

Cape May Court House, NJ  
 July 15, 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, Committeeman Norris, Township Clerk/Business Administrator Kimberly Osmundsen, Deputy Administrator Suzanne Schumann, Township Engineer, Vince Orlando & 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.*)
2. RESOLUTION – APPROVING PAYMENT FOR BILLS – BILL LIST A (GENERAL BILLS) – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ 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:*

<i>Fund Description</i>	<i>Fund</i>	<i>Total</i>
<i>Current Fund PY</i>	<i>3.01</i>	<i>-</i>
<i>Current Fund CY</i>	<i>4.01</i>	<i>221,453.65</i>
<i>Alarm Billing</i>	<i>3.03</i>	
<i>Sewer Utility PY</i>	<i>3.07</i>	
<i>Sewer Utility CY</i>	<i>4.07</i>	<i>23,159.37</i>
<i>General Capital</i>	<i>C.04</i>	<i>1,800.00</i>
<i>Sewer Capital</i>	<i>C.08</i>	
<i>Grants</i>	<i>G.06</i>	<i>3,508.00</i>
<i>M.A.C.</i>	<i>M.24</i>	<i>2,500.00</i>
<i>Emergency Housing</i>	<i>R.23</i>	
<i>Dog Trust</i>	<i>T.12</i>	
<i>Forfeited Monies</i>	<i>T.13</i>	
<i>Sewer Escrow</i>	<i>T.16</i>	
<i>Trust Other</i>	<i>T.17</i>	
<i>Developer's Escrow</i>	<i>T.18</i>	
<i>Zoning Escrow</i>	<i>T.19</i>	
<i>Zoning Escrow</i>	<i>E.19</i>	<i>1,474.50</i>
<i>Unemployment Trust</i>	<i>T.20</i>	
<i>Development Fee</i>	<i>T.27</i>	<i>1,380.00</i>
<i>Recreation Trust</i>	<i>T.28</i>	<i>5,275.40</i>
	<i>TOTAL</i>	<i>260,550.92</i>

3. RESOLUTION – APPROVING MINUTES FROM PREVIOUS MEETING – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.
4. ORDINANCE NO. 1704-24 - AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MIDDLE - Following second reading, hearing, and consideration for adoption, Ordinance 1704-24 was adopted on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.  
*COMPLETE ORDINANCE ON FILE IN CLERKS OFFICE*
5. ORDINANCE NO. 1705-24 - CAPITAL ORDINANCE PROVIDING FOR VARIOUS SEWER CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$335,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF – Following second reading, hearing, and consideration for adoption, Ordinance 1705-24 was adopted on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call. Complete Ordinance is on file in the Clerk’s Office.  
*WHEREAS, the Township of Middle, in the County of Cape May, State of New Jersey (the “Township”), wishes to undertake various sewer capital improvements in and throughout the Township including, but not limited to, various sewer system improvements (as deemed necessary by the Township) and acquisition of*

vehicles and equipment including, but not limited to, an F-350 crane truck (4x4) with plow and an F-250 pickup truck (4x4) with plow; and

WHEREAS, the cost of said improvements or purposes is estimated to be \$335,000; and

WHEREAS, the Township desires to authorize the appropriation and expenditure of \$335,000 from the Capital Improvement Fund to undertake various sewer capital improvements; and

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The capital improvements or purposes described below are hereby authorized as general capital improvements to be undertaken by the Township. For said improvements or purposes, there is hereby appropriated the amount of \$335,000 from the Capital Improvement Fund to undertake various sewer capital improvements in and throughout the Township including, but not limited to, various sewer system improvements (as deemed necessary by the Township) and acquisition of vehicles and equipment including, but not limited to, an F-350 crane truck (4x4) with plow and an F-250 pickup truck (4x4) with plow; and

SECTION 2. The expenditure of the \$335,000 consisting of an appropriation of \$335,000 from the Capital Improvement Fund for the improvements or purposes set forth in Section 1 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Township are each hereby authorized and directed to execute, deliver and perform any agreement to undertake the improvement or purpose set forth herein and to effectuate the transaction contemplated hereby.

SECTION 3. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the Office of the Clerk and is available for public inspection.

SECTION 4. This ordinance shall take effect immediately after final adoption.

6. ORDINANCE NO. 1706-24 - BOND ORDINANCE PROVIDING FOR VARIOUS 2024 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$1,452,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,382,855 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF - Following second reading, hearing, and consideration for adoption, Ordinance 1706-24 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 AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Middle, in the County of Cape May, State of New Jersey (the "Township") as general capital improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$1,452,000, including the sum of \$69,145 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the "Local Bond Law"). The \$69,145 aggregate amount of down payments is now available therefor from the capital improvement fund by virtue of provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$1,452,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,382,855 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,382,855 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Buildings and Grounds</u> – Various Improvements To Township Buildings And Grounds Including, But Not Limited To, Goshen Recreation Complex Improvements Including, But Not Limited To, Sport Field Improvements; Various Other Township Building And/Or Facility Improvements As Deemed Necessary By The Township Including, But Not Limited To, Restroom Improvements At Town Hall In Compliance With ADA; And Acquisition And Installation, As Applicable, Of A Drop Down Curtain, Bollards, And Flooring For the Senior Center;	\$501,000	\$477,142	\$23,858	11.01 years
(ii) <u>Vehicles and Equipment</u> – Acquisition And Installation, As Applicable, Of Various Vehicles and Equipment For The Township Including, But Not Limited To, A 4x4 Vehicle With Plow And Spreader; A 4x4 Vehicle With Plow And Utility Body; A "Tow	\$465,000	\$442,857	\$22,143	5.55 years

Behind” Leaf Vac; Two (2) Non-Passenger Sport Utility Vehicles For Administration; And Other Building Equipment Improvements Including, But Not Limited To HVAC Improvements;

(iii) <u>Roads</u> - Improvements To Various Roads (As Deemed Necessary By The Township) Including, But Not Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement, And Where Necessary, The Sealing Of Pavement Cracks, Installation Of Or Improvements To Curbing And Driveway Aprons, Resetting Utility Castings, Drainage Improvements, Roadway Painting, Landscaping And Aesthetic Improvements;	\$200,000	\$190,476	\$9,524	15.0 years
(iv) <u>Public Safety</u> – Acquisition And Installation, As Applicable, Of Various Equipment And Vehicles For The Police Department To Include, But Not Be Limited To, Non-Passenger Vehicles And Related Equipment, Outer Vest Carriers And Red-Dot Sight Firearms; And	\$170,000	\$161,904	\$8,096	5.00 years
(v) <u>Information Technology and Office Equipment</u> – Various Information Technology Improvements Throughout the Township Including, But Not Limited To, Acquisition And Installation, As Applicable, Various Equipment Including, But Not limited To, Computer Hardware and Software; A Plotter Printer; Audio System Improvements For Court Room; And PA System Improvements At Goshen Gym.	\$116,000	\$110,476	\$5,524	8.10 years
<b>TOTALS</b>	<b><u>\$1,452,000</u></b>	<b><u>\$1,382,855</u></b>	<b><u>\$69,145</u></b>	

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, as follows:

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, preparation of plans and specifications, permits, bid documents, and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,382,855.

(d) The aggregate estimated cost of said improvements or purposes is \$1,452,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor are the down payments available for said purposes in the aggregate amount of \$69,145.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Cape May, and/or a private entity make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Cape May and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Cape May and/or a private entity shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Capital Fund of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Fund capital budget

and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

*SECTION 7. The following additional matters are hereby determined, declared, recited and stated:*

(a) *The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.*

(b) *The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.87 years.*

(c) *The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,382,855 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.*

(d) *An aggregate amount not exceeding \$285,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.*

*SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.*

*SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.*

*SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.*

*SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.*

*SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, as provided by the Local Bond Law.*

7. RESOLUTION – ACCUMULATED LEAVE – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.

*WHEREAS, the Township Personnel Policy Manual outlines the carry-over of accumulated paid time off for employees, inclusive of vacation, personnel and sick time, and*

*WHEREAS, the total of unused vacation and personal time that may be carried over to the next calendar year is also determined in accordance with negotiated contracts (if applicable), and*

*WHEREAS, for non-contractual employees, the total of unused vacation that may be carried over may not exceed one year's time of accrued vacation unless otherwise authorized by resolution of the governing body, and*

*WHEREAS, proper staffing of departments and Township facilities as well as the operational needs of the Township must take precedence over all other considerations in scheduling vacations, and*

*WHEREAS, an employee may be authorized to carry over accumulated personal/vacation in excess of the one year permitted when approved by the governing body by resolution, and*

*WHEREAS, the Middle Township Police Department experienced staff shortages during a time of transition and necessary absences (military leave, etc.) which resulted in the inability of Administrative employees to follow these procedures and policies.*

*NOW THEREFORE BE IT RESOLVED, that the following employees shall be permitted to carry over accumulated leave in excess of one year, as outlined in the Personnel Policy Manual and respective Collective Bargaining Agreement, as applicable.*

BE IT FURTHER RESOLVED, that all time carried over as indicated below must be used within the remainder of this calendar year, otherwise said remaining time will be revoked.

<u>Name</u>	<u>PTO</u>	<u>End of 2023 (12/31/2023) Balance (in Hours)</u>
K. Martin	Personal	48
	Sick	965
	Vacation	180
B. Murphy	Personal	48
	Sick	756.5
	Vacation	240
J. Pooler	Personal	48
	Sick	299.75
	Vacation	448
T. Super	Personal	40
	Sick	545
	Vacation	280

BE IT FURTHER RESOLVED, authorization of carryover of time is approved retroactive to 01/01/2024.

8. RESOLUTION – TERMINAL LEAVE – POOLER – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
 WHEREAS, Jennifer Pooler retired with an effective date of July 1, 2024; 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:
- |                 |                    |
|-----------------|--------------------|
| Sick Hours*:    | 241.75             |
| Vacation Hours: | 568.00             |
| Personal Hours: | 60.00              |
| Comp:           | 3.50               |
|                 | <u>\$68,425.16</u> |

\*Max Payout \$12,000.00

9. RESOLUTION - APPROVAL OF MOBILE FOOD VENDOR LICENSE – 2024 – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ 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 19-24	01-24	Parkway Storage / Robert Brown	The Lunch Box	\$75.00
MFV 18-24	01-24	Richard Hans / Dave Bannon	Ribeyes Steak	\$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.

10. RESOLUTION – SOCIAL AFFAIRS PERMIT – JEFF MICHNER SCHOLARSHIP FUND – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
 WHEREAS, Jeff Michner Scholarship Fund has applied for approval to sell alcoholic beverages at an event to be held at Stone Harbor Gold Club, 905 Route 9, Cape May Court House, New Jersey 08210 on August 1, 2024 from 1:00pm until 10:00pm; 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.

11. RESOLUTION – SALARY ADJUSTMENT – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ 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 employee salary and title be hereby amended to reflect the following:*

NAME	DEPARTMENT	TITLE	SALARY	EFFECTIVE
Braeden Gosner	Public Safety	Special Class II Police Officer T/A	\$23.00 PH	06/28/2024

12. RESOLUTION - AUTHORIZING ACCEPTANCE OF PERFORMANCE BOND – MINDY MCNICHOLAS – 1027 RTE 9 S - On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, Mindy McNicholas has received certain approvals for the property located at 1027 Rte 9 South to conduct a minor subdivision, with major site plan improvement with use variance, and*  
*NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the performance bond in the amount of \$18,750.00, is hereby accepted.*  
*FURTHER BE IT RESOLVED, that the appropriate officials are hereby authorized to sign any and all documents in connection therewith.*

13. RESOLUTION – APPROVE LEAVE OF ABSENCE – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ 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 Leave of Absence without pay for Jessica Davis, starting July 2, 2024 for a period of 4 (four) weeks, is hereby approved.*

14. RESOLUTION – AWARD OF BID – PUBLIC WORKS PARKING LOT RECONSTRUCTION – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, it has been deemed necessary and desirable to solicit bids for the reconstruction of sections of the public works building parking lot, and*  
*WHEREAS, sealed bids were received on July 10, 2024; and*  
*WHEREAS, it appears that the following bid submitted represents a figure equal to the lowest complete 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 Public Works Parking Lot be awarded to Ricky Slade Construction, Inc.*

*Ricky Slade Construction, Inc  
Public Works Parking Lot Reconstruction  
Not to Exceed \$110,350.00*

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

15. RESOLUTION – AMENDING RATIFIED CONTRACT WITH MIDDLE TOWNSHIP AMBULANCE CORPS – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, the Township of Middle and MTAC entered into an agreement for services on January 3, 2024, otherwise known as Resolution 43-24, and*  
*WHEREAS, the Township desires to amend said resolution to reflect special events coverage.*  
*NOW THEREFORE BE IT RESOLVED, by the Township Committee, the Governing Body of the Township of Middle, County of Cape May and State of New Jersey, that the contract between the Township of Middle and Middle Township Ambulance Corps. is hereby amended.*

16. RESOLUTION – 2024-2025 HOTEL / MOTEL LICENSE APPROVAL – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.  
*WHEREAS, the Township of Middle has established a Hotel/Motel License in connection with Ordinance No. 1157-04; and*  
*WHEREAS, a Hotel/Motel shall be defined for purposes in connection with this ordinance/license as a type of building or combination of buildings within the same complex having 4 or more rooms available for sleeping and lodging to the public for a fee; and*  
*WHEREAS, prior to any person, operating a Hotel/Motel regulated by this ordinance, said person or entity must acquire an annual Hotel/Motel License from the Township Clerk by the 1<sup>st</sup> of July in each calendar year; and*  
*WHEREAS, prior to the issuance or renewal of any annual Hotel/Motel License, the applicant for such license shall have made the payment of delinquent property and sewer tax. The Township of Middle retains the right of revocation or suspension for non-payment of property taxes when three (3) or more consecutive quarters are delinquent; and*  
*WHEREAS, the annual license fee to operate a Hotel/Motel within the Township of Middle shall be \$1,000.00; and*  
*WHEREAS, said approval is contingent upon all applicable building, housing, health and safety codes and regulations as set forth by all appropriate local, county and state agencies, and as outlined in Chapter 222-22 of the Code of the Township of Middle; and*  
*WHEREAS, The Township of Middle shall have the right to inspect the licensed premises and the owner/applicant shall provide for the inspection of licensed facilities; and*

NOW, THEREFORE, BE IT RESOLVED, that each of the following licenses be and are hereby authorized for the license year of 2023-2024:

LIC. #	APPLICANT	TRADENAME	LOCATION	SITES
6	Claudio Pawlus	Economy Motel	3172 Rte 9 South	34, Mngr Apt.

17. RESOLUTION – RELEASE OF PERFORMANCE BOND – HOMES BY HAND, LLC. – On motion by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.

*WHEREAS, \$5,000.00 is being held as a performance guarantee for Homes By Hand, LLC for a street opening located at 28 Seabreeze Lane, and*

*WHEREAS, the Public Works Department has conducted his inspection and determined that all improvements have been completed, and*

*WHEREAS, it has been recommended that the performance guarantee for the above stated project be released.*

*NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middle, the governing body thereof, that the above referenced opening has been inspected and approved, and that the cash performance bond in the amount of \$5,000.00 be released.*

18. RESOLUTION – CATERING PERMIT – BS LIQUOR, LLC. – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.

*WHEREAS, BS Liquor LLC has applied for approval to sell alcoholic beverages at Big Little 9 Golf Course located at 600 Bayberry Drive, Cape May Court House, on September 21, 2024 from 11:00am to 8:00pm; 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 Catering Permit.*

19. RESOLUTION – AUTHORIZING PARTICIPATION IN ONLINE AUCTION – GOVDEALS – On motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and passed on roll call, the following resolution was adopted.

*WHEREAS, the Township of Middle is the owner of certain surplus property which is no longer needed for public use; and*

*WHEREAS, the Township Committee are desirous of selling said surplus property in an “as is” condition without express or implied warranties.*

*NOW THEREFORE, be it RESOLVED by the Township Committee, of the Township of Middle, County of Cape May, State of New Jersey, as follows:*

- (1) *The sale of the surplus property shall be conducted through GovDeals.*
- (2) *The sale will be conducted online and the address of the auction site is govdeals.com.*
- (3) *A list of the surplus property to be sold is outlined on Exhibit A attached hereto this resolution.*
- (4) *The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.*
- (5) *The Township Committee reserves the right to accept or reject any bid submitted.*

**Exhibit A**

<b>Vehicles</b>	<b>VIN #</b>
2004 Ford Crown Victoria	2FAFP71W64X175397
2007 Ford Crown Victoria	2FAFP71W77X146219
2008 Ford Crown Victoria	2FAFP71V58X159348
2010 Ford Expedition	1FMJU1G57AEA42956
2010 Ford Expedition	1FMJU1G50AEA42958
2010 Ford Expedition	1FMJU1G52AEA42959
2011 Ford Crown Victoria	2FABP7BV9BX161723

20. ENGINEER’S REPORT:

21. PUBLIC COMMENT: