jen Delanzo as Acting Captain*
- *Swore in Brian Murphy as Lieutenant*

Chief Leusner:

- *Congratulated Captain Delanzo and Lieutenant Murphy*
- *Discussed bittersweet feelings of officer promotions while recognizing the retirement of others*
- *Further discussed each of the officer’s community involvement and time with the Department through the years*

4. 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 item 9*

Chief Leusner:

- *Explained alternate route program*

Clayton Palmer:

- *Asked about training and powers of the alternate route appointment*

Chief Leusner:

- *Explained process to certify the officers; further explained they have the same power as other officers*

Quanette Vasser-McNeal:

- *Asked about how to become eligible for veteran tax exemption*

Kimberly Osmundsen:

- *Explained application is available in the Tax Assessor's Office*

Quanette Vasser-McNeal:

- *Asked about home rehabilitation resolution*

Kimberly Osmundsen:

- *Explained resolution was for a change in scope for that project*

Quanette Vasser-McNeal:

- *Asked about bus stop designation*

Kimberly Osmundsen:

- *Explained the description was on the next page of the agenda*

Quanette Vasser-McNeal:

- *Asked about the closed session*

Kimberly Osmundsen:

- *Explained purpose of closed session; further explained she can not discuss the details of the session*

5. RESOLUTION 353-22 – 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. \$3,638,866.61

6. RESOLUTION 354-22 – 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: 08/01/2022 Regular Meeting and Closed Session.

7. REPORTS: Tax/Sewer Collection for the month of July; Sterbeck Harbor for the month of July; Clerk for the Month of July; Zoning for the month of July

8. ORDINANCE 1658-22 - AN ORDINANCE AMENDING SUB-CHAPTER 104-11 OF THE CODE OF THE TOWNSHIP OF MIDDLE ENTITLED "CAMPGROUNDS-PERMANENT RESIDENTIAL STRUCTURES" – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No. 1657-22 passed first reading. Second reading, public hearing and consideration for adoption will be held on 09/19/2022 at 6:00 p.m.

WHEREAS, the Township Committee, the Governing body of the Township of Middle has reviewed the existing ordinances of the Township relative to permanent residential structures within campgrounds; and WHEREAS, the Township Committee deems it to be in the best interest of the citizens of the Township of Middle to amend the existing code provisions in order to clarify the types of non- permanent structures which are permissible as additions within campgrounds; ordinances within the Township of Middle; and NOW, THEREFORE, BE IT ORDAINED by the TOWNSHIP COMMITTEE, the governing body of the Township of Middle that Sub-Chapter 104-11 of the Code of the Township of Middle entitled "Campgrounds-Permanent Residential Structures" be and is hereby amended as follows:

SECTION 1. The averments above shall be incorporated herein as if set forth at length.

SECTION 2. Sub-Chapter 104-11 of the Code of the Township of Middle entitled "Campgrounds-Permanent Residential Structures" shall be and is hereby amended to include as sub-paragraph K, the following:

K. For the purposes of this Chapter, additions to an existing RVIA (Recreational Vehicle Industry Association) or RPTIA (Recreation Park Trailer Industry Association) Certified Recreational Vehicle shall not be considered permanent residential structures, but deemed to be temporary, if they expressly comply with the following criteria:

1. The decking beneath such addition shall be composed temporary wooden platforms of modular 10 x 10 or 8 x 12 sectional decks with a size limitation of total deck area in the amount of 400 square feet.
2. Additional front **open** decking, for access only, shall be permitted subject to a 200 square foot maximum. No construction shall be permitted on said front open deck area. This shall be limited to the front addition only.
3. The footings upon which such deck areas sit shall be underground footings or a post and girder system (4-inch solid block buried at grade level). ~~that shall be attached to the deck area with hurricane anchor straps.~~ The deck area shall be held down by hurricane straps attached to augers (helical soil anchors) into the ground.
4. The deck areas, as constructed, must be totally moveable.
5. The deck area described in K1 above shall be permitted to contain a temporary Florida Room addition expressly subject to the following criteria:
 - a. The temporary Florida room addition shall be a Craft Built, Silvertop, DuraBuilt pre-engineered aluminum structure (or equal) which shall be affixed to the deck area and trailer via tiedown / hurricane anchors.
 - b. The Florida room addition must be totally movable.
 - c. No plumbing shall be permitted.
 - d. Only detachable wire molded electric on interior walls shall be permitted.

- e. Room size shall be limited to 400 square feet.
 - f. “Roof Over” structures are deemed to be permanent and are not perm
 - g. Prior to construction the applicant must obtain a zoning permit.
 - h. Prior to construction the applicant must obtain a Construction permit for building, electrical and mechanical.
6. Failure to obtain the requisite permits or to construct an addition in compliance with the provisions of this section shall be deemed to be a violation of this ordinance subject to a fine of \$ 250.00 dollars per day. After a violation notice has been issued, each day that the structure has not been removed shall constitute a separate violation of this ordinance.

SECTION 3. Any 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 or clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 5. This Ordinance shall become effective immediately upon final passage and publication, according to law.

9. **RESOLUTION 355-22 – AUTHORIZING PARTICIPATION IN AMENDED ALTERNATE ROUTE APPOINTMENTS FOR POLICE OFFICERS** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, the Township of Middle Department intends to utilize the Alternate Route Appointments Program through the Civil Service Commission to hire police officers; and
 WHEREAS, the Township of Middle certifies that the appointments comply with all applicable State and Federal law governing Equal Employment Opportunity; and
 WHEREAS, the Township of Middle has adopted a conflict of interest and nepotism policy; and
 WHEREAS, the Civil Service Commission requires a Resolution utilizing the Alternate Route Appointments Program; and
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the Township of Middle Police Department is authorized to participate in the Alternate Route Appointment Program.

10. **RESOLUTION 356-22 – 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
Kevin Burns	Public Works	Mechanic Helper F/T T/A (6 months)	\$15.00 per hour	08/15/2022
Kenzee Delgado	Public Safety – Police Department	TA Police Officer*	\$42,500.00	08/15/2022
Brian Harrison	Sewer	Laborer 1 F/T	\$35,000.00	08/29/2022

*Alternate Route Appointment

11. **RESOLUTION 357-22 – APPROVAL FOR PAYMENT TERMINAL LEAVE – WILLIAM MAYERSON** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, William Mayerson retired with an effective date of August 1, 2022; and
 WHEREAS, it is the policy of Middle Township to compensate retiring employees for accumulated vacation, compensation, sick and personal time; and
 WHEREAS, the Human Resources Department has provided sufficient documentation verifying the amount of time accumulated and the Finance Officer has certified that time; and
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May, State of New Jersey that payment be issued to the employee in the amount referenced below:

William Mayerson
 Sick Hours: 1,377.88
 Vacation Hours: 312.16
 \$12,000.00

12. **RESOLUTION 358-22 – ACKNOWLEDGEMENT OF DISCONTINUATION OF TEMPORARY APPOINTMENT** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the following discontinuation of appointments listed below, are acknowledged.

EMPLOYEE	DEPARTMENT/BOARD	POSITION	EFFECTIVE
William Greenwood	Public Works	Laborer 1 P/T T/A	08/26/2022

13. RESOLUTION 359-22 – 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/BOARD	POSITION	EFFECTIVE
David Elliott	Finance	Chief Financial Officer/Qualified Purchasing Agent*	09/16/2022

*Civil Service Title of Keyboarding Clerk 1 and UA title of Chief Financial Officer.

14. RESOLUTION 360-22 THROUGH 361-22 – CANCELLATION OF TAXES (ITEMS A THROUGH B) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

(A) WHEREAS, A cancellation of taxes is due to the below property owner who qualifies for 100% Disabled Veteran status.

Account	Block	Lot	Owner/location	2022	2023
17229	48	53	Cahall, Christopher J & Deborah L Exempt as of 6/2/2022 Property location: 9 Lacivita Drive	\$3,065.35	\$2,640.04
3308	165.01	82	Donnelly, Edward D & Mary F Exempt as of 2/10/2022 Property location: 11 Dyars Mill Rd	\$6,956.48	\$2,532.01
3373	166	66	Gabris, Joseph III & Samantha Exempt as of 4/5/2022 Property location: 307 Dias Creek Rd	\$6,769.51	\$2,758.86
19126	385	1.19	Caraballo, Samuel Jr & Brynn Exempt as of 5/18/2022 Property location: 7 Sand Dollar Drive	\$4,472.25	\$3,366.95
17915	391	19	Smith, Steven E & Maureen E Exempt as of 4/27/2022 Property location: 14 N 6 th St	\$6,675.98	\$2,863.67
6969	471	12	Woolbert, William T Exempt as of 6/17/2022 Property location: 11 Paula Lane	\$1,204.89	\$1,224.90
7041	472	36	Cohen, Spencer E & Maureen P Exempt as of 5/5/2022 Property location: 282 Rte 47 S	\$6,106.42	\$2,709.25

(B) WHEREAS, A cancellation of taxes is due to the below property owner who qualifies for 100% Disabled Veteran status.

Account	Block	Lot	Owner/location	2022	2023
1802	63	1	Palmer, Ty G Date of exemption: 2/9/2022	\$3107.33	\$1553.67

15. RESOLUTION 362-22 THROUGH 363-22 – REFUND OF TAXES – (ITEMS A THROUGH B) – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

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

ACCT	BLOCK	LOT	OWNER/LOCATION	2022
17229	48	53	Cahall, Christopher J & Deborah L 9 Lacivita Drive Cape May Court House, NJ 08210 Property location: 9 Lacivita Drive	\$361.86
3308	165.01	82	Donnelly, Edward D & Mary F 11 Dyars Mill Rd	\$658.40

			Cape May Court House, NJ 08210 Property location: 11 Dyars Mill Rd	
3373	166	66	Gabris, Joseph III & Samantha 307 Dias Creek Rd Cape May Court House, NJ 008210 Property location: 307 Dias Creek Rd	\$1,251.80
19126	385	1.19	Caraballo, Samuel Jr & Brynn 7 Sand Dollar Drive Cape May Court House, NJ 08210 Property location: 7 Sand Dollar Drive	\$1,024.38
17915	391	19	Smith, Steven E & Maureen E 14 N 6 th St Del Haven, NJ 08251 Property location: 14 N 16 th St	\$948.65
7041	472	36	Cohen, Spencer E & Maureen P 282 Rte 47 S Cape May Court House, NJ 08210 Property location: 282 Rte 47 S	\$687.93

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.

(A) WHEREAS, a refund is due to the below property owners due to overpayment of 2022 property taxes,

ACCT	BLOCK	LOT	OWNER/LOCATION	2022
2145	99.02	117.01	SHL Development LLC 992 Old Eagle Schl Rd #915 Wayne, PA 19087-1803 Property location: Golf Drive	\$5,899.04

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.

16. RESOLUTION 364-22 – 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
Adelizzi, Richard & Rita	80 Millman Blvd	389 // 14	\$583.04

17. RESOLUTION 365-22 – APPROVE CHANGE ORDER NO. 1-HOUSING REHABILITATION CONTRACT NO. #2019-15 MIDDLE TOWNSHIP HOME REHABILITATION PROJECT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, Housing Rehabilitation Contract No. 2019-15 was awarded December 6, 2021, via Resolution No. 495-21 to Buggy Construction, LLC;
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 Buggy Construction, LL, be and is hereby approved. This Change Order will only change the work scope and does not result in any monetary adjustment.
18. RESOLUTION 366-22 – AMENDING RESOLUTION 263-22 - APPROVE CHANGE ORDER NO. 2 – SWAINTON ROAD PROJECT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, Arawak Paving Co. was awarded the “Swainton Road Project” project on April 5, 2021; and
WHEREAS, Change Order No. 2 was approved June 6, 2022, and
WHEREAS, the change order summary needs to be adjusted to reflect the correct amount for Change Order No. 2
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, that the attached Change Order No. 2 for the project awarded to Arawak Paving Co., be and is hereby approved in an increase amount of \$18,492.31 for an amended contract price of \$276,311.30 for an overall project net decrease of \$2,588.70.
19. RESOLUTION 367-22 – MIDDLE TOWNSHIP ANNUAL FREE YARD SALE – 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 Township Committee of the Township of Middle, County of Cape May, does hereby authorize the annual free yard sale to be held September 16, 17 and 18, 2022 in the Township of Middle.
20. RESOLUTION 368-22 – SOCIAL AFFAIRS PERMIT – IUPAT DISTRICT COUNCIL 21 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, the IUPAT District Council 21 has applied for approval to sell alcoholic beverages at an event to be held at Stone Harbor Golf Club, 905 Route 9 North, Cape May Court House, New Jersey 08210 on September 19, 2022 from 11:00am until 9:00pm; 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.
21. RESOLUTION 369-22 – REDUCTION OF PERFORMANCE BOND NO. 1 – CKJR, LLC – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, \$981,734.38 is being held as a performance guarantee for CKJR, LLC, for Block 348.02, Lot 3; and
WHEREAS, the Engineer has conducted his inspection and determined that improvements having a value of \$508,023.00 have been completed; and
WHEREAS, it has been further recommended that the performance guarantee for the above stated project be reduced to \$473,711.38; 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 \$473,711.38.
22. RESOLUTION 370-22 – RELEASE OF PERFORMANCE BOND – PARK VIEW MOBILE HOME PARK – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
WHEREAS, \$114,149.40, is being held as a performance guarantee by William and Sharon Moore for Park View Mobile Home Park for park expansion at Block 333/334 Lot 16, otherwise known as 614 Route 9 South; and
WHEREAS, the Township Engineer and Zoning Official have recommended the release of said bond, as outlined in P.L. 2017, Chapter 312 amendment.
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the bond in the amount of \$114,149.40 is hereby released.
23. RESOLUTION 371-22 – SUPPORTING THE DESIGNATION OF BUS STOP – 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 received a letter from the State of New Jersey, Department of Transportation, recommending the placement of several NJ Transit Bus Stops; and
WHEREAS, the Township Committee of the Township of Middle, along with the Middle Township Traffic Committee, has reviewed the request and agrees with the establishment of bus stops as indicated above; and
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that pursuant to N.J.S.A. 39-4-8(e) the following described locations are hereby requested as a designated bus stop:
1. Along Route 9, southbound, on the westerly side thereof at:

a. Lena Avenue – Far Side
Beginning at the southerly curblineline of Lena Avenue and extending 100 feet southerly therefrom.

2. Along Route 9, northbound, on the easterly side thereof at:

a. Lena Avenue – Far Side

Beginning at the northerly curblineline of Lena Avenue and extending 100 feet northerly therefrom.
BE IT FURTHER RESOLVED, that per the “Repealer Clause”, the Township of Middle concurs that any approved bus stop locations or traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED, that if authorized by NJ Transit and NJ Department of Transportation, the Township Committee of the Township of Middle will enforce the Traffic Regulation Order governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

24. RESOLUTION 372-22 – CLOSED SESSION – POTENTIAL LICENSE VIOLATION – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the above referenced topic in closed session.

This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist.

The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.

WHEREAS, the section of the Open Public Meetings Law, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of the Township of Middle, the governing body thereof, is of the opinion that such circumstances presently exist, and

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

1.) The public shall be excluded from the discussion of an action upon the hereinafter specified matter:

POTENTIAL LICENSE VIOLATION

2.) The general nature of the subject matter to be discussed is as follows:

POTENTIAL LICENSE VIOLATION

3.) It is anticipated at this time the above subject matter will be made public as follows:

WHEN THE MATTER IS RESOLVED

4.) This Resolution shall take effect immediately.

25. ENGINEERING REPORT:



Township of Middle
Project Status Report
August 15, 2022
Prepared By: Vincent C. Orlando, P.E., P.P., L.L.A.

2021 Drainage Projects

- Construction started on December 6, 2021
- All work completed with exception of the following.
 - Pamela Rd. – Re-construct asphalt gutter line to improve drainage of gutter at Second Ave.
 - Contractor attempted to repair gutter last week. Work complete but still unsatisfactory. Contractor will be removing asphalt gutter and repave.

Norbury Landing Project

- Survey work completed
- Cape May County open space board approved additional funding of \$230,256.00 for creative place making amenities
- CAFRA plan approved by NJDEP
- NJDEP permit requires no construction from April 1st through August 31st
- Construction drawings completed except for railing detail
- Submission to DCA required
- Project to be bid in August
- Construction to begin October 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)
- NJDOT approval pending
- Construction to begin September 2022

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

Project Status Report
August 15, 2022

Page 2 of 2

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

- NJDOT grant received for \$150,000
- Survey work order completed
- Construction plans and specifications (100% completed)
- NJDOT Approval pending
- 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
- Construction drawing and specifications currently being developed
- Anticipated construction start – October 2022

Municipal DCA Grant to Reconstruct Existing Restrooms at Municipal Building

- Grant received for \$144,000.00
- Contracted with William McLees, RA to complete drawings
- Current schedule:
 - Construction drawings and specifications – August 15, 2022
 - Submission to DCA August 15, 2022
 - Bid project – September 2022
 - Construction – October 2022

2022 Road Improvement Project

- Survey work completed
- Construction drawings and specifications completed
- Tentative schedule:
 - Advertise for bids August 4, 2022
 - Receive bids August 24, 2022
 - Award contract September 7, 2022

FINAL/MIDDLE/GENERAL/PROJSTATUS 08-15-22

26. PUBLIC COMMENT:

John Lauricella, Cape May Court House:

- *Asked about item 16; asked about suing the owners*

Mayor Donohue:

- *Explained they must follow the law of enforcement*

Steve Morris:

- *Explained reason the Township could not sue the property owners*

John Lauricella, Cape May Court House;

- *Suggested the Township honor a non-profit each meeting*

Michael Hubbard

- *Asked about section grade housing*
- *Discussed appeal regarding section 3 and frustration about land he owns*

Bethana Farrow:

- *Asked about paving of Pennsylvania Avenue and Main Street*

Vince Orlando:

- *Clarified section being paved*

Charlene Darby:

- *Further asked about paving*

Vince Orlando:

- *Continued to discuss paving project*

Julia Wise, Whitesboro:

- *Asked about sign on end of baseball field and where sign went*

Kimberly Osmundsen:

- *Asked for clarification on the sign's location*

Julia Wise, Whitesboro:

- *Explained location of sign*

Kimberly Osmundsen:

- *Asked how long sign had been missing*

Julia Wise, Whitesboro:

- *Clarified 6 months*

Kimberly Osmundsen;

- *Stated they would look into the matter*

Dawn Robinson, Burleigh:

- *Asked about land sale agenda item*

Kimberly Osmundsen:

- *Explained item was on prior agenda*

Dawn Robinson, Burleigh:

- *Discussed properties on the land sale list*

Kimberly Osmundsen:

- *Explained confirmation of land sale*

Dawn Robinson, Burleigh:

- *Asked where money from the sale was allocated*

Mayor Donohue:

- *Clarified*

Dawn Robinson, Burleigh:

- *Continued to asked about allocation of land sale profits*

Mayor Donohue:

- *Clarified that the lands sell separately and at different times*

Kimberly Osmundsen:

- *Explained way to see how much parcel sells for*

Dawn Robinson, Burleigh:

- *Continued to asked questions about fund allocation*

Mayor Donohue:

- *Explained land sale process*

Kimberly Osmundsen:

- *Further explained there is not a general document with all properties with selling prices*

Dawn Robinson, Burleigh:

- *Questioned documents showing sell amounts*

Kimberly Osmundsen:

- *Explained each property once sale is complete is put on a confirmation of land sale resolution*

Kimberly Osmundsen/Dawn Robinson:

- *Continued to discuss land sale process and funds acquired through the sales*

Steve Morris:

- *Explained all the contracts and deeds between the owners and Township are public documents*

Kimberly Osmundsen:

- *Explained process of establishing which parcels are put up for sale*

Dawn Robinson, Burleigh:

- *Asked about minimum bids*

Kimberly Osmundsen:

- *Explained it is the assessed value*

Dawn Robinson, Burleigh:

- *Asked about properties located in Whitesboro being sold*

Steve Morris:

- *Explained process of how Township acquires the properties*

Dawn Robinson, Burleigh:

- *Continued to discuss Whitesboro properties for sale*

Mayor Donohue:

- *Spoke of history of land sales done in Middle Township; reviewed properties sold within Whitesboro throughout the years*

Quanette Vassner-McNeal:

- *Asked about properties that do not sell during the land sale*

Kimberly Osmundsen:

- *Further explained process of selling land*

Quanette Vassner-McNeal:

- *Continued to discuss sale of Whitesboro properties*

Steve Morris:

- *Explained slow process of processing finalizing sales*

Quanette Vassner-McNeal:

- *Continued to discuss land sales*

Mayor Donohue:

- *Discussed reassessment completed in 2016*

Quanette Vassner-McNeal:

- *Asked about affordable housing*

Mayor Donohue:

- *Explained process of obtaining credit for affordable housing*

Quanette Vassner McNeal/Mayor Donohue:

- *Continued to discuss affordable housing development*

Shirley Green:

- *Spoke of opposition against any land sales for any property within Whitesboro and Wildwood Junction Heights; reviewed land history of Whitesboro*

Mayor Donohue:

- *Clarified she is stipulating that Middle Township is not part of Whitesboro and Wildwood Junction*

Shirley Green:

- *Confirmed; continued to discuss Whitesboro*

Blanche Saettler, Whitesboro:

- *Discussed drainage issues on West Lena Street since being repaved and flooding on her property*

Vince Orlando:

- *Stated he would go out to inspect the issue*

Blanche Saettler, Whitesboro:

- *Continued to discuss drainage issues*
- *Discussed issue with lot next to her property not being taken care of; spoke of letters sent to home owners regarding the lots*

Vince Orlando:

- *Advised he would discuss issue with Public Works*

Blanche Saettler, Whitesboro:

- *Clarified lot behind her was a Township owned property; spoke of past discussion with the Township regarding the lot*

Vince Orlando:

- *Explained Township does not typically clear lots; stated he would have Public Works look at the lot*

Audry Green:

- *Discussed dumping of dirt on Lena Street Property*

Committeeman Gandy:

- *Asked about recent it was*

Audry Green:

- *Stated within the previous few weeks*

Jim Chew:

- *Spoke of payment of taxes in relation to land sales*

Sharon Trombetta:

- *Discussed problems with families being evicted and asked to help expediate affordable housing*

Mayor Donohue:

- *Acknowledged the problem and state that are trying various ways to help build more affordable housing; spoke of recent meeting with a developer about creating more affordable house; continued to discuss various affordable housing options*
- *Explained difficulty with the issue and burden that is placed on the Police Department*

Quanette Vassner-McNeal:

- *Gave history of Whitesboro*

Dawn Robinson, Burleigh:

- *Thanked Kimberly Osmundsen for her help getting work done on her street; asked about street improvement and various issues with her street*

Vince Orlando:

- *Explained process of determining street improvements*

Dawn Robinson, Burleigh:

- *Continued to discuss issues with her street*

Kimberly Osmundsen:

- *Further explained determination of street improvement projects*

Dawn Robinson, Burleigh:

- *Asked about cutting back trees over the road*

Kimberly Osmundsen:

- *Explained many trees are neighbor trees*

Dawn Robinson and Kimberly Osmundsen:

- *Continued to go back and forth regarding street lights and trees on Dawn's Street*

Steve Morris:

- *Explained that unless trees are imposing a threat and impeding the right of way than they can cut back the tree but cannot remove trees from private property*

Sam Kelly:

- *Read prepared speech regarding Stone Harbor Golf Course*

Mayor Donohue/Vince Orlando:

- *Gave background on the project*

Vince Orlando:

- *Explained his professional opinion is the development would not affect the adjoining community*

Mayor Donohue:

- *Explained vast process the project development had gone through to obtain the necessary approvals*

Sam Kelly:

- *Asked if study was completed*

Vince Orlando:

- *Spoke of CAFRA permit*

Sam Kelly:

- *Continued to speak of frustrations*

Jim Chew:

- *Read prepared speech regarding homeless*

Denise South, Rio Grande:

- *Discussed work done by Cape Hope to assist with the homeless in the community; stated they were ready to partner with the Township to help the homeless in the community*

Mayor Donohue:

- *Explained reason Committeeman Norris initiated the discussion was due to the various programs, businesses and entities trying to do the work to assist with homeless*

Albert Burton:

- *Discussed issues with drainage on his street; explained he spoke with the contractor when project was being completed*
- *Asked about zip code for properties being sold at land sales*

Kimberly Osmundsen:

- *Discussed postal codes*

Dawn Robinson, Burleigh:

- *Asked about emergency housing item on the bill list*

Kimberly Osmundsen:

- *Explained the charge*

Motion to enter closed session – 7:52 PM

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Motion to re-enter open session – 8:04 PM

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Motion to adjourn meeting – 8:05 PM

1st: Mayor Donohue 2nd: Committeeman Norris

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

Kimberly D. Osmundsen, Township Clerk

Minutes prepared by E. Bartleson