

Cape May Court House, NJ
October 17, 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

1. PRESENTATION BY COMMITTEE – EMPLOYEE OF THE MONTH OF OCTOBER – ALEXIS KALISH

Mayor Donohue:

- *Spoke of Alexis' nomination and history with the Township*

2. PRESENTATION BY COMMITTEE – MISS NEW JERSEY AUGOSTINA MALLOUS

Mayor Donohue:

- *Discussed history of Middle Township residents with the Miss New Jersey Title; spoke of pride to send Augostina off to Miss America; read proclamation*

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.*)

Stan Doniger, Rio Grande:

- *Questioned item 29*

Mayor Donohue:

- *Discussed Municipal Alliance and goal for grant funds*

4. RESOLUTION 442-22 – 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. \$1,187,085.50

5. RESOLUTION 443-22 – 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: 10/05/2022 Regular Meeting and Closed Session

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

7. ORDINANCE 1661-22 – AN ORDINANCE TO AMEND AND SUPPLEMENT THE TR TOWN RESIDENTIAL ZONING DISTRICT OF THE TOWNSHIP OF MIDDLE AS FOUND IN SECTION 250-411 OF THE MIDDLE TOWNSHIP CODE – Following second reading, hearing, and consideration for adoption, Ordinance 1661-22 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 filed a complaint for declaratory and injunctive relief seeking a judgment of compliance and repose related to its regional fair share of low- and moderate-income housing, on June 13, 2019; and WHEREAS, the Township agreed to settle litigation related to this complaint for declaratory and injunctive relief with all parties through a negotiated Settlement Agreement dated January 26, 2022; and WHEREAS, the Township has developed a Housing Plan Element and Fair Share Plan in accordance with the terms of the Settlement Agreement; and WHEREAS, the Settlement Agreement and the Housing Plan Element and Fair Share Plan recommend that the Township amend the zoning ordinance at Chapter 250, Section 411 "TR Town Residential" so that multi-family housing development that includes housing affordable to low- and moderate-income households shall be permitted; and NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Middle, in the County of Cape May, and State of New Jersey, that: Chapter 250-411 TR Town Residential shall be amended to include a new permitted use under subsection A, and shall read as follows:

New text can be found in bold in italic font.

~~Text to be deleted can be found in bold italic font and with a strike through.~~

§ 250-411

TR Town Residential.

A. Purpose: to recognize those areas where small-lot and multifamily residential development exists and where the presence of adequate infrastructure permits additional development compatible with existing development.

B. Permitted uses:

(1) Single-family.

(2) Two-family residential dwellings, with sewer only.

(3) Townhouse ~~and multifamily~~ dwelling units with sewer, except in the Cape May Court House Overlay Zone, in accordance with design standards.

(4) Care facilities on a minimum of five acres.

(5) Inclusionary housing development

a. Any development of five (5) or more housing units within the TR District shall include a mandatory set aside of at least twenty percent (20%) of units to be made affordable to low and moderate-income households in accordance with the Affordable Housing provisions of the Township Code found in Chapter 250-801 et seq.

b. Inclusionary development shall be permitted to occur in any combination of single-family dwellings, two-family dwellings, townhouse dwellings, or multi-family dwellings.

c. Any inclusionary development shall be permitted to have a maximum gross density of twelve (12) dwelling units per acre. This density shall be applied to the gross development tract acreage irrespective of any lands that are undevelopable due to wetlands, wetlands buffers, or other similar constraints.

d. The minimum lot area for any inclusionary development shall be as follows:

(i) Single-Family Dwelling – 5,000 square feet

(ii) Two-Family Dwelling – 3,000 square feet per dwelling

(iii) Townhouse Dwelling – 2,000 square feet per dwelling

(iv) Multi-Family Dwelling – 40,000 square feet

e. The minimum required lot frontage for any inclusionary development shall be as follows:

(i) Single-Family Dwelling – 50 feet

(ii) Two-Family Dwelling – 30 feet per dwelling

(iii) Townhouse Dwelling – 20 feet per dwelling

(iv) Multi-Family Dwelling – 150 feet

f. multi-family buildings within an inclusionary development shall be permitted to have a maximum building height of three (3) stories and forty (40) feet.

g. The requirement for Non-Contiguous Parcel clustering as found in Section 250-625 of the Township Code shall not be required of any inclusionary development project.

Severability. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect and shall be deemed valid and effective.

Inconsistencies. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the municipality, the provisions hereof shall be determined to govern and those inconsistent provisions shall be repealed to the extent of such inconsistency.

Referral to Planning Board. A copy of this Ordinance shall be referred to the Planning Board following its introduction for review pursuant to N.J.S.A. 40A:55D-26A.

Effective Date and Scope. This Ordinance shall take effect upon its passage and publication, filing with the Cape May County Planning Board, and as otherwise provided for by law. The provisions of this Ordinance shall be applicable within the entire municipality upon final adoption and shall become a part of the Code once completed and adopted.

Mayor Donohue:

- *Explained both Ordinance's 1661-22 and 1662-22*

Michael Hubbard:

- *Began to discuss affordable housing*

Mayor Donohue:

- *Further explained purpose of the ordinances*

Michael Hubbard:

- *Stated he was unsure what questions to ask; further asked about affordable housing history*

Mayor Donohue:

- *Stated he did not understand what Mr. Hubbard was asking*

Christopher Bretting:

- *Asked about ordinances relation to section 8*

Mayor Donohue:

- *Further discussed ordinance*

Steve Morris:

- *Continued to explained reason for the ordinance; discussed work done with affordable housing*

Vince Orlando:

- *Explained effect the TR zone has throughout the entirety of Middle Township in regards to affordable housing units*

8. ORDINANCE 1662-22 – AN ORDINANCE TO REZONE CERTAIN PROPERTIES IN THE R RESIDENTIAL DISTRICT TO THE TR TOWN RESIDENTIAL ZONING DISTRICT AS SHOWN ON THE ZONING MAP OF THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1662-22 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 filed a complaint for declaratory and injunctive relief seeking a judgment of compliance and repose on June 13, 2019; and WHEREAS, the Township agreed to settle litigation related to this complaint for declaratory and injunctive relief with all parties through a negotiated Settlement Agreement dated January 26, 2022; and WHEREAS, the Township has developed a Housing Plan Element and Fair Share Plan in accordance with the terms of the Settlement Agreement; and WHEREAS, the Settlement Agreement and the Housing Plan Element and Fair Share Plan recommend that the Township rezone certain properties currently in the R Residential Zoning District to the TR Town Residential District in order to create more realistic opportunities for the development of housing for low- and moderate-income households; and NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Middle, in the County of Cape May, and State of New Jersey, that: The official Zoning Map of the Township of Middle shall be amended so that the following properties that are currently in the R Residential District shall be rezoned and placed within the TR Town Residential District:
 Block 163.01, Lots 209 and 227
 Block 322.01, Lot 58
 Block 1434, Lots 29, 30, and 31
 Block 971, Lots 8, 9, 10, and 11
 Severability. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect and shall be deemed valid and effective.
 Inconsistencies. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the municipality, the provisions hereof shall be determined to govern and those inconsistent provisions shall be repealed to the extent of such inconsistency.
 Referral to Planning Board. A copy of this Ordinance shall be referred to the Planning Board following its introduction for review pursuant to N.J.S.A. 40A:55D-26A.
 Effective Date and Scope. This Ordinance shall take effect upon its passage and publication, filing with the Cape May County Planning Board, and as otherwise provided for by law. The provisions of this Ordinance shall be applicable within the entire municipality upon final adoption and shall become a part of the Code once completed and adopted.

Mayor Donohue:
 - Explained the ordinance was a companion to item 7

9. ORDINANCE 1663-22 - AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MIDDLE, CHAPTER 218, SECTION 47 ENTITLED APPLICATION FOR DEVELOPMENT FEES – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, Ordinance No. 1663-22 passed first reading. Second reading, public hearing and consideration for adoption will be held on 11/21/2022 at 6:00 p.m. BE IT ORDAINED by the TOWNSHIP COMMITTEE, the governing body of the Township of Middle that the following fees listed under Chapter 218, Article VI, Section 47 of the CODE OF THE TOWNSHIP OF MIDDLE be and is hereby amended as follows: Section 218-47 Development Fees shall be amended as follows (amendments in [brackets]; additions underlined:

Category	Application Fee	Escrow Fee
21 Review of grading and drainage	[\$100.00]	
22 Grading and Drainage Site Inspection	[\$400.00]	

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. 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. This ordinance shall become effective upon final passage and publication, according to law.

10. RESOLUTION 444-22 – 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
Greyson Bramble	Public Works	Mechanic Helper F/T T/A (6 months)	\$15.00 per hour	10/31/2022
Kevin Campbell	Public Works	Laborer 1 F/T T/A (6 months)	\$15.00 per hour	10/17/2022
Jason Garrison	Public Works	Laborer 1 F/T T/A (6 months)	\$15.00 per hour	10/17/2022

11. RESOLUTION 445-22 – 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
Kevin Burns	Public Works	Laborer 1 P/T T/A	09/30/2022
Stephen Bradway	Zoning Board of Adjustments	Vice Chairman	12/31/2022

12. RESOLUTION 446-22 – LOCAL FINANCE BOARD – ANNUAL AUDIT OF BOOKS, ACCOUNTS & TRANSACTIONS – CERTIFYING REVIEW OF ANNUAL AUDIT – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted. WHEREAS, N.J.S.A. 40A:5-4 requires that governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and WHEREAS, the Annual Report of Audit for the year ending December 31, 2021 has been filed by a Registered Municipal Accountant with the Township Committee and also Kimberly Osmundsen, Township Clerk, as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

Findings and Questioned Costs or
Findings and Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

Findings and Questioned Costs or
Findings and Recommendations

As evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the governing body no further than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed in the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject he members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer of member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Middle, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said board to show evidence of said compliance.

13. RESOLUTION 447-22 – ACCEPTING CORRECTIVE ACTION PLAN-AUDIT 2021 – 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 resolution is hereby accepted as the Corrective Action Plan for the 2021 Audit for the Township of Middle and be it further resolved that a copy of the Corrective Action Plan be forwarded to the Department of Community Affairs, Division of Local Government Services as well as a copy of this Resolution be forwarded to Ford Scott & Associates, LLC, Registered Municipal Accountants:

Audit Findings:

- Finding 2021-1: That all general ledger balances be reviewed and agreed to the final year-end financial statement balances and that the general ledger be reviewed for accuracy on a regular basis. Also, bank

reconciliations should be prepared for all of the Township's bank accounts in a timely and accurate manner.

- o Recommendation: The Township should review all general ledger balances and agree same to the annual audit. The CFO should reconcile all bank accounts in a timely manner.
- o Explanation and Corrective Action: The CFO will compare all the general ledger account balances to the annual audit to ensure accounts agree. The CFO will reconcile each bank account monthly.
- o Implementation Date: Corrective Action has already been implemented.

Unresolved Prior Year Audit Findings:

- None

FURTHER BE IT RESOLVED, that a copy of this Resolution be forwarded to the Department of Community Affairs Division of Local Government Services.

14. RESOLUTION 448-22 – AMENDING RESOLUTION 203-21 – AWARD CONTRACT UNDER STATE CONTRACT – VENDING MACHINE PRODUCT SALES AND RELATED SERVICES – UNIVERSAL VENDING MANAGEMENT LLC – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, Resolution No. 203-21 authorized the Township of Middle to purchase with vendors with State Contracts and utilize services from Universal Vending Management LLC; and WHEREAS, said contract for a coverage period from 09/10/2018 through 09/01/2022; and WHEREAS, said contract needs to be amended to include additional period of coverage.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the agreement with said contractor is hereby amended.

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

Universal Vending Machine Management, LLC
Additional Period of Coverage
12-month extension

15. RESOLUTION 449-22 – AWARD OF BID – CONTRACTS #2021-3 – 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, it has been deemed necessary and desirable to solicit bids for the Home Rehabilitation Program for Contract No 2021-3, and

WHEREAS, bids were received on August 31, 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
2021-3	D D & S Construction, LLC	\$26,450.00

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

16. RESOLUTION 450-22– AWARD CONTRACT AND RATIFY AGREEMENT THROUGH NON-FAIR AND OPEN PROCESS – AMAZING AMUSEMENTS & ENTERTAINMENT INC. – HARVEST FESTIVAL ENTERTAINMENT – 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 Agreement between Amazing Amusements & Entertainment, Inc. and the Township of Middle for the amusement ride entertainment for the Middle Township Harvest Festival, 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.

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

Amazing Amusements & Entertainment, Inc.
Harvest Festival
Not to Exceed - \$11,450.00

17. RESOLUTION 451-22 – TABULATION COMMITTEE – BASKETBALL COURT CONVERSION – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, on September 19, 2022, Township Committee established a Tabulation Committee to accept bids for the Basketball Court Conversion, on Wednesday, October 12, 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 November 2, 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:

BASKETBALL COURT CONVERSION

18. **RESOLUTION 452-22 – RELEASE OF TRUST ACCOUNTS** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, certain monies held in Trust Accounts from time to time may have balances remaining after all fees have been paid; and
 WHEREAS, the applicants are entitled to a refund of this money.
 NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that upon request of the Zoning Officer the following balances in the Trust Accounts, as listed on the attached sheets, shall be released.
19. **RESOLUTION 453-22 – RELEASE OF PERFORMANCE BOND – CLEAN ENERGY** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, \$10,850.00, is being held as a performance guarantee for Clean Energy for landscaping site improvements at 650 Shunpike; 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 \$10,850.00 is hereby released.
20. **RESOLUTION 454-22 – INSERTION OF A SPECIAL ITEM OF REVENUE – NATIONAL OPIOIDS SETTLEMENT FUND 2022** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, R.S. 40A: 4-87 provides the Director of the Division of Local Government Services to approve the insertion of any Special Item of Revenue in the budget of any Municipality when such item shall have been made available by law and the amount whereof was not determined at the time of adoption of budget, and
 WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount.
 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, hereby requests the director of Local Government Services to approve the insertion of additional items of revenue in the budget of the year 2022 in the sum of:
 NATIONAL OPIOIDS SETTLEMENT FUND FY 2022 \$6,982.41
 BE IT FURTHER RESOLVED, that like sum be and the same is hereby appropriated under the following caption:
 NATIONAL OPIOIDS SETTLEMENT FUND FY 2022 \$6,982.41
21. **RESOLUTION 455-22 – APPOINTING MEMBERS TO THE RIO GRANDE COMMUNITY PARTNERSHIP** – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.
 WHEREAS, the Middle Township Committee adopted Ordinance No. 1659-22 which established a committee of Rio Grande residents, business owners, social service agencies and local government together to address ongoing concerns in the Rio Grande area; and
 WHEREAS, it has been determined by Township Committee of the Township of Middle that it is in the best interest of the Township to establish the Community Partnership as outlined in said Ordinance.
 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 individuals are hereby appointed to the Rio Grande Community Partnership:

NAME	TERM	TERM EXPIRES
W. Scott Webster	3 yr	12/31/2025
Jeff Mattera	3 yr	12/31/2025
Rachel Johnson	3 yr	12/31/2025
Arthur Andre, Jr.	3 yr	12/31/2025
Michelle DeVico – Business Representative	2 yr	12/31/2024
William Feraco – Business Representative	2 yr	12/31/2024
Tom Tower, Jr. – Business Representative	2 yr	12/31/2024
Denise South – Social Services / Cape Hope	1 yr	12/31/2023
Jon Bolte – Social Services / The Branches	1 yr	12/31/2023
MTPD – Advisor	1 yr	12/31/2023
Township Committee – Advisor	1 yr	12/31/2023
County of Cape May – Advisory	1 yr	12/31/2023
Nikki Hober – Secretary	1 yr	12/31/2023
Marcus Karavan – Solicitor	1 yr	12/31/2023

22. RESOLUTION 456-22 – AUTHORIZING MAYOR TO SIGN TREATMENT WORKS APPLICATION – 35 OLD NORTH WILDWOOD BOULEVARD WEST – 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 Mayor is hereby authorized to sign the Treatment Works Approval Permit Application, Statement of Consent, and any and all permit applications in connection therewith for Block 1234.01 Lots 2.
23. RESOLUTION 457-22 – TRICK OR TREAT 2022 – 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 Trick or Treat will be held in the Township on Monday, October 31, 2022 from 5:00pm until 8:00pm.
24. ENGINEERING REPORT:

FDA ENGINEERING DESIGN ASSOCIATES, P.A.
ENGINEERS ENVIRONMENTAL PLANNERS LANDSCAPE ARCHITECTS

Township of Middle
Project Status Report
October 17, 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.
 - Pamula 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. Re-design to consist of porous asphalt.

Narberly 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 completed
- Advertise date October 5, 2022
- Bid Date October 26, 2022
- Award of contract November 7, 2022

3rd Ave & Wash. 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

Cambridge Professional Offices
8 Cambridge Drive, Ocean View, New Jersey 08220
PHONE: (609) 390-0352 • FAX: (609) 390-0204

25. PUBLIC COMMENT:

- Jim Chew:**
- Began to read prepared speech about cannabis ordinance
- Kimberly Osmundsen:**
- Explained he was referring to a resolution of support for a recreation cannabis business previously passed
- Jim Chew:**
- Continued to read prepared speech
- Mayor Donohue:**
- Clarified statement regarding vote in favor to the decriminalization of marijuana
- Jim Chew:**
- Finished reading prepared speech
- Michael Hubbard:**
- Discussed letter received regarding affordable housing and questioning land acquisition
- Kimberly Osmundsen:**
- Asked to see the letter he was referencing
- Mayor Donohue:**
- Stated he was unsure what Mr. Hubbard was asking
- Michael Hubbard:**
- Continued to discussed land sale and past history of land in Middle Township
 - Continued questioning Committee regarding concerns of land in Whitesboro
- Kimberly Osmundsen:**
- Stated she would meet with him regarding his concerns and questions
- Jim Chew:**
- Read a second prepared speech
- Denise South, Cape Hope:**
- Thanked Committee for her appointment to the Rio Grande Community Partnership
 - Spoke of concerns regarding possible cannabis business in Rio Grande and its effect on the homeless community

Mayor Donohue:

- *Provided clarification regarding the support letter approved for INSA; further explained process done to come to the determination for the approval*

Jim Chew:

- *Asked about stopping store from being built in Rio Grande*

Blanche Saddler:

- *Asked about status update on water build up in her yard*

Vince Orlando:

- *Spoke of meeting with Ms. Saddler; explained next steps to be taken to correct issue*

Blanche Saddler:

- *Asked about trees on Township property along her property line be taken down; gave history of the trees*

Mayor Donohue:

- *Explained utility companies are responsible for cutting back trees from power lines*

Kimberly Osmundsen:

- *Further explained trees are not maintained on public right of ways*

Vince Orlando:

- *Asked about specific location of the trees*

Blanche Saddler:

- *Explained*

Kimberly Osmundsen:

- *Reiterated that the Township does not maintain public right of ways; explained she could reach out to Atlantic City Electric to have them cut back the trees from the power lines*

Blanche Saddler:

- *Continued to ask questions about the cutting of the trees*

Vince Orlando:

- *Explained public right of ways*

Blanche Saddler, Kimberly Osmundsen & Vince Orlando:

- *Continued to discuss the tree maintenance*

COMMITTEE COMMENTS:

Committeeman Norris:

- *Discussed Harvest Festival*
- *Spoke of Halloween decorating contest*
- *Stated the Halloween Parade would be October 26th*
- *Commented on the establishment of the Rio Grande Partnership; thanked all participating in the committee*

Committeeman Gandy:

- *Congratulated and wished good luck the Miss New Jersey Augustina Mallous*
- *Spoke of employee of the month Alexis Kalish*
- *Discussed passing of Samuel DeVico*
- *Commented on the fight against cannabis legalization; further discussed changing with the times in relation to cannabis legalization*

Mayor Donohue:

- *Confirmed Halloween Trick or Treating would be on Halloween*
- *Discussed Harvest Festival*
- *Recognized the resignation of Steve Bradway from the Zoning Board*
- *Spoke of meeting held regarding the popup car rally's; discussed event's effect on Middle Township; explained discussion held with Ocean City Maryland officials; further explained need for a regional approach to fight this type of event from happening again*

Motion to adjourn meeting – 7:03 pm

1st: Committeeman Gandy 2nd: Committeeman Norris

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

Kimberly D. Osmundsen, Township Clerk