

Cape May Court House, NJ  
 May 6, 2024  
 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 Leusner, Deputy Mayor Gandy, Township Clerk/Business Administrator Kimberly Osmundsen, Deputy Township Clerk Emily Bartleson, Deputy Business Administrator Suzanne Schumann, & Municipal Solicitor Matt Rooney

1. QUESTION/ANSWER PERIOD ON AGENDA (*This question-and-answer session shall relate only to items as outlined and pending on current agenda. Issues and concerns not related to agenda item shall be withheld to public comment portion at the conclusion of meeting.*)

*Dawn Robinson, Burleigh, asked about private land sale requirements.*

*Kimberly Osmundsen clarified the various reasons behind the sale of Township owned land.*

2. RESOLUTION 195-24 – 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:

Fund Description	Fund	Total
Current Fund PY	3.01	27,332.00
Current Fund CY	4.01	5,268,082.28
Alarm Billing	3.03	
Sewer Utility PY	3.07	33,731.00
Sewer Utility CY	4.07	636,086.82
General Capital	C.04	94,297.00
Sewer Capital	C.08	
Grants	G.06	6,060.00
M.A.C.	M.24	
Emergency Housing	R.23	
Dog Trust	T.12	
Forfeited Monies	T.13	
Sewer Escrow	T.16	
Trust Other	T.17	
Developer's Escrow	T.18	-
Zoning Escrow	T.19	1,538.71
Zoning Escrow	E.19	1,295.58
Unemployment Trust	T.20	
Development Fee	T.27	870.00
Recreation Trust	T.28	15,851.44
<b>TOTAL</b>		<b>6,085,144.83</b>

3. RESOLUTION 196-24 – APPROVING MINUTES FROM PREVIOUS MEETING – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the following minutes are approved: 04/22/2024 Work Session and Regular Meeting

4. REPORTS: None

5. ORDINANCE 1695-24 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY TO SELL TOWNSHIP-OWNED LAND BY A PRIVATE AUCTION TO BE HELD AMONG CONTIGUOUS OWNERS OF BLOCK 931 LOT 10 IN THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1695-24 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, New Jersey Statute 40A:12-13 provides the procedure for the sale of Township owned land, and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Township owned parcel, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and also provided that any such sale shall be for not less than the fair market value of the real property; and

WHEREAS, the Township owns a parcel of land identified as Block 931, Lot 10 (the "Subject Property") in the Cape May Court House section of the Township that qualifies for such a land sale; and

WHEREAS, the Township has received a "Request Sheet for Sale of Township Owned Real Estate" submitted by Derrick Samuels, the owner of a property contiguous to the Subject Property; and

WHEREAS, there are, in total, four (4) owners of real estate who are contiguous to the Subject Property, specifically listed as follows:

Block 931 Lot 5, 10 -	Township of Middle 33 Mechanic Street Cape May Court House, NJ 08210
Block 931 Lot 6 -	Leon Henry 19 N. George Street Cape May Court House, NJ 08210
Block 931 Lot 12 -	Avril Jonassaint-Cathie PO Box 85 Whitesboro, NJ 08252
Block 931 Lot 11 -	Derrick Samuels 2618 Morgan Ann Avenue Mansfield, TX 76063

WHEREAS, the four (4) owners shall be noticed and given an opportunity to participate in an open (private) auction limited to just the four (4) of them participating to purchase the parcel but at a price which is no less than the fair market value of the parcel; and

WHEREAS, the assessment of Block 931 Lot 10 is \$4,100.00, and the Township Tax Assessor has stated in writing that the fair market value of the land is \$4,100.00, which the Township therefore makes the minimum bid; and

WHEREAS, the statute also requires that the municipality file with the Director of the Division of Local Government Services in the Department of Community Affairs sworn affidavits verifying the publications of advertisements for the Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey that the Township may conduct a private auction to sell the Subject Property owned by the Township to contiguous owners of the same.

#### SECTION 1.

1. The Township Committee of the Township of Middle shall sell a portion of real property identified as Block 931, Lot 10 to the highest bidder of an open (private) auction to be held on June 5, 2024 at 9:00am in the court room of the Township Hall, 33 Mechanic Street, Cape May Court House, New Jersey, at which time only those four (4) owners of property contiguous to that portion of Block 931, Lot 10 which is offered for sale shall participate; and

2. The minimum bid shall be \$4,100.00; and

3. The auction shall be conducted by the Township's interim Chief Financial Officer, Neil Young; and

4. The winning bidder shall sign a contract of sale which is attached hereto as Exhibit "A" and the terms of which are incorporated herein in full; and

5. The winning bidder shall be provided a deed in the form attached hereto as Exhibit "B"; and

6. Bidding may be made by an individual, corporation or other entity. Bids may also be submitted by a prospective purchaser's attorney, real estate agent or broker or other duly authorized representative. However, no commission shall be paid by the Township of Middle to any real estate agent or broker or other representative in connection with any sale; and

7. That the Clerk or the Clerk's representative is to file the necessary affidavits with the Director of the Division of Local Government Services, and

8. The Mayor, Clerk, and any and all other Township Officials, are hereby authorized to sign those documents necessary to effectuate this transaction; and

9. A deposit of ten percent (10%) of the minimum price for real property must be paid in cash, certified check, bank check or money order made payable to the Township of Middle by the successful bidder at the time of the public sale; said time and place set forth herein. This deposit shall be made subject to return in the event of rejection of said bid. The balance, together with the costs of sale and legal expenses must be deposited in full by either cash or certified bank check within twenty (20) days after the date of sale or acceptance of bid whichever is later at the office of the Township Clerk; and

10. Any and all costs associated with this transaction, including advertising and postage, are to be paid by the winning bidder; and

11. In the event that the successful bidder fails to close title, the bidder agrees to forfeit to the Township any and all monies deposited with the Township; and

12. All bids shall be referred to the Township Committee for review and final approval pursuant to N.J.S.A. 40A: 12- 13, and the Township reserves the right to accept the highest bid or to reject any and all bids for any property. The Township reserves the right to reject all bids in each instance where the highest bid is not accepted and it is, in its discretion, to re- advertise the property for sale. The Township further reserves the right to waive any and all defects, informalities and irregularities in any bid. The deposits with respect to any unsuccessful bid and any rejected bid shall be returned; and

13. The Township makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, know or unknown, regarding said lands and the successful bidder agrees to fully release and indemnify the Township with respect thereto. The bidder shall be fully responsible for the

exercise of due diligence in determining all aspects of the condition of the land, including but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of land. The Township sells the property" AS IS" in which the bidder releases the Township of all liability and responsibility of any said contamination, if found, on the site; and

14. The sale of such lands is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws, regulations and ordinances of the State of New Jersey and the Township of Middle; and

15. The Township does not warrant or certify title to the property and in no event shall the Township be liable for any damages to the successful bidder if title is found defective or unmarketable for any reason, and the bidder waives any and all rights and damages against the Township, the sole remedy being the right to receive a refund of the deposit paid prior to closing in the event title is found defective or unmarketable. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Township shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and condition contained herein; and

16. The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Township of Middle, and the reservation of an easement for all natural or constructed drainage systems, swales, pipes, drains, inlets, waterways and easements, if any, on the land and a continued right of maintenance and flow thereof. The Township shall be without obligation to provide access, public or private, or to provide any improvements.

SECTION 2. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of such conflict or inconsistency.

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

SECTION 4. This ordinance shall become effective immediately upon final passage and publication, according to law.

*No Public Comment*

6. ORDINANCE 1696-24 – AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) – Following second reading, hearing, and consideration for adoption, Ordinance 1696-24 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 Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,
- WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,
- WHEREAS, the Township Committee of the Township of Middle in the County of Cape May finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,
- WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$228,366.69 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,
- WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.
- NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Middle, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Township of Middle shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$799,283.42 and that the CY 2024 municipal budget for the Township of Middle be approved and adopted in accordance with this ordinance; and,
- BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,
- BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,
- BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

*Neil Young, CFO, provided explanation on the purpose of the ordinance.*

7. ORDINANCE 1697-24 – AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 112, CONSTRUCTION CODE, UNIFORM, OF THE CODE OF THE TOWNSHIP OF MIDDLE – Following second reading, hearing, and consideration for adoption, Ordinance 1697-24 was adopted on motion by seconded by \_\_\_\_\_ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office. BE IT ORDAINED by the Governing Body of the Township of Middle, in the County of Cape May and State of New Jersey as follows:

**Section One.** Chapter 112 of the Code of the Township of Middle is hereby amended and supplemented by the addition of a new section, which be codified as ARTICLE V, which shall read as follows:

**ARTICLE V**

**Lead-Based Paint Inspections**

**112-12. Requirement**

Pursuant to P.L. 2021, c.182, all municipalities are now required to inspect every single-family, two-family, and multiple rental dwellings located within the municipality at tenant turnover of lead-based paint hazards; and

The Governing Body is hereby further required by P.L. 2021, c.182 to supplement and amend the Code of the Township of Middle to provide for regulation and inspection of certain single-family, two-family, and multiple rental dwellings located within the Township for lead-based paint hazards.

**112-13 Inspection and Fees.**

The owner, and/or its agent, of every single-family, two-family, and multiple dwellings shall be required to obtain an inspection upon tenant turnover or within two years of the effective date of this article. Thereafter, all such dwelling units shall be inspected for lead-based paint hazards every three years or upon tenant turnover, whichever is earlier, except that an inspection shall not be required at tenant turnover, if the dwelling unit owner has a valid lead-safe certification for the dwelling unit. In all scenarios, the next periodic lead-based paint inspection shall be counted from the most recent periodic lead-based paint inspection which resulted in a valid lead-safe certification, or as outlined by State Statute.

A lead evaluation contractor retained by the Township shall inspect every single-family, two-family, and multiple rental dwelling located within the Borough for lead-based paint hazards through visual assessment and dust wipe sampling in accordance with N.J.S.A. 52:27D-437.1 et seq., as maybe amended from time to time.

Lead-Based Paint Inspections shall be carried out pursuant to N.J.S.A 52:27D-437.1 through 437.20 and N.J.A.C. 5:28A-1.1 through 4.1. Fees shall be charged by the Township’s authorized lead evaluation contractor under a contract awarded by the Township.

If an owner or landlord exercises his or her right to directly hire a lead evaluation contractor, certified by the New Jersey Department of Community Affairs, to perform lead paint inspection services, the fees charged shall be identical to the fees charged by the Township’s authorized lead evaluation contractor.in accordance with N.J.S.A. 52:27D-437.1 et seq., as may be amended from time to time.

A copy of the lead-safe certification shall be provided to the owner of the dwelling. If a lead evaluation contractor issues the lead-safe certification, a copy shall also be provided to the municipality at the time it is issued.

If a lead evaluation contractor or permanent local agency finds that a lead-based paint hazard exists in a dwelling unit, they shall notify the Department of Community Affairs for review of the findings, in accordance with the Lead Hazard Control Assistance Act.

The owner and/or agent of the owner of the dwelling unit shall be responsible for remediation of the lead-based paint hazard. Remediation must be conducted consistent with the requirements at N.J.A.C. 5:28A–2.5 as may be amended from time to time.

**112-14 Applicability and exemptions.**

This article applies to all rental single-family, two-family, and multiple dwelling units with the exception of those set forth in the law.

**Section Two.** If any portion of this Ordinance is determined to be invalid by a court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

**Section Three.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same hereby are repealed.

**Section Four.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

*No Public Comment*

8. PUBLIC HEARING ON INTRODUCED BUDGET

*Neil Young , CFO and Leon Costello, Auditor, provided brief overview of the 2024 budget.*

*Leon Costello, Auditor, discussed self-examination resolution.*

*Mayor Leusner reviewed tax increases.*

9. RESOLUTION 197-24 – SELF-EXAMINATION OF BUDGET – 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:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Middle has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial

Officer has determined that the local government meets the necessary conditions to participate in the program for the 2024 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Middle that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
    - a. Payment of interest and debt redemption charges
    - b. Deferred charges and statutory expenditures
    - c. Cash deficit of preceding year
    - d. Reserve for uncollected taxes
    - e. Other reserves and non-disbursement items
    - f. Any inclusions of amounts required for school purposes
  2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
  3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
  4. That pursuant to the Local Budget Law:
    - a. All estimates of revenue are reasonable, accurate and correctly stated
    - b. Items of appropriation are properly set forth
    - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
  5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  6. That all other applicable statutory requirements have been fulfilled.
- BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services, through the FAST portal, upon adoption.

10. RESOLUTION 198-24 – ADOPT 2024 MUNICIPAL BUDGET – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
*BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey that it is hereby declared that the Local Budget of the Township of Middle for the year 2024 was introduced and approved at a regular meeting of the Township Committee held on April 8, 2024 and was thereafter advertised in the Cape May County Herald in its issue on April 17, 2024, which advertisement contained a notice of the date, time and place of the public hearing, and that at least one week prior to public hearing a complete copy of the approved budget as advertised was posted in the Middle Township Hall and made available to each person requesting the same during said week, and that sufficient copies of same are available for each person requesting the same at the scheduled public hearing; and*  
*BE IT FURTHER RESOLVED, that the Local Budget of the Township for the year 2024 was hereby read by title only, and also had public hearing on May 6, 2024; and*  
*FURTHER RESOLVED, that the Summary of Appropriations be made part of this resolution for the adoption of the budget for the year 2024; and*  
*FURTHER RESOLVED, that the Local Budget of the Township of Middle for the year 2024 is hereby adopted.*

11. RESOLUTION 199-24 – PROMOTIONAL TITLE CHANGE – 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 the following employee is hereby promoted to the civil service title opposite their name:

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Joyce Lee	Tax Collection	Tax Collector	\$80,000.00	06/01/224
		Sewer Billing Admin.	Stipend \$12,500.00	

12. RESOLUTION 200-24 – APPOINTING SAFETY COORDINATOR – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
 WHEREAS, the Township of Middle, County of Cape May is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and  
 WHEREAS, the FUND requires that in the manner generally prescribed by law, each member shall appoint a Safety Coordinator to chair the Member Safety Committee, coordinate and oversee the Member safety efforts, and act as a liaison between the municipality, the JIF Safety Director, and other outside agencies.  
 WHEREAS, the Township Committee of the Township of Middle recommends the appointment of Leonard Larkin to serve as Safety Coordinator in accordance with the FUND requirements.  
 NOW, THEREFORE, BE IT RESOLVED by the of that it does hereby appoint Leonard Larkin as Municipal Safety Coordinator\* effective May 1, 2024.  
 \*filling unexpired term

13. RESOLUTION 201-24 – 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.

14. RESOLUTION 202-24 – DESIGNATING THE MONTH OF MAY AS MENTAL HEALTH AWARENESS MONTH – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, Mental Health Awareness Month has been observed in the U.S. since 1949; and  
WHEREAS, mental health, as defined by the National Institutes of Health, includes our emotional, psychological and social well-being; affects how we think, feel and act as we cope with life; helps determine how we handle stress, relate to others and make choices and is important at every stage of life from childhood to adolescence, to adulthood and in aging; and  
WHEREAS, mental health is essential to everyone’s overall health and well-being; and  
WHEREAS, one in five adults and children experiences a mental health condition in any given year; and  
WHEREAS, the mental health of youth is worsening and the suicide rate of adolescents has significantly increased, causing a public health crisis that requires a strong, multifaceted and swift response; and  
WHEREAS, people with mental illness are often: over represented in the criminal justice system; reside in substandard housing; or institutions; under-employed; lacking access to basic needs; experiencing severe socio-economic inequalities and disadvantage; and impacted by co-occurring substance use and comorbid physical health conditions; and  
WHEREAS, with early and evidenced based treatment, those individuals with mental health conditions can recover and lead full, productive lives; and  
WHEREAS, each business, school, government agency, healthcare provider, organization and citizen share the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts; and  
WHEREAS, the Governing Body of the Township of Middle supports initiatives designed to raise awareness about mental health issues in New Jersey and takes steps to promote mental health wellness through education advocacy, and community collaboration;  
THEREFORE, BE IT RESOLVED the Governing Body of the Township of Middle encourages all residents to create communities that recognize and understand mental illness, to support people living with mental illness and be a resource to those individuals and families in need.  
BE IT FURTHER RESOLVED, that May is recognized as the official Mental Health Awareness Month.; and May 13-19 as Mental Health Awareness Week in the Township of Middle.
15. RESOLUTION 203-24 – ACCEPTANCE OF GRANT AWARD – NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY OFFICE OF THE ATTORNEY GENERAL – FY-2020 Title II – 2024 SUMMER EXPANSION PROGRAM – MIDDLE TOWNSHIP POLICE DEPARTMENT- UEI: XVMRRH11E215 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, Middle Township Police Department has been awarded Office of Juvenile & Delinquency Prevention (OJJDP) Grant Program, Federal Award #2020-JX-FX-0052 from the New Jersey State Department of Law and Public Safety; and  
WHEREAS, the grant, consisting of a total of \$9,161.43, awarded on 04/01/2024, is to provide positive youth development activities to at-risk youth during the summer months when they are not in school as indicated in said grant application.  
WHEREAS, the Governing Body of the Township of Middle is hereby authorizing the acceptance of such award; 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, the appropriate officials are hereby authorized to sign any and all documents in connection therewith.  
OJJDP MTPD 2024 SUMMER EXPANSION PROGRAM AWARD \$ 9,161.43  
Match \$0.00  
Subaward Number: #J-J:6-10-20  
Subaward Period: 4/01/24-9/30/24
16. RESOLUTION 204-24 – LIMITED BREWERY OFF-PREMISE EVENT PERMIT – ANGLESEA ALEWORKS LLC – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, Anglesea Aleworks, LLC has applied for approval to sell alcoholic beverages at an event to be held at the Big Little 9 Golf Course, 600 Bayberry Drive, Cape May Court House, New Jersey 08210 on June 22, 2024 from 12:00pm until 6:00pm; and  
WHEREAS, they have provided proper documentation to the Township of Middle.  
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, in the Township of Middle, does hereby approve the Limited Brewery Off-Premise Event Permit.
17. RESOLUTION 205-24 – SOCIAL AFFAIRS PERMIT – TJ HUNT MEMORIAL FOUNDATION – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.  
WHEREAS, TJ Hunt Memorial Foundation. has applied for approval to sell alcoholic beverages at an event to be held at The Shore Club, 1170 Golf Club Road, Cape May Court House, New Jersey 08210 on June 10, 2024 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.

18. RESOLUTION 206-24 – APPROVAL OF MOBILE FOOD VENDOR LICENSE – 2024 – On motion by Committeeman Gandy seconded by Committeeman Norris and passed on roll call, the following resolution was adopted.

WHEREAS, the following company has applied to the Township of Middle for a license to operate as a Mobile Food Vendor within the confines of the Township, under the Code of the Township of Middle, and WHEREAS, after review by the Township Solicitor and other appropriate Township Officials, the following application has been found to be in proper order and the fee paid in connection with the licensing process, and

NOW, THEREFORE BE IT RESOLVED, that each of the following licenses be, and are hereby authorized, for the calendar year of 2024:

License#	Vehicle/Trailer #	Owner	Tradeame	Fee
MFV 13-24	01-24	Dean M. Hodecker	Good Mood Truck	\$75.00

FURTHER RESOLVED, that any license issued pursuant to the terms in accordance with the Code of the Township of Middle shall expire midnight of the 31<sup>st</sup> day of December of the year in which is issued unless sooner surrendered, suspended or revoked.

19. PUBLIC COMMENT:

*Dawn Robinson, Burleigh, asked about housing development set aside, specifically pertaining to the Oyster Road development.*

*Kimberly Osmundsen explained the project is not yet complete and there will be housing set aside in the development. Further explained the Township and developer are in ongoing discussions. Advised Ms. Robinson she will be able to get information on the set aside housing from Triad once the housing is completed and made available on the website.*

*Dawn Robinson, Burleigh, explained difficulty contacting Triad. Continued to ask about affordable housing in other developments.*

*Kimberly Osmundsen explained the requirement is for all new projects that were not already approved prior to the effective date.*

*Mayor Leusner reiterated explanation that the requirement is for any new development that goes in front of the planning board after that effective date of the agreement with Fair Share Housing.*

*Kimberly Osmundsen, advised that developers can not negate the set aside. Further discussed the development fee standards for commercial or residential.*

*Stan Doniger, Rio Grande asked about development on Railroad Ave and Route 9 and where they fall under the set aside requirement.*

*Committeeman Gandy explained the contract had been approved about 2 year ago and does not believe they fall into the set aside requirement due to that reason.*

*Stan Doniger, Rio Grande, asked where to view affordable housing information.*

*Mayor Leusner discussed various criteria for affordable housing set asides. Explained that the Governor just signed a new bill revamping affordable housing requirements and the Township will be working diligently to come into compliance with the new regulations.*

*Stan Doniger, Rio Grande asked who defines affordable housing.*

*Mayor Leusner stated the DCA.*

*Kimberly Osmundsen explained there are HUD standards.*

*Mayor Leusner reviewed some of the criteria.*

*Stan Doniger, Rio Grande continued to ask various questions about affordable housing units and requirements.*

*Committee, continued to review affordable housing requirements.*

*Dave Robinson, discussed moderate income, low income and section 8 housing.*

*Ed Dillio, Cape May Court House, discussed concerns with property on Johnstown Lane and Shunpike.*

*Mayor Leusner explained the Township has been in court multiple times with the property owner and are working on cleaning up the property along the proper regulations.*

*Ed Dillio, Cape May Court House, asked if the Township is doing anything for homeless veterans.*

*Mayor Leusner explained that Volunteers of America are embedded into the Middle Township Police Department and they are aware of everything available to their individuals. Further discussed visit with Kimberly Osmundsen to an enhanced housing facility in Gloucester Township that the VOA operates. He discussed the facility and benefits they have for homeless individuals. He then continued to speak of the various benefits of having VOA as a partner to the Police Department.*

*Lillian Wing, Whitesboro, discussed post card received from New Jersey American Water company and asked what the company is working on as she does not have water.*

*Committeeman Gandy stated they are most likely flushing the fire hydrants.*

*Stan Doniger, Rio Grande, asked about people that lost their job and how they are able to stay in their housing if part of affordable housing.*

*Mayor Leusner stated he believes this is handled by the private organizations. Provided situations that he had dealt with as chief within the Conifer developments.*

*Dave Robinson, asked about traffic study for Route 9 and Johnstown Lane.*

*Mayor Leusner advised it was under review by the Traffic Committee.*

Motion to adjourn meeting – 6:37 pm

1<sup>st</sup>: Committeeman Gandy      2<sup>nd</sup>: Committeeman Norris

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

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Kimberly D. Osmundsen, Township Clerk

Minutes prepared by: E. Bartleson