

Workshop Meeting

A Workshop Meeting of the Township Committee of Middletown Township was held in the Main Meeting Room at Town Hall, One Kings Highway, Middletown, New Jersey and virtually through WebEx at 7:00 p.m. on February 5, 2024.

Township Clerk Heidi Pieluc called the meeting to order and read the following notice:

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to The Asbury Park Press, The Middletown Sun and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 11, 2024.

Roll Call Vote: Present: Clarke, Hibell, Kratz, Settembrino, Mayor Perry  
Absent: Settembrino

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Chief Financial Officer Colleen Lapp, Township Clerk Heidi Pieluc.

**PLEDGE OF ALLEGIANCE**

Township Clerk Heidi Pieluc led the assembly in the Pledge of Allegiance.

Township Clerk Heidi Pieluc requested a moment of silence to honor the troops serving worldwide defending our freedoms and way of life.

**CERTIFICATE OF APPRECIATION/PROCLAMATIONS**

**Proclamation Recognizing January 28-February 3, 2024 as Catholic Schools Week in the Township of Middletown**

**WHEREAS:** Catholic Schools Week is a national celebration of Catholic education in the United States of America. This annual event has been recognized since 1974 and always begins the last Sunday in January and culminates at the end of that week; and

**WHEREAS:** Catholic education has demonstrated its ability to contribute to national welfare throughout America's history by educating people about the Catholic faith, empowering those who follow it, and promoting the religious freedom that is granted to every U.S. citizen; and

**WHEREAS:** The commitment of Catholic schools to Christian values and the Christian moral code renders a profound service to society which can benefit from spiritual values and good moral conduct for its success; and

**WHEREAS:** Middletown is proud to be home to several Catholic schools, such as Saint

Workshop Meeting

Mary School, Saint Leo the Great School, and Christian Brothers Academy. Catholic schools strengthen both our community and nation by instilling knowledge in our youth and keeping viable the right to freedom of religion under law. Now,

**THEREFORE:** I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim January 28 – February 3, 2024 as **Catholic Schools Week** in the Township of Middletown and urge the citizens of our community to join in observance of this week with appropriate ceremonies and activities.

**Proclamation Recognizing January 22-26, 2024 as The Great Kindness Challenge in the Township of Middletown**

**WHEREAS:** **The Great Kindness Challenge** was created and launched in 2011 by Kids for Peace, a global nonprofit based in Carlsbad, California; and

**WHEREAS:** **The Great Kindness Challenge** was piloted with three Carlsbad public schools and has now expanded to all 50 states with over 19 million students participating worldwide; and

**WHEREAS:** **The Great Kindness Challenge** is one week dedicated to students performing as many kind deeds as possible, using a provided checklist; and

**WHEREAS:** Bayshore Middle School is proud to demonstrate its commitment to improving its school climate and increasing student engagement by participating in **The Great Kindness Challenge** the week of Monday, January 22<sup>nd</sup> through Friday, January 26<sup>th</sup>; and

**WHEREAS:** Middletown Township is proud of Bayshore Middle School for uniting its students, staff, and our community in the spirit of kindness and respect. Now,

**THEREFORE:** I, Mayor Tony Perry and the Middletown Township Committee, do hereby recognize the week of January 22 – 26, 2024 as **The Great Kindness Challenge**, because kindness matters in Middletown and beyond.

**Proclamation Recognizing February 2024 as Black History Month in the Township of Middletown**

**WHEREAS:** Every year during the month of February, our nation comes together to **Month** celebrate **Black History** as we honor and reflect upon Black achievements, stories, and matters that comprise American history. Although Black history should be celebrated every day, this month reminds us of the

critical role Black Americans have held and will continue to hold in the past, present, and future of our country; and

**WHEREAS:** There are an immeasurable number of Black activists, scholars, healthcare providers, authors, politicians, athletes, and leaders who have made tremendous and everlasting impacts on society, despite the unjust challenges they have faced. Middletown Township is grateful for all Black Americans and how they have paved the way for a better world and would like to acknowledge some of our residents and local organizations who have made strides in our own community; and

**WHEREAS:** Clinton P. Heath, a freed slave who moved to Middletown in 1885, co-founded the Red Hill African Methodist Episcopal (AME) Church in the 1890s, which is now named Clinton Chapel AME Zion Church in honor of his legacy. After the church was purposely set aflame in 1966, Clinton's daughter, Bertha, worked alongside the community to rebuild the church and dedicate a wing to her parents. The Heath Wing can be found at the Tatum Park Activity Center; and

**WHEREAS:** Nonprofit Friends of Cedar View pay homage to Middletown's past in present day. Cedar View Cemetery is the final resting place of Black Civil War veterans buried there. Cedar View Cemetery was sold in 1850 to 14 African American men by former slaveholder John Crawford to be used as a burial ground. The cemetery was overgrown and neglected up until November 2015, when it was finally restored. Friends of Cedar View is a group of family descendants, historians, and citizens who have made it their mission to preserve the cemetery and its history; and

**WHEREAS:** Middletown Township wholeheartedly condemns all forms of racism and hate, and vows to work toward creating an inclusive community that celebrates diversity. We follow the guiding principle that when the rights of one individual is threatened, the rights of all people are threatened. Now,

**THEREFORE:** I, Mayor Tony Perry and the Middletown Township Committee, do hereby recognize February 2024, and every February going forward, as **Black History Month** in the Township of Middletown. We encourage the community to join us in celebrating Black accomplishments, uplifting Black voices, and honoring Black history.

**Proclamation Recognizing February 2024 as Children’s Dental Health Month in the Township of Middletown**

**WHEREAS:** The American Dental Association (ADA) has been recognizing every February as National Children’s Dental Health Month since 1981. Beginning in 1949, this annual observance was originally celebrated as National Children’s Dental Health Day on February 8<sup>th</sup>. In 1955, the ADA decided to extend it to one week and then eventually to a month in 1981; and

**WHEREAS:** The ADA sponsors this national campaign to raise awareness about the importance of oral health in our youth. The Middletown Township Health Department strongly promotes National Children’s Dental Health Month so young residents can learn how to practice proper oral hygiene; and

**WHEREAS:** According to the Centers for Disease Control and Prevention, cavities are one of the most common chronic diseases of childhood in the United States. Children who have poor oral health often miss more school and receive lower grades than children who don’t. Individuals between the ages of 5 to 19 years old who come from low-income families are also twice as likely to have cavities; and

**WHEREAS:** Fortunately, cavities can be mostly preventable with routine screenings and good oral health habits. Now,

**THEREFORE:** I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim February 2024, and every February going forward, as **Children’s Dental Health Month** in the Township of Middletown. We encourage families to help recognize this month by taking their kids to the dentist, making sure they brush and floss their teeth, and visiting [www.middletownnj.org/dental](http://www.middletownnj.org/dental) to access ADA’s fun and educational resources.

**PUBLIC HEARING OF PROPOSED ORDINANCES**

None

**INTRODUCTION OF PROPOSED ORDINANCES**

Township Clerk Heidi Pieluc read the following ordinance by title:

**Ordinance 2024-3404 - Ordinance Amending Sections 254-9 And 254-12 Of the Code of The Township of Middletown Expanding Fire Lane and Zone Enforcement Authority to The Police**

Workshop Meeting

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to pass this ordinance on first reading.

Roll Call Vote:       Ayes: Clarke, Hibell, Kratz, Settembrino, Mayor Perry  
                          Nays: None  
                          Abstention: None  
                          Absent: None

Township Clerk Heidi Pieluc stated motion carried to pass this ordinance on first reading with a public hearing to be held on February 20, 2024.

Township Clerk Heidi Pieluc read the following ordinance by title:

**Ordinance 2024-3405 - Ordinance Authorizing and Accepting Subdivision Deeds to Effectuate Lot Line Adjustment Between Block 502, Lot 2 And Block 502, Lot 5 (To Become Block 502, Lot 5.01) And Consolidation of Block 502, Lot 1, A Portion of Lot 2, Lot 7, And Block 503, Lots 10 And 11 (To Become Block 502, Lot 2.01)**

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to pass this ordinance on first reading.

Roll Call Vote:       Ayes: Clarke, Hibell, Kratz, Settembrino, Mayor Perry  
                          Nays: None  
                          Abstention: None  
                          Absent: None

Township Clerk Heidi Pieluc stated motion carried to pass this ordinance on first reading with a public hearing to be held on February 20, 2024.

**CONSENT AGENDA**

Township Clerk Heidi Pieluc requested a motion to adopt a consent agenda including Resolutions 24-50 through 24-83.

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adopt the consent agenda:

Roll Call Vote:       Ayes: Clarke, Hibell, Kratz, Settembrino, Mayor Perry  
                          Nays: None  
                          Abstention: None  
                          Absent: None

Workshop Meeting

Township Clerk Heidi Pieluc stated the motion carried to adopt the consent agenda.

**Resolution 24-50 – Cancellation of Community Development Mortgages**

**BE IT RESOLVED** by the Township Committee of the Township of Middletown that the mortgages of the Township securing the Community Development and Neighborhood Preservation Program loan/grants in connection with the following properties be and hereby are authorized to be canceled because these mortgages have been repaid, expired or otherwise satisfied.

| <u>Block</u> | <u>Lot</u> | <u>Borrower</u> | <u>Address</u>  | <u>Amount</u> |
|--------------|------------|-----------------|-----------------|---------------|
| 190          | 70         | Eleanor D’Elia  | 35 White Street | 24,150        |

**BE IT FURTHER RESOLVED** that the Mayor and other authorized appropriate and responsible officials including the Township Administrator, the Director of Planning, the Community Development Director, or Township Attorney be and they are hereby authorized and directed to execute on behalf of the Township of Middletown such certifications and other documentation as may be required by the Monmouth County Clerk.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided by the Office of the Township Clerk to the following:

- A. Community Development

**Resolution 24-51 - Resolution Updating Fair Market Value and Authorizing And Directing the Acquisition of Easements on Property Located in The Township of Middletown Designated as Block 265, Lot 66 By Purchase Or Eminent Domain**

**WHEREAS**, the United States Army Corps of Engineers (“**USACE**”) conducted an investigation and identified areas located in the Township of Middletown (the “**Township**”) that were subject to significant coastal storm damage and tide-induced flooding; and

**WHEREAS**, the USACE’s investigation resulted in the Raritan Bay and Sandy Hook Bay, Port Monmouth Feasibility Report for Hurricane and Storm Damage Reduction (the “**Feasibility Report**”) dated September 25, 2000; and

**WHEREAS**, under Section 101 of the Water Resources Development Act of 2000, and based on the Feasibility Report, the United States Congress authorized a hurricane and storm damage reduction project in the Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey; and

**WHEREAS**, the hurricane and storm damage reduction project included the Raritan Bay and Sandy Hook Bay, Port Monmouth, Phase II, NJ Flood Risk Management Project (the “**Project**”); and

**WHEREAS**, under public law 113-2, the Disaster Relief Appropriation Act of 2013, Chapter 4, Congress appropriated funds for this Project; and

**WHEREAS**, the USACE is now implementing the Project, which provides for hurricane and storm damage reduction and flood risk management and calls for certain improvements on certain real property, including, but not being limited to the construction of a floodwall and/or levee, road closure gates, interior drainage structures and other related work; and

**WHEREAS**, pursuant to Ordinance No. 2021-3324, the Township is authorized and directed to acquire by purchase or gift, or, in the alternative, to take, or condemn certain real property identified as necessary components under the Project's Phase II Contracts 4b and 5 for the purchase price and/or fair and just compensation as valued by the appraisal reports issued by J. McHale & Associates, Inc. (the "**Appraiser**"), subject to and upon receipt of final approval required by the Project's Phase II Contracts 4b and 5 and the adoption of a resolution by the Township Committee memorializing the same; and

**WHEREAS**, on August 15, 2022, pursuant to Resolution No. 22-206, the Township accepted the initial valuation by the Appraiser of the easements to be acquired at Block 265, Lot 66 (the "**Property**") following the Township's review and approval pursuant to the Project's Phase II Contract 4b; and

**WHEREAS**, the initial valuation of the Property is now out-of-date and has been updated by the Appraiser; and

**WHEREAS**, the Township is in receipt of the updated appraisal report reviewed and approved pursuant to the Project's Phase II Contract 4b for the Property and wishes to proceed with the acquisition of the Property for the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, as follows:

That the Township Committee hereby accepts the Appraiser's updated valuation of the Property as having been performed in a competent manner and in accordance with the relevant appraisal standards and the applicable law as establishing the fair market value of the Property at \$90,000 (the "**Cost of Acquisition**").

The Mayor, Township Administrator, Spiro Harrison & Nelson LLC and/or any other attorneys retained by the Township for purposes of the Project, and such other officials, employees and agents of the Township, specifically including, but not limited to professional appraisers, environmental experts, consulting engineers, surveyors and similar professionals as are appropriate, are hereby authorized and directed to execute such documents and to perform all other acts necessary to negotiate in good faith or take, condemn (including the institution of any necessary legal action to acquire the Property including but not limited to action to gain necessary access to the Property for related purposes) or to acquire title to the Property for dedication to the

Workshop Meeting

Project; and the Mayor and Township Clerk are hereby authorized and directed to execute any and all documents necessary for the acquisition of said Property; however, no settlement figure, purchase price or stipulation to purchase in excess of the Cost of Acquisition shall be binding on the Township or its agents until the Township Committee gives final approval to such figure or price by resolution.

The Chief Financial Officer of the Township is hereby authorized and directed to pay the purchase price and/or fair and just compensation to the owner of record in the amount of the Cost of Acquisition for the Property as valued by the updated appraisal report issued by J. McHale & Associates, Inc., as well as to pay the Township's share of costs connected with title reports, appraisal reports, attorney's fees, professional consultant's fees, and other costs necessary for the general acquisition of the Property by way of condemnation of the Property.

This resolution shall take effect immediately and shall supersede and replace Resolution No. 22-206 only as regards the Cost of Acquisition for Block 265, Lot 66.

**Resolution 24-52 - Resolution Authorizing New Shared Services Agreement with The Township of Hazlet for Animal Control Services**

**WHEREAS**, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 through 40A:65-35 (the "**Act**"), authorizes local units of this State to enter contracts with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, the Township of Middletown ("**Middletown**") and the Township of Hazlet ("**Hazlet**") wish to continue their Shared Services Agreement for the provision of animal control services to Hazlet; and

**WHEREAS**, pursuant to the Shared Services Agreement to be entered, Hazlet shall pay Middletown \$43,775 for the three year term of the Shared Services Agreement effective January 1, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby authorizes and directs the Mayor to enter into a new Shared Services Agreement with the Township of Hazlet for animal control services pursuant to the terms set forth above.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall transmit a copy of this Resolution and the executed Shared Services Agreement to the Division of Local Government Services at the New Jersey Department of Community Affairs for informational purposes pursuant to N.J.S.A. 40A:65-4b.



**Resolution 24-53 - Resolution Authorizing Shared Services Agreement with The Township of Howell for Qualified Purchasing Agent Services**

**WHEREAS**, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 through 40A:65-35 (the “Act”) authorizes local units of this State to enter contracts with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, the Township of Middletown (“**Middletown**”) and the Township of Howell (“**Howell**”) wish to enter into a Shared Services Agreement for the provision of Qualified Purchasing Agent (“**QPA**”) services for an estimated period of five non-consecutive months, throughout 2024; and

**WHEREAS**, pursuant to the Shared Services Agreement to be entered, Howell shall pay Middletown \$6,500 per month when such services are required.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby authorizes and directs the Mayor to enter into a new Shared Services Agreement with the Township of Howell for QPA pursuant to the terms set forth above.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall transmit a copy of this Resolution and the executed Shared Services Agreement to the Division of Local Government Services at the New Jersey Department of Community Affairs for informational purposes pursuant to N.J.S.A. 40A:65-4b.

**Resolution 24-54 - Resolution Authorizing the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations Within the Township of Middletown**

**WHEREAS**, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

**WHEREAS**, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

**WHEREAS**, prior to conducting aerial dispensing operations over a designated “congested area,” the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

**WHEREAS**, the Township of Middletown is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

**NOW, THEREFORE**, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or area harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
  - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial application by the applicable Federal (USEPA) and State (NJDEP) agencies, and
  - b. such operations will be performed in compliance with applicable Federal and State regulations, and
  - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

**Resolution 24-55 - Resolution Awarding Contract for Prescription Administration Services**

**WHEREAS**, The Township of Middletown for the past several years has engaged the services of BeneCard Services, Inc. for the provision of employee and retiree prescription claims administration services and Medicare drug subsidy services; and

**WHEREAS**, it is necessary to ratify and approve the continuation and extension of that contract for prescription services for the year 2024, and in order to maintain the continuity of said services, with a maximum estimated expenditure under said contract being estimated to be no more than \$32,000; and

**WHEREAS**, authorization for the award of this contract as an extraordinary unspecifiable service does not require public bidding pursuant to N.J.S.A.40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED BY** The Township Committee of the Township of Middletown that the Mayor and Township Clerk are hereby authorized and directed and to execute a contract with BeneCard Services, Inc. to provide prescription claims administrative Medicare retiree drug subsidy services for the year 2024 for the Township health benefit program for employees and retirees at the rates set forth in the

Workshop Meeting

contract attached hereto and made part hereof in an amount estimated not to exceed \$32,000.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**Resolution 24-56 - Resolution Awarding Contract for Delta Dental Administrative And Network Services**

**WHEREAS**, the Township of Middletown for the past several years has engaged the services of Delta Dental Plan of NJ, Inc. for providing dental claims administrative and dental network services as part of the health benefits for Township employees; and

**WHEREAS**, it is necessary to ratify and approve the continuation of that Contract for dental claims administrative and network services for the year 2024 with the administrative services and costs for an estimated cost not to exceed \$30,000; and

**WHEREAS**, authorization for the award of this contract as an extraordinary unspecifiable service does not require public bidding pursuant to N.J.S.A. 40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown that the Mayor and Township Clerk are authorized to execute the agreement with Delta Dental Plan of NJ, Inc. for the provision of dental claims administrative and network services for the year 2024 for the Township health benefit program for employees at the administrative fees as set forth in the attached contract made part hereof for an estimated contract amount not to exceed \$30,000.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**Resolution 24-57 - Resolution Authorizing Contract Award for Stop Loss Coverage For 2024**

**WHEREAS**, the Township of Middletown (the "Township") provides its employees with self-insured health coverage under its own plan design, supplemented by an excess stop loss policy; and

**WHEREAS**, the Township's stop loss policy for 2023 expired, and after receiving a plan analysis, the Township's Broker of Record solicited quotes for 2024; and

**WHEREAS**, Nationwide Insurance provided the most beneficial pricing for the Township for a total annualized premium of \$1,900,000.00; and

**WHEREAS**, authorization for the award of this contract does not require public bidding pursuant to N.J.S.A. 40A:11-5(1)(m) as an insurance-related contract, subject only to certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that:

1. The Township Administrator is hereby authorized and directed to execute a contract with Nationwide Insurance, for the provision of stop loss coverage, consistent with the foregoing for 2024.
2. Notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**Resolution 24-58 - Resolution Awarding Third Party Health Care Claims Administration Services**

**WHEREAS**, the Township of Middletown for several years has engaged the services of Meritain Health, Inc., for the provision of employee and retiree health benefits claims administration services for its self-insured group health plan benefits programs; and

**WHEREAS**, the Township annually evaluates the service provided and fees charged and concluded, based on the recommendations of the Township's Assistant Administrator and insurance consultants to continue the services being provided by Meritain Health, Inc. in 2024 for an estimated amount not to exceed \$360,000; and

**WHEREAS**, authorization for the award of this contract does not require public bidding pursuant to N.J.S.A.40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with Meritain Health, Inc., 1719 State Highway 10, Parsippany, New Jersey 07054 to provide health benefits claims administration services for the Township's self-insured health benefits programs for employees and retirees at the rates set forth in the contract attached hereto and made part hereof for an estimated amount not to exceed \$360,000 in 2024.

**BE IT FURTHER RESOLVED** that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

**Resolution 24-59 - Resolution Authorizing Award of Contract to Vendors with National Cooperative Contracts for Aftermarket Automotive & Truck Parts**

**WHEREAS**, the Township of Middletown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Sourcewell National Cooperative, pursuant to the provision of Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139”) and N.J.S.A.52:34-6.2 and the regulations promulgated in Local Finance Notice LFN 2012-10, which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS** the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

**WHEREAS**, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation; and

**WHEREAS**, the Qualified Purchasing Agent, recommends the utilization of this contract based on the requirements of State Law; and

**WHEREAS**, under Sourcewell Contract #032521-GPC Naylor’s Auto Parts and F&C Automotive Supply can provide the Township with the required aftermarket automotive and truck parts for 2024 in the following not to exceed amounts:

- 1) Naylor’s Auto Parts - \$107,000.00
- 2) F&C Automotive Supply - \$125,000.00

**WHEREAS**, the appropriations to be charged are budget line item #s 4-01-26-315-100-219, 4-01-26-315-100-241, 4-01-26-315-100-219, & 4-01-26-290-101-232, and that no amount of this contract shall be chargeable until certification of available funds is made and upon receipt of a properly executed Purchase Order.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown that Naylor’s Auto Parts and F&C Automotive Supply, under Sourcewell Contract #032521-GPC, be utilized to provide the Township with the required aftermarket automotive and truck parts for 2024 in the not to exceed amounts above.

**Resolution 24-60 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Purchase of One (1) 2023 Chevrolet Tahoe PPV**

**WHEREAS**, the Township of Middletown, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, Gentilini Motors, 2703 Fire Rd., Egg Harbor Township, NJ 08234 has been awarded New Jersey State Contract No. 21-FLEET-01485; and

**WHEREAS**, under Contract 21-FLEET-01485, Gentilini Motors, can provide one (1) Chevrolet Tahoe PPV for the Fire Department; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$55,206.17 is available for this purpose in account/line-item number(s) C-04-55-923-398-006. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with Gentilini Motors for the delivery of one (1) Chevrolet Tahoe PPV in the amount of \$55,206.17.

**Resolution 24-61 - Resolution Authorizing Award Of Contract To A Vendor With A National Cooperative Contract For Waste And Recycling Equipment And Containers**

**WHEREAS**, the Township of Middletown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Sourcewell National Cooperative, pursuant to the provision of Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139”) and N.J.S.A.52:34-6.2 and the regulations promulgated in Local Finance Notice LFN 2012-10, which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS** the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

**WHEREAS**, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation; and

**WHEREAS**, the Qualified Purchasing Agent, recommends the utilization of this contract based on the requirements of State Law; and

**WHEREAS**, under Sourcewell Contract #040621-WQI, an authorized dealer for Waste and Recycling Equipment and Containers, can provide One (1) compactor with container, sixteen (16) various sized dumpsters and containers and one (1) specialty roll off container to Middletown’s Department of Public Works in the amount of \$142,527.51 per their quote dated December 13, 2023; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$142,527.51 are available for

Workshop Meeting

this purpose in account/line-item number(s) C-04-55-923-396-002. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown that Wastequip, under Sourcewell Contract #040621-WQI be utilized to provide Waste and Recycling equipment and containers in the amount of \$142,527.51.

**Resolution 24-62 - Resolution Authorizing Award of Contract to A Vendor with A National Cooperative Contract For (1) One Ferrara Cinder Custom Pumper**

**WHEREAS**, the Township of Middletown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Houston-Galveston Area Council National Cooperative (HGAC), pursuant to the provision of Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139”) and N.J.S.A.52:34-6.2 and the regulations promulgated in Local Finance Notice LFN 2012-10, which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS** the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

**WHEREAS**, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation; and

**WHEREAS**, the Qualified Purchasing Agent, recommends the utilization of this contract based on the requirements of State Law; and

**WHEREAS**, under HGAC Contract #FS12-23 FF1 Apparatus, LLC, an authorized dealer for Ferrara, can provide the Township with one (1) new Ferrara Cinder Custom Pumper in the amount of \$760,688.00 per their quote dated January 3, 2024; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$760,688.00 are available for this purpose in account/line-item number(s) C-04-55-923-398-005. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown that FF1 Apparatus, LLC, under HGAC Contract #FS12-23 be utilized to provide one (1) new Ferrara Cinder Custom Pumper in the amount of \$760,688.00.

**Resolution 24-63 - Resolution Amending Resolution #23-300 Authorizing Award of Contract to A Vendor with A National Cooperative Contract For (1) One 2025 Kenworth T880 Tandem Axle Chassis**

**WHEREAS**, the Township of Middletown awarded a contract to Gabrielli Truck Sales for the purchase of one (1) 2025 Kenworth T880 tandem axle truck and roll off body through the Sourcewell National Cooperative per resolution #23-300 in the amount of \$257,421.31; and

**WHEREAS**, there was an error on the initial quote provided; and

**WHEREAS**, under Sourcewell Contract #060920-KTC Gabrielli Truck Sales, an authorized dealer for Kenworth, can provide the Township with one (1) new 2025 Kenworth T880 Tandem Axle Chassis in the amount of \$277,691.19 per their corrected quote dated January 8, 2024; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$277,691.19 are available for this purpose in account/line-item number(s) C-04-55-923-396-002 & T-03-56-802-330-000. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown that Gabrielli Truck Sales, under Sourcewell Contract #060920-KTC be utilized to provide one (1) new 2025 Kenworth T8880 Tandem Axle Chassis in the amount of \$277,691.19.

**Resolution 24-64 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Purchase of Four (4) Trime Light Towers**

**WHEREAS**, the Township of Middletown, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, Sunbelt Rentals, 1325 NJ-34, Wall Township, NJ 07727 has been awarded New Jersey State Contract No. 19-GNSV2-00852; and

**WHEREAS**, under Contract 19-GNSV2-00852, Sunbelt Rentals, can provide four (4) Trime X-Rent light towers for the Office of Emergency Management; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$63,408.00 are available for this purpose in account/line-item number(s) C-04-55-923-398-001. A copy of the said certification is attached hereto and made part hereof.



**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with Sunbelt Rentals for the delivery of four (4) Trime X-Rent light towers in the amount of \$63,408.00.

**Resolution 24-65 - Resolution Approving Additional Funds for Previously Approved Contract**

**WHEREAS**, the Township Committee regularly approves entry into various contracts, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, in order to ensure fiscal responsibility, the various approving resolutions include amounts not to exceed (the “**NTE Amount**”) for the corresponding contracts; and

**WHEREAS**, the Township has determined that the NTE Amounts must be increased for certain contracts in order to address increased needs for the remainder of the contract period; and

**WHEREAS**, the Township seeks to increase the NTE Amount on the following contracts by the amounts specified as “Additional Funds” as provided herein:

| Resolution No. | Entity               | Service                 | NTE Amount   | Additional Funds |
|----------------|----------------------|-------------------------|--------------|------------------|
| 22-126         | Flynn’s Tree Service | Tree Trimming & Removal | \$360,000.00 | \$25,000.00      |

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown, in the County of Monmouth, State of New Jersey, that it hereby approves modifications to the NTE Amount on the foregoing contract previously approved by the Township Committee, upon the terms set forth in this Resolution.

**BE IT FURTHER RESOLVED** that the above-referenced resolutions are hereby repealed only to the extent of their inconsistency with the terms of this Resolution.

**Resolution 24-66 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Purchase of Five (5) 2024 Ford F-250 Trucks with Plows**

**WHEREAS**, the Township of Middletown, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, Nielsen Ford, 170 Ridgedale Ave, Morristown, NJ 07960 has been awarded New Jersey State Contract No. 23-FLEET-34922; and

Workshop Meeting

**WHEREAS**, under Contract 23-FLEET-34922, Nielsen Ford, can provide five (5) Ford F-250 trucks with plows for the Department of Public Works; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$303,665.00 is available for this purpose in account/line-item number(s) C-04-55-923-398-013. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with Nielsen Ford for the delivery of five (5) Ford F-250 trucks with plows in the amount of \$303,665.00.

**Resolution 24-67 - Resolution Authorizing Award Of Contract To Vendor With A State Contract For The Purchase Of One (1) 2023 Chevrolet Silverado SSV**

**WHEREAS**, the Township of Middletown, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, Gentilini Motors, 2703 Fire Rd., Egg Harbor Township, NJ 08234 has been awarded New Jersey State Contract No. 20-FLEET-01190; and

**WHEREAS**, under Contract 20-FLEET-01190, Gentilini Motors, can provide one (1) Chevrolet Silverado SSV for the Department of Public Works; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$59,519.14 is available for this purpose in account/line-item number(s) C-04-55-923-398-013. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with Gentilini Motors for the delivery of one (1) Chevrolet Silverado SSV in the amount of \$59,519.14.

**Resolution 24-68 - Resolution Authorizing Application for Grant from The New Jersey Department of Community Affairs for Tonya Keller Community Center Improvements**

**WHEREAS**, the Township of Middletown (the “**Township**”) desires to apply for and obtain a grant from the New Jersey Department of Community Affairs (“**DCA**”) for approximately \$98,000 to carry out a project to complete Phase 3 of improvements to the Tonya Keller Community Center.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that:

1. it hereby authorizes and directs the Mayor and Administrator to execute a grant application for the above-referenced project;
2. it recognizes and accepts that the DCA may offer a lesser or greater amount, and therefore, upon receipt of the grant agreement from the DCA, does further authorize and direct the execution of any such grant agreement;
3. upon receipt of a fully executed agreement from the DCA, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township and the DCA; and
4. that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

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Anthony S. Perry  
Mayor

Anthony Mercantante  
Township Administrator

**Resolution 24-69 - Resolution Authorizing Entry of County of Monmouth Municipal Open Space Grant Agreement For McMahon Park Improvements – Phase II**

**WHEREAS**, the Monmouth County Board of County Commissioners (the “**County**”) has enacted an Open Space Trust Fund and established a Monmouth County Municipal Park Improvement Grant Program to assist municipalities by providing additional funding needed to make park improvements in municipal parks and open space; and

**WHEREAS**, on or about September 15, 2022, the Township of Middletown (the “**Township**”) made an application to the County for funding for certain park improvements at McMahon Park (Application No. 22-09); and

**WHEREAS**, the Township now desires to enter into a Grant Agreement with the County for receipt of \$250,000 for improvements to McMahon Park – Phase II, including the resurfacing of existing tennis and basketball courts; new nets, posts, and goals; upgrade existing basketball court lighting; benches with concrete pads; fencing; concrete sidewalk; ADA parking striping and signage.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Mayor or Township Administrator are hereby authorized and directed to enter into the attached

Workshop Meeting

Grant Agreement with the County for the above-referenced project pursuant to the terms and conditions contained therein.

**Resolution 24-70 - Appointments To Lincroft Senior Citizen Housing Corporation (Luftman Towers)**

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:**

1. That the following individuals are hereby appointed or reappointed as members of the Lincroft Senior Citizens Housing Corporation, Luftman Towers pursuant to the "Code of the Township of Middletown" for a term set forth below:

**JAMES P. RICCIARDI, JR.**

**SEAT VI**  
Expiring 12/31/2028

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
  - a. Each appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
  - b. Lincroft Senior Citizens Housing Corporation

**Resolution 24-71 - Resolution Ratifying Energy Supply Agreement with Constellation Newenergy, Inc. For Electric Supply Service for A Period Of 48 Months Beginning December 1, 2023**

**WHEREAS**, the Township of Middletown (the "**Township**") has chosen to avail itself of energy consulting and management services provided by TFS Energy Solutions, LLC d/b/a Tradition Energy, pursuant to Contract 2018-017 procured through the City of Mesquite's OMNIA Partners, Public Sector, f/k/a/ U.S. Communities Government Purchasing Alliance Request, which is a nationally recognized purchasing cooperative; and

**WHEREAS**, pursuant to N.J.S.A. 52:34-6.2(b)(3), the Township is authorized to enter into purchases through a nationally recognized cooperative, provided the Township determines that the use of same "shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered"; and

**WHEREAS**, on September 5, 2023, pursuant to Resolution No. 23-237, the Township authorized the solicitation of electric supply bids by Tradition Energy; and

**WHEREAS**, in accordance with the Electric Discount and Energy Competition Act (P.L. 1999, Chapter 23), Tradition Energy sought competitive pricing in the marketplace for electric supply service for the 67 Township accounts; and

**WHEREAS**, Tradition Energy utilized its online pricing system to perform an indicative Request for Proposals for bid prices on September 6, 2023 from Tier 1 electricity suppliers that serve Jersey Central Power and Light (“**JCP&L**”) for the 67 Township accounts served by JCP&L through current supplier; and

**WHEREAS**, Tradition Energy obtained pricing for five potential contract terms – 12 months, 24 months, 36 months, 48 months and 60 months; and

**WHEREAS**, the Township determined that the pricing available through the national cooperative is lower than the pricing available to the Township outside the national cooperative program; and

**WHEREAS**, procuring electric supply service through the national cooperative will result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

**WHEREAS**, Constellation NewEnergy, Inc. provided the lowest responsible bid for fully fixed capacity pricing for electric supply service for the Township’s 67 accounts for a period of 48 months, pursuant to the energy supply agreement attached hereto as **Exhibit A** and incorporated by reference (“**Agreement**”); and

**WHEREAS**, it is in the best interest of the Township to enter into the Agreement for its 67 Accounts with Constellation NewEnergy, Inc. for electric supply, for a period of 48 months beginning on or about December 1, 2023; and

**WHEREAS**, the estimated cost for electric supply during the 48-month term of the contract is \$640,000; and

**WHEREAS**, the Chief Financial Officer of the Township has certified that adequate funds for such contract are available.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, that it hereby ratifies the Agreement with Constellation NewEnergy, Inc. for electric supply service with capacity “Subject to Auction Adjustment” for a period of 48 months beginning on or about December 1, 2023, consistent with the foregoing.

**BE IT FURTHER RESOLVED** that Constellation NewEnergy, Inc. shall comply with requirements of N.J.S.A. 10:2-1 (Anti-Discrimination in Employment), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Equal Employment Opportunity), 42 U.S.C. § 12101 et seq. (Americans with Disabilities Act), and N.J.S.A. 52:32-44 et seq. (New Jersey Business Registration).

**Resolution 24-72 - Resolution Supporting Adoption of U.S. Senate Bill No. 495  
Expanding Veterans' Options for Long Term Care**

**WHEREAS**, the Township of Middletown (the "Township") supports efforts to assist our nation's veterans for their service to our country; and

**WHEREAS**, Senate Bill No. 495 would require the Department of Veterans Affairs ("VA") to implement a three-year pilot program to assess the effectiveness of providing assisted living services to eligible veterans, including by assessing the satisfaction of veterans participating in the pilot program; and

**WHEREAS**, Senate Bill No. 495 would classify eligible veterans as those who (1) are eligible for assisted living services as determined by the VA; and (2) are already receiving nursing home level care paid for by the VA, are eligible for such care from the VA, or exceed the requirements for domiciliary care paid for by the VA but do not meet the requirements for nursing home level care paid for by the VA; and

**WHEREAS**, Senate Bill No. 495 would require the Inspector General of the VA to report to Congress on the pilot program, and the VA must submit a follow-up plan to address any deficiencies that are identified in the report.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby supports the adoption of U.S. Senate Bill No. 495 to expand long-term care options for eligible veterans.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be transmitted to the offices of Senator Cory Booker, Senator Bob Menendez, Congressman Chris Smith, and Congressman Frank Pallone.

**Resolution 24-73 - Resolution Authorizing Change Order No. 4 For the Dog Park at Tindall Park**

**WHEREAS**, the Township Committee originally contracted with Mixalia Enterprises for the Dog Park at Tindall Park in the amount of \$532,000.00; and

**WHEREAS**, the contractor and Township have encountered unforeseen circumstances requiring the change order as proposed; and

**WHEREAS**, the Township requires additional estimated quantities as listed on Change Order No. 4 increasing the contract by \$69,795.00, making the total amount of the contract to date \$669,622.45; and

**WHEREAS**, the amount of the change orders requested is a total net increase of \$137,622.45, which represents in total more than the aggregate maximum increase of 20% allowed by N.J.A.C 5:34-11-3(a)(9); and

**WHEREAS**, Colliers Engineering & Design (CED) has provided a statement per N.J.A.C. 5:30-11.9 indicating that Change Order No. 4 is required due to unforeseen water infiltration; and

**WHEREAS**, CED also recommends the retention of the current contractor as they already have knowledge of the site conditions; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$69,795.00 are available for this purpose in account/line-item number(s) T-03-56-802-120-004. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that an amendatory contract for Change Order No. 4, with an increase in the amount of \$69,795.00, be authorized and executed by the appropriate officials.

**Resolution 24-74 - Resolution Authorizing Change Order No. 1 For Professional Engineering Services**

**WHEREAS**, pursuant to the fair and open process and Resolution No. 22-19, the Township previously qualified multiple engineering firms to provide consulting engineering services; and

**WHEREAS**, Colliers Engineering & Design was awarded a contract for construction administration and inspection services for the Tindall Park Dog Park project in the amount of \$39,750.00; and

**WHEREAS**, Colliers Engineering & Design and the Township have encountered unforeseen circumstances requiring the change order as proposed; and

**WHEREAS**, the Township requires additional funds as listed on Change Order No. 1 increasing the contract by \$17,500.00, making the total amount of the contract to date \$57,250.00 and;

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$17,500.00 is available for this purpose in account/line-item number(s) T-03-56-802-120-004. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that Change Order No. 1, with an increase in the amount of \$17,500.00, be authorized and executed by the appropriate officials.

**Resolution 24-75 - Resolution For Temporary Emergency Appropriation**

**WHEREAS**, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2024 temporary budget for the aforesaid purposes, and

**WHEREAS**, NJS 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

**WHEREAS**, the total temporary emergency resolutions adopted in the Year 2024 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$22,583,662.74 for the Current Fund, and

**NOW, THEREFORE, BE IT RESOLVED** (not less than two thirds of all members of the Township Committee of the Township of Middletown, New Jersey affirmatively concurring) that in accordance with the provisions of NJS 40A:4-20:

1. An emergency temporary appropriation shall be and the same is hereby made for the following purposes:

| Attachment 1 - 2024 Temporary Budget Worksheet |   | 2/5/2024 Meeting    |
|--|---|---------------------|
| Account Number                                 | Description                                 |                     |
| 4-01-20-130-100-200                            | Finance - O/E                               | 15,000.00           |
| 4-01-20-155-100-200                            | Legal O/E                                   | 47,500.00           |
| 4-01-23-210-100-200                            | General Liab. Insurance O/E                 | 100,000.00          |
| 4-01-23-220-100-200                            | Insurance O/E                               | 1,575,000.00        |
| 4-01-26-290-101-200                            | DPW Storm Response O/E                      | 125,000.00          |
| 4-01-26-310-100-200                            | DPW Maintenance of Public Property O/E      | 75,000.00           |
| 4-01-26-315-100-200                            | DPW Fleet Maintenance O/E                   | 50,000.00           |
| 4-01-31-447-100-275                            | Utilities - Heating Oil - PBG               | 5,000.00            |
| 4-01-31-460-200-200                            | Utilities - Fuel O/E                        | 100,000.00          |
| 4-01-41-700-101-532                            | Bayshore Distracted Driving Grant           | 24,500.00           |
| 4-01-41-700-203-529                            | Police Body Armor Replacement - State Grant | 7,858.63            |
| 4-01-41-700-210-521                            | Senior Citizen Center Grant                 | 33,500.00           |
|  | <b>TOTAL</b>                                | <b>2,158,358.63</b> |

2. That said emergency temporary appropriations will be provided for in the 2024 budget under the appropriate titles.



3. That one certified copy of this resolution will be filed with the Director of Local Government Services.

**Resolution 24-76 - Resolution Authorizing Award of Contract to A Vendor With A National Cooperative Contract For (1) One 2024 Ford F-150**

**WHEREAS**, the Township of Middletown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Sourcewell National Cooperative, pursuant to the provision of Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139”) and N.J.S.A.52:34-6.2 and the regulations promulgated in Local Finance Notice LFN 2012-10, which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS** the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

**WHEREAS**, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation; and

**WHEREAS**, the Qualified Purchasing Agent, recommends the utilization of this contract based on the requirements of State Law; and

**WHEREAS**, under Sourcewell Contract #091521-NAF National Auto Fleet Group, an authorized dealer for Ford vehicles, can provide the Township with one (1) new 2024 Ford F-150 in the amount of \$46,867.00 per quote number 26473; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$46,867.00 is available for this purpose in account/line-item number(s) T-03-56-802-440-004. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown that National Auto Fleet Group, under Sourcewell Contract #091521-NAF be utilized to provide one (1) new Ford F-150 in the amount of \$46,867.00.

**Resolution 24-77 - Resolution Cancelling Taxes on A Property Potentially Owned by The Township**

**WHEREAS**, the Township also maintains a potential ownership interest in a property identified as Block 722, Lot 8, which is currently being researched, for which no other owners can be readily identified; and

Workshop Meeting

**WHEREAS**, the Township wishes to cancel any balances in taxes on Block 722, Lot 8 through December 31, 2024, unless and until either of these properties are conveyed to a third party during this period, in which case that property shall no longer be exempt pursuant to this resolution.

**NOW, THEREFORE, BE RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to cancel tax balances on Block 722, Lot 8 through December 31, 2024 unless and until this property is conveyed to a third party during this period, in which case that property shall no longer be exempt pursuant to this resolution.

**Resolution 24-78 - Resolution Cancelling Taxes on Various Properties Owned by The Township of Middletown Pursuant To In Rem Tax Foreclosures**

**WHEREAS**, the Township of Middletown (“Middletown”) seeks to cancel taxes that have been assessed against certain real property that it owns pursuant to in rem tax foreclosures (the “Foreclosure Properties”):

| <b>Block</b> | <b>Lot</b> |
|--------------|------------|
| 165          | 10         |
| 234          | 1          |
| 312          | 1          |
| 440          | 4          |
| 517          | 26         |
| 540          | 9          |
| 540          | 11         |
| 600          | 130        |
| 731          | 8          |

; and

**WHEREAS**, Middletown further seeks to authorize the Tax Collector to cancel any future taxes on the Foreclosure Properties for calendar year 2024 as appropriate.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby cancels any current tax balances on the Foreclosure Properties for 2024 that were assessed by the Township of Middletown.

**BE IT FURTHER RESOLVED** that the Tax Collector is hereby authorized to cancel any future taxes on the Foreclosure Properties for calendar year 2024 as appropriate.

**Resolution 24-79 - Resolution Cancelling Taxes on Properties to Be Utilized by The Township of Middletown for Affordable Housing**

**WHEREAS**, the Township of Middletown (“Middletown”) previously acquired title to Block 502, Lots 1 and 7 (commonly known as 37-45 Leonardville Road) (collectively, the “Properties”) for the provision of affordable housing; and

**WHEREAS**, subsequent to the acquisition of the Properties, Lots 1 and 7 of Block 502 were merged into a single Lot, which has been designated as Lot 7; and

**WHEREAS**, Middletown wishes to cancel any balances in taxes on the Property through December 31, 2024, unless and until the Property is conveyed by Middletown to a third party during this period, in which case that property shall no longer be exempt pursuant to this resolution.

**NOW, THEREFORE, BE RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to cancel tax balances on the Properties, consistent with the foregoing.

**Resolution 24-80 - Resolution Cancelling Taxes on Certain Township-Owned Properties**

**WHEREAS**, the Township of Middletown (the “Township”) has acquired various properties through tax foreclosures and other means that were not previously exempt; and

**WHEREAS**, the Township wishes to cancel taxes the following Township-owned properties for 2024:

- Block 148, Lot 1 (Park Drive)
- Block 255, Lot 2 (Highway 36)
- Block 306, Lot 61 (Tenth Street)
- Block 712, Lot 1.01 (Hillside Avenue)
- Block 712, Lot 7 (Hillside Avenue)
- Block 724, Lot 3 (Middletown Avenue)
- Block 860, Lot 122 (Church Lane)
- Block 972, Lot 113 (Green Lake Drive)
- Block 975, Lot 12 (Unknown)
- Block 975, Lot 13 (Unknown)

unless and until conveyed to a third party during this period, in which case the property shall no longer be exempt pursuant to this resolution.

**NOW, THEREFORE, BE RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to cancel tax balances on the above-cited lots

Workshop Meeting

through December 31, 2024 unless and until conveyed to a third party during this period, in which case that property shall no longer be exempt pursuant to this resolution.

**Resolution 24-81 - Resolution Transferring Tax Sale Premiums to General Fund**

**WHEREAS**, the Township's Tax Collector received certain premiums from the annual accelerated tax sale held on December 27, 2018; and

**WHEREAS**, a premium of \$2,300 was received in relation to Tax Sale Certificate No. 18-00085 for Block 163, Lot 3 and deposited into the trust account; and

**WHEREAS**, a premium of \$700 was received in relation to Tax Sale Certificate No. 18-00261 for Block 604, Lot 8 and deposited into the trust account; and

**WHEREAS**, pursuant to N.J.S.A. 54:5-33, if a redemption is not made within five years of the tax sale, any premiums paid may be escheated to the Township's General Fund.

**NOW, THEREFORE, BE RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to effectuate the transfer of the above-cited premiums into the Township's General Fund.

**Resolution 24-82 - Resolution Authorizing the Award of a Contract for Fence Replacement**

**WHEREAS**, the Township advertised for and received bids for fence replacement along Middletown-Lincroft Road in accordance with N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, seven bids were received and publicly opened on December 19, 2023, at 10:00 a.m.; and

**WHEREAS**, there was a tie for the lowest bid; and

**WHEREAS**, the Township Engineer has recommended that the award of the contract for the fence replacement be awarded to Mixalia Enterprises LLC, 700 Ocean Ave. #14, Long Branch, NJ 07740 the lowest bidder with a total price of \$34,000.00 as the Township has experience working with this contractor; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$34,000.00 are available for this purpose in account/line-item number C-04-55-921-321-002. A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that the award for the fence replacement along Middletown-Lincroft Road be

Workshop Meeting

awarded to Mixalia Enterprises LLC, pursuant to the terms of their bid at the above price, and that the appropriate officials be and are hereby authorized to execute the contract with the contractor.

**Resolution 24-83 – Resolution Authorizing the Payment of Bills for February 5, 2024**

The Township Committee hereby approves a resolution authorizing the payment of bills for February 5, 2024 in the amount of \$12,182,897.87.

**TOWNSHIP COMMITTEE ACTING AS THE ABC ISSUING AUTHORITY**

Township Clerk Heidi Pieluc requested a motion to pass Resolution 24-84

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to adopt resolution 24-84.

Roll Call Vote:           Ayes: Clarke, Hibell, Kratz, Settembrino, Mayor Perry  
                                  Nays: None  
                                  Abstention: None  
                                  Absent: None

**Resolution 24-84 - Resolution Authorizing the Renewal of Liquor Licenses with 12.18 Special Ruling for the 2022-2023; 12.39 Special Ruling for the 2021-22, 2022-23, 2023-24 Licensing Terms**

**WHEREAS**, applications have been made to the Middletown Township Committee for Liquor

License in the Township of Middletown for the licensing terms 12.18 Special Ruling for the 2022-2023; 12.39 Special Ruling for the 2021-22, 2022-23, 2023-24 and accompanied by the assigned fees per Chapter 240-1 A of the Code of the Township of Middletown.

**WHEREAS**, the premises where the licenses are sought have been duly inspected by the .Office of the Chief of Police of the Township of Middletown, have received, the necessary special rulings for renewal from the Director of the NJ ABC, and it appearing that the applications are in due form and . that all legal formalities have been met.

| License Number  | Licensee                    | Status   |
|-----------------|-----------------------------|----------|
| 1331-33-027-016 | Carrabbas Italian Grill LLC | Inactive |

Workshop Meeting

**BE IT FURTHER RESOLVED** that the Township Clerk issue the necessary licenses pursuant to this resolution and that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey, provided that in each case payment of \$200.00 filing fee by the licensee has been made to the Division of Alcoholic Beverage Control in accordance with P.L. 1970, Chapter 77.

**TOWNSHIP COMMITTEE COMMENTS:**

Committeeman Clarke, None

Committeewoman Kratz, None

Committeeman Settembrino, None

Deputy Mayor Hibell, None

Mayor Perry, welcomed Pastor Frank from the Clinton Chapel on 210 Red Hill Road.

**PUBLIC COMMENTS:**

Nick Strakhov, 46 Fish Hawk Drive, requesting streetlights in his neighborhood. He found a report from 2010 by Rutgers and discussed the cost savings of LED. He also asked about sidewalks and sidewalk repairs.

Richard Isaksan, President of Belford Seafood Coop, commented that the Belford Sea Food Coop is not supportive of any redevelopment. He also opposes the comfort of the seats in the new Town Hall.

Don Watson, 1 Collinson Dr., also supports the increase in lighting in the neighborhood. He commented that the street sweeper was in his neighborhood.

John Spinelli, 91 Burlington Avenue, discussed the signage on the ramp for northbound exit onto Tindall Road and requested a sign for St. Mary's.

Workshop Meeting

**ADJOURNMENT**

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 7:16pm.

Roll Call Vote: Ayes: Clarke, Hibell, Kratz, Settembrino, Mayor Perry  
Nays: None  
Abstention: None  
Absent: None

Township Clerk Heidi Pieluc stated motion carried to adjourn.

Respectfully submitted,

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Heidi R Pieluc  
Township Clerk

Approved:

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Anthony S. Perry, Mayor