

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 April 8, 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: None

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Township Engineer Ted Maloney, Deputy Clerk Kaaren Sena, and 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 April 2024 as Alcohol Awareness Month in the Township of Middletown

WHEREAS: Alcohol is the most commonly used addictive substance in the United States. More than 200 diseases and injury-related conditions are associated with alcohol misuse. Excessive alcohol use is responsible for more than 178,000 deaths in the United States a year, making alcohol a leading preventable cause of death in our nation. Approximately 4,000 of those deaths being among underage youth; and

WHEREAS: Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS: The typical American will see 100,000 beer commercials before they turn 18; and

WHEREAS: Kids who drink are more likely to be victims of violent crime,

involved in alcohol-related traffic crashes, and have serious school-related problems; and

WHEREAS: A supportive family environment is associated with lowered rates of alcohol use in adolescents. Consistent and sustained parental attitudes can influence a child's decision about whether to use alcohol and drugs; and

WHEREAS: Kids who have conversations with their parents and learn a lot about the dangers of alcohol and drug use are 50% less likely to use alcohol and drugs than those who don't have such conversations. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, join the Middletown Municipal Alliance in proclaiming April 2024 as **Alcohol Awareness Month** in Middletown Township. We call upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, schools, and colleges in Middletown to support efforts that will provide early education about alcohol and substance use or misuse to increase support for individuals and families coping with alcoholism. Through these efforts, together we can provide hope, help, and healing for those in our community who are facing challenges with alcohol use or misuse.

Proclamation Recognizing April 7-13, 2024, as National Library Week in the Township of Middletown

WHEREAS: Today's libraries are less about what they have on the shelves and more about what they can do with and for their communities, whether it's through virtual services or in-person visits; and

WHEREAS: Libraries have long served as trusted and treasured institutions for people of all ages, interests, and backgrounds. They are at the heart of their cities, towns, schools, and campuses; and

WHEREAS: Libraries offer members of the community opportunities to explore new passions through technology, programs, and services. The Middletown Township Public Library is currently undergoing renovations to include an innovative new Makerspace and History Room; and

WHEREAS: Libraries and librarians help patrons find tools and resources to help improve the quality of their lives. The Middletown Township Public Library prioritizes user accessibility through different initiatives, such as its locker pickup system and Chromebook and hotspot kits; and

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WHEREAS: Libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy. They strive to develop and maintain programs and collections that are as diverse as the populations they serve; and

WHEREAS: Libraries and librarians work to create an equitable society by providing free access to accurate information to all people; and

WHEREAS: In times of crisis, libraries play a critical role in continuing to support their communities when they need it the most; and

WHEREAS: Libraries, librarians, library workers, and supporters across America will soon be celebrating National Library Week. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim it **National Library Week** in the Township of Middletown from April 7-13, 2024. During this time, we encourage community members to visit the Middletown Township Public Library's website (mtpl.org) and social media channels to check out its diverse programming, special events, and new features.

PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2024-3408 - Calendar Year 2024 Ordinance to Exceed the Municipal Budget Appropriation Limits and To Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

Mayor Perry opened the meeting for public comments.

Hearing no comments from the public it was moved by Mayor Perry and seconded by Deputy Mayor Hibell to close public hearing and carried to adopt this ordinance on second and final reading.

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

Township Clerk Heidi Pieluc stated the motion carried to pass this ordinance.

Township Clerk Heidi Pieluc read the following ordinance by title:

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Ordinance 2024-3409 - Bond Ordinance Providing an Appropriation Of \$9,200,000 For the Development and Construction of Affordable Housing for Veterans by And For The Township Of Middletown In The County Of Monmouth, New Jersey And Authorizing The Issuance Of \$4,000,000 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Mayor Perry opened the meeting for public comments.

Hearing no comments from the public it was moved by Mayor Perry and seconded by Deputy Mayor Hibell to close public hearing and carried to adopt this ordinance on second and final reading.

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

Township Clerk Heidi Pieluc stated the motion carried to pass this ordinance.

INTRODUCTION OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2024-3410 – Ordinance Establishing Additional Authorized Street Names

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

Roll Call Vote: Ayes: Clarke, 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 April 22, 2024.

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2024-3411 - An Ordinance Amending Permitting and Licensing Standards for Itinerant Retail Food Handling Establishments

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

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

Township Clerk Heidi Pieluc stated motion carried to pass this ordinance on first reading with a public hearing to be held on April 22 2024.

CONSENT AGENDA

Township Clerk Heidi Pieluc requested a motion to adopt a consent agenda including Resolutions 24-122 through 24-140.

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

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

Resolution 24-122 – Resolution Authorizing Entry into Object Loan Agreement with Middletown Township Historical Society for Lightfoot Map

WHEREAS, the Middletown Township Historical Society (the “**Historical Society**”) owns a framed original map of Monmouth County, New Jersey prepared by Jesse Lightfoot in 1851 (the “**Lightfoot Map**”); and

WHEREAS, the Historical Society seeks to loan the Lightfoot Map to the Township of Middletown (the “**Township**”) for public display in the Town Hall Courtroom of the Township for an indefinite period; and

WHEREAS, the Township desires to enter into an Object Loan Agreement with the Historical Society to memorialize the terms by which the Historical Society will lend the Lightfoot Map to the Township.

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 is hereby authorized and directed to enter into the attached Object Loan Agreement with the Historical Society for the above-referenced Lightfoot Map pursuant to the terms and conditions contained therein.

Resolution 24-123 - Resolution Certifying Compliance with United States Equal Employment Opportunity Commission’s Guidance on The Consideration of Arrest and Conviction Records

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

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 states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Township Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Resolution 24-124 - Resolution Cancelling Taxes on Various Properties Either Owned by Or Being Acquired by The Township of Middletown

WHEREAS the Township of Middletown (“Middletown”) seeks to cancel taxes that have been assessed against certain real property that it owns that was recently acquired or is in the process of acquiring for the Port Monmouth Flood Control Project and for affordable housing purposes (the “Properties”), as follows:

Block	Lot
149	6
474	2

; and

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

Resolution 24-125 - Resolution Authorizing and Directing the Planning Board to Undertake a Preliminary Redevelopment Investigation for Non-Condensation Purposes to Determine Whether the Area Commonly Known as Campbell's Junction Extending Along Leonardville Road from Church Street To East Road In Belford

WHEREAS, N.J.S.A. 40A:12A-1, et seq., the Local Redevelopment and Housing Law (“**LRHL**”), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the Township of Middletown (the “**Township**”) to adopt a resolution directing its Planning Board to conduct a preliminary investigation to determine whether a delineated area is an area in need of redevelopment (“**Redevelopment Area**”) according to the criteria set forth under N.J.S.A. 40A:12A-5 and 40A:12A-3; and

WHEREAS, the Township desires to authorize one of its pre-qualified Redevelopment Planners to assist the Planning Board in its preliminary investigation of the proposed study area, namely that portion of Leonardville Road roughly extending from Church Street to East Road and identified with more particularity as the highlighted area on **Schedule A** and described by lot and block, zone district, and area on **Schedule B** attached hereto and made part hereof (the “**Area of Investigation**”) to determine if the delineated areas qualify as an area in need of redevelopment for non-condemnation purposes pursuant to the criteria set forth under N.J.S.A. 40A:12A-5 and 40A:12A-3.

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 Planning Board is hereby authorized and directed to undertake a preliminary redevelopment investigation of the proposed Area of Investigation, namely that portion of Leonardville Road roughly extending from Church Street to East Road and identified with more particularity as the highlighted area on **Schedule A** and described by lot and block, zone district, and area on **Schedule B** attached hereto to determine whether the delineated Area of Investigation constitutes being designated as an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 and 40A:12A-3 for non-condemnation purposes.

2. The Township Administrator and Township Planner are hereby authorized and directed to solicit one of the Township's pre-qualified Redevelopment Planners to assist the Planning Board in its preliminary investigation of the delineated Area of Investigation, and to begin preparation of a Redevelopment Plan in the event the Planning Board recommends that all or some of the delineated area of investigation constitutes an "area in need of redevelopment."
3. The Township Administrator, Township Planner and Township Attorney are each hereby authorized and directed to take any necessary and appropriate actions in connection with the preliminary investigation of the delineated area of investigation, and are hereby authorized and directed to take such actions, including but not limited to, the negotiation of any and all documents necessary to undertake the investigation as being hereby ratified and confirmed.
4. This Resolution shall become effective immediately upon adoption.

Resolution 24-126 - Resolution Authorizing the Award of Contract for Professional Architecture Services for Middletown Senior Center Renovations

WHEREAS, the Township of Middletown (the "**Township**") requires survey and design services in relation to the **Middletown Senior Center Renovations**.

WHEREAS, pursuant to the fair and open process and Resolution No. 23-09, the Township previously qualified DMR to provide Architectural Consulting services; and

WHEREAS, the Township has received a proposal from **DMR Architects** to provide the required professional architectural services in the amount of **\$145,000.00**, which the Township has deemed acceptable.

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 the award of a contract to **DMR Architects**, 777 Terrace Avenue, Hasbrouck Heights, NJ 07604 for professional architect services related to the **Middletown Senior Center Renovations** in an amount not to exceed **\$145,000.00**.
2. It hereby authorizes and directs the Mayor and the Clerk, subject to final attorney review, to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk.

Resolution 24-127 – Resolution Authorizing the Extension of The Contract for On Call Electrical Repair, Service and Maintenance

WHEREAS, the Township advertised for and received bids for contract #22-07 – On Call Electric Repair, Service and Maintenance in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Sodon’s Electric, Inc., 25 West Highland Avenue Atlantic Highlands NJ 07716 (the Contractor) was awarded the initial two year contract with options for two (2) one (1) year extensions; and

WHEREAS, it is the recommendation of the Director of the Department of Public Works to execute the first one (1) year extension as services are being performed in an effective and efficient manner by the Contractor; and

WHEREAS, pricing will increase to the pricing provided for extension year one as stated in original proposal; not to exceed \$120,000.00; and

WHEREAS, the contract term shall begin May 9th, 2024, and end May 8th, 2025; and

WHEREAS, the appropriation(s) to be charged are Budget Line Item #4-01-26-310-100-201, 4-01-26-310-100-259, 4-01-26-290-102-303, and no amount of this contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed Purchase Order.

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that the contract for On Call Electric Repair, Service and Maintenance is renewed with Sodon’s Electric and is hereby extended for a period of one year pursuant to the terms of their bid submitted on April 19th, 2022, and that the appropriate officials be and are hereby authorized to execute the contract with the contractor.

Resolution 24-128 - RESOLUTION AUTHORIZING THE EXTENSION OF THE CONTRACT FOR PRIMEPOINTPAYROLL PROCESSING SERVICES

WHEREAS, the Township advertised for and received bids for contract #22-10 – payroll processing and data administration services in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Primepoint LLC (the Contractor) was awarded the initial two year contract with an option for one (2) year extension; and

WHEREAS, it is the recommendation of the Chief Financial Officer to execute the two (2) year extension as services are being performed in an effective and efficient manner by the Contractor; and

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WHEREAS, pursuant to the pricing provided for the extension, pricing will remain at a total of \$116,296.00 for two years of service; and

WHEREAS, the contract term shall begin June 13th, 2024, and end June 12th, 2026; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available for these services.

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that the contract for payroll processing and data administration services is renewed with Primepoint LLC and is hereby extended for a period of two years pursuant to the terms of their bid submitted on May 24th, 2022, and that the appropriate officials be and are hereby authorized to execute the contract with the contractor.

Resolution 24-129 - Resolution Authorizing the Award of a Contract For 2024 Recreation Bus Trips

WHEREAS, the Township advertised for and received bids for contract #2024-Bid-05 – 2024 Recreation Bus Trips in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, two proposals were received and publicly opened on March 27th, 2024, at 10:00 a.m.; and

WHEREAS, the Township received pricing for parts one and two only and did not receive pricing for part three; and

WHEREAS, the Director of Recreation has recommended that the award of contract #2024-Bid-05 be awarded to Road To Success, LLC., 281 Summerhill Rd. #202 East Brunswick, NJ 08816, the lowest bidder for both parts one and two, in an amount not to exceed \$25,000.00; and

WHEREAS, the appropriation to be charged is Budget Line Item T-03-56-802-200-003, and that no amount of this contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed Purchase Order.

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that the award for contract #2024-Bid-05 – 2024 Recreation Bus Trips be awarded to Road To Success, LLC., pursuant to the terms of their bid, and that the appropriate officials be and are hereby authorized to execute the contract with the contractor.

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby authorized to rebid part three for Senior Center Bus Trips.

Resolution 24-130 - Resolution Authorizing Award of Contract to A Vendor with A National Cooperative Contract For (1) One Generac MDG100DF4-STD3 Towable Generator

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 #020923-GNR Best Line Inc., an authorized dealer for Generac Generators, can provide the Township with one (1) Generac MDG100DF4-STD3 Towable Generator in the amount of \$56,880.00 per their quote 24-2203RD; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of **\$56,880.00** are available for this purpose in account/line-item number(s) C-04-55-923-398-002. 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 Best Line Inc., under Sourcewell Contract #020923-GNR be utilized to provide one (1) Generac MDG100DF4-STD3 Towable Generator in the amount of \$56,880.00.

Resolution 24-131 - Resolution Authorizing Cancellation of Certain Outstanding Accounts Payable Items to Be Credited to Surplus

WHEREAS the following Accounts Payable Items remain unexpended:

WHEREAS it is necessary to formally cancel said items so that the following unexpended amounts may be credited to Surplus;

PO Number	Vendor	Amount
22-04521	Weatherproofing Technologies	\$5,000.00
22-04533	Suburban Consult. Engineers	\$230.20
	TOTAL	\$5,230.20

NOW THEREFORE BE IT RESOLVED, by the Township Committee, that the unexpended amounts be cancelled and that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution 24-132 - 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 \$40,886,080.07 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:

SEE CHART NEXT PAGE

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.

Attachment 1 - 2024 Temporary Budget Worksheet		4/8/2024 Meeting
Account Number	Description	
4-01-21-180-100-100	Planning S&W	1,500.00
4-01-25-265-100-100	Fire S&W	3,200.00
4-01-25-265-101-200	Uniform Fire Safety O/E	1,000.00
4-01-26-290-100-200	DPW Streets & Roads O/E	50,000.00
4-01-26-305-100-200	Solid Waste & Recycling O/E	900,000.00
4-01-26-310-100-100	DPW Maintenance of Public Property S&W	3,900.00
4-01-26-310-100-200	DPW Maintenance of Public Property O/E	70,000.00
4-01-26-315-100-200	DPW Fleet Maintenance O/E	100,000.00
4-01-28-370-100-100	Recreation S&W	21,000.00
4-01-28-370-100-200	Recreation O/E	10,000.00
4-01-29-390-100-100	Maintenance of Free Public Library	2,700.00
4-01-31-446-200-200	Utilities - Gas O/E	60,000.00
4-01-31-455-200-200	Utilities - Sewer O/E	2,000.00
4-01-31-460-200-200	Utilities - Fuel O/E	100,000.00
4-01-36-472-200-284	Statutory - Social Security	43,000.00
4-01-36-477-200-284	Defined Contribution Retirement Program (DCRP)	2,900.00
4-01-37-480-200-221	Insurance - Judgements/Settlements	2,500.00
4-01-41-252-202-527	Emergency Management Grant	10,000.00
4-01-41-700-208-525	Recycling - Tonnage Grant	133,799.35
	TOTAL	\$1,517,499.35

Resolution 24-133 - Resolution Authorizing the Chief Financial Officer to Cancel a Trust Account Balance and Transfer the Funds to Current Fund Surplus

WHEREAS a trust account balance exists by Dedication by Rider per N.J.S. 40A:4-39; and

WHEREAS, the Chief Financial Officer of the Township of Middletown wishes to cancel and transfer the balance to maintain an efficient bookkeeping of the financial accounting records; and

WHEREAS, the Chief Financial Officer has investigated the following account and has determined that it should be cancelled, and the funds transferred to the Current Fund Surplus of the Township of Middletown.

Account Number	Description	Amount
T-03-56-802-310-000	Special Trust - Planning Board Legal	\$7,852.19
	TOTAL	\$7,852.19

BE IT FURTHER RESOLVED by the Municipal Committee of the Township of Middletown that these funds shall be made available to the Township Treasurer.

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One certified copy of this resolution will be filed by the Township Clerk with the Director of Local Government Services.

Resolution 24-134 – Resolution Adopting Procedures for Administration and Inspection of Federal Aid Highway Projects for The Campbell’s Junction Improvements Project

WHEREAS, the Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies (LPA), such as the TOWNSHIP OF MIDDLETOWN, to receive Federal Aid Highway Program (FAHP or federal-aid) funds through New Jersey Department of Transportation (NJDOT); and

WHEREAS, the TOWNSHIP OF MIDDLETOWN is presently the recipient of federal-aid funds through a project awarded under the **NJDOT 2023 TA Set Aside Grant Program for the Campbell's Junction Improvements Project**; and

WHEREAS, the TOWNSHIP OF MIDDLETOWN as an LPA, is responsible for administering federal-aid funded projects in compliance with all federal-aid requirements established by the FHWA; and

WHEREAS, the NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that the TOWNSHIP OF MIDDLETOWN is adequately staffed and suitably equipped to undertake federal-aid projects, and ensure that federal requirements are met; and

WHEREAS, the TOWNSHIP OF MIDDLETOWN, as required by the NJDOT, has developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation Projects administered through the NJDOT;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the TOWNSHIP OF MIDDLETOWN, County of Monmouth, State of New Jersey, that the TOWNSHIP OF MIDDLETOWN adopts the policy entitled, “TOWNSHIP OF MIDDLETOWN Procedures for the Administration and Inspection of federal Aid Highway Projects” dated December 2023.

A certified copy of this resolution shall be provided by the Office of the Township Clerk to the following:

- A. Joseph E. Maloney, P.E., Township Engineer

Resolution 24-135 - Resolution Adopting Procedures for Administration and Inspection of Federal Aid Highway Projects for The Kings Highway Pedestrian Safety Improvements Project

WHEREAS, the Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies (LPA), such as the TOWNSHIP OF MIDDLETOWN, to receive Federal Aid Highway Program (FAHP or federal-aid) funds through New Jersey Department of Transportation (NJDOT); and

WHEREAS, the TOWNSHIP OF MIDDLETOWN is presently the recipient of federal-aid funds through a project awarded under the **NJDOT/FHWA Congressional Discretionary Grant Program** for the **Kings Highway Pedestrian Safety Improvements Project**; and

WHEREAS, the TOWNSHIP OF MIDDLETOWN as an LPA, is responsible for administering federal-aid funded projects in compliance with all federal-aid requirements established by the FHWA; and

WHEREAS, the NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that the TOWNSHIP OF MIDDLETOWN is adequately staffed and suitably equipped to undertake federal-aid projects, and ensure that federal requirements are met; and

WHEREAS, the TOWNSHIP OF MIDDLETOWN, as required by the NJDOT, has developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation Projects administered through the NJDOT;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the TOWNSHIP OF MIDDLETOWN, County of Monmouth, State of New Jersey, that the TOWNSHIP OF MIDDLETOWN adopts the policy entitled, “TOWNSHIP OF MIDDLETOWN Procedures for the Administration and Inspection of federal Aid Highway Projects” dated December 2023.

A certified copy of this resolution shall be provided by the Office of the Township Clerk to the following:

- A. Joseph E. Maloney, P.E., Township Engineer

Resolution 24-136 - Resolution Authorizing Application To The New Jersey Historic Trust For The 2024 Preserve New Jersey Historic Preservation Fund For The Preservation Plan For The Dempsey Pump House Historic Site

WHEREAS, the New Jersey Historic Trust (NJHT) provides matching funds to local governments for historic site management grants through its 2024 Preserve New Jersey Historic Preservation Fund; and

WHEREAS, the Township of Middletown desires to further the public interest in obtaining funding from the NJHT in an amount not to exceed \$75,000.00, with the Township providing a matching amount not to exceed \$18,750.00, to fund the development of a new historic preservation plan for the Dempsey Pump House; and

WHEREAS, the Township is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that Anthony Mercantante, Township Administrator, or the successor to the office of Township Administrator, is hereby authorized to complete and sign application documents on behalf of the organization.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, THAT:

1. The facts, figures and information contained in this application, including all attachments, are true and correct;
2. Any funds received will be expended in accord with the terms and conditions of N.J.A.C. 5:101 and the grant agreement to be executed with the New Jersey Historic Trust; and
3. The organization agrees to abide by the time frame set forth in the grant guidelines.

Resolution 24-137 - Resolution Authorizing Application to The New Jersey Historic Trust for the 2024 Preserve New Jersey Historic Preservation Fund for The Heritage Tourism Programming

WHEREAS, the New Jersey Historic Trust (NJHT) provides matching funds to local governments for historic site management grants through its 2024 Preserve New Jersey Historic Preservation Fund; and

WHEREAS, the Township of Middletown desires to further the public interest in obtaining funding from the NJHT in an amount not to exceed \$75,000.00, with the Township providing a matching amount not to exceed \$18,750.00, to fund the development of new heritage tourism programing; and

WHEREAS, the Township is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that Anthony Mercantante, Township Administrator, or the successor to the office of Township

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Administrator, is hereby authorized to complete and sign application documents on behalf of the organization.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, THAT:

4. The facts, figures and information contained in this application, including all attachments, are true and correct;
5. Any funds received will be expended in accord with the terms and conditions of N.J.A.C. 5:101 and the grant agreement to be executed with the New Jersey Historic Trust; and
6. The organization agrees to abide by the time frame set forth in the grant guidelines.

Resolution 24-138 – Resolution Authorizing Payment of Bills for April 8, 2024

The Township Committee hereby approves a resolution authorizing the payment of bills for April 8, 2024, in the amount of \$4,566,021.40.

Resolution 24-139 - Amended Resolution Authorizing Disposition of Surplus Property

WHEREAS, the Township of Middletown (the “Township”) is in possession of an out of service fire truck which the Township Administrator has determined is of nominal value and which is no longer needed for public use; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36(6), if the estimated fair market value of surplus property does not exceed the applicable bid threshold in any one sale, the Township may dispose of the property without advertising for bids; and

WHEREAS, the 911 Fund, based in Hazlet, New Jersey, is a charitable organization run by firefighters and other emergency service personnel that works to acquire fire trucks, ambulances and related equipment for donation to South and Central American nations as part of a continuing effort to build preparedness, reduce risk, enhance civilian safety, and minimize property loss from fire and other types of disasters.

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 the donation and transfer of title to the Township’s 1992 Spartan Fire Truck (VIN No. 4S7ET 9F07N C0058 55) to the 911 Fund, Post Office Box 5176, Hazlet, New Jersey 07730, a duly registered non-profit organization to be used for charitable purposes.

BE IT FURTHER RESOLVED that the surplus property as identified shall be sold in “as is” condition without express or implied warranties with the 911 Fund being required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

BE IT FURTHER RESOLVED that the Township Administrator and Township Director of Purchasing are hereby authorized and directed to take any and all actions necessary to effectuate the foregoing.

Resolution 24-140 – Resolution Authorizing Solicitation of Natural Gas Supply Bids Via Electronic Reverse Energy Auction

WHEREAS, the Township of Middletown (the “**Township**”) is seeking to utilize an electronic procurement platform to purchase the Township’s natural gas supply through a reverse energy auction to reduce its energy costs; and

WHEREAS, pursuant to the Local Unit Electronic Procurement Act (P.L. 2018, c. 156) (the “**Act**”) and Local Finance Notice 2019-15, the Township desires to utilize the services of Premiere Marketing, LLC d/b/a Transparent Energy (“**Transparent Energy**”), a Board of Public Utilities (“**BPU**”) approved provider of online energy procurement services to provide natural gas supply contracts for municipal facilities; and

WHEREAS, in accordance with the Act, Transparent Energy will be seeking competitive pricing in the marketplace for the Township’s natural gas supply through an electronic procurement platform conducting a reverse energy auction.

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 the Township Administrator to work with Premiere Marketing, LLC d/b/a Transparent Energy, 695 Route 46 West, Suite 408, Fairfield, New Jersey 07004 to formally solicit bids for the Township’s natural gas supply through an online reverse energy auction.

BE IT FURTHER RESOLVED that upon receipt of formal bids the Township Administrator is authorized and directed to select and lock in the best price and duration proposed awarding a natural gas supply contract for the Township’s accounts on the day the auction closes provided that the average rates procured are lower than the agreed upon price not to exceed.

BE IT FURTHER RESOLVED that the Township Committee will adopt a confirming resolution authorizing an energy supply agreement with the terms determined to be most favorable to the Township at its next scheduled meeting.

TOWNSHIP COMMITTEE COMMENTS:

None

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PUBLIC COMMENTS:

Thomas Lauro, 19 Raritan Avenue, requested an update on the rehabilitation of Kunkel Park since he last inquired on July 13, 2022. Mayor Perry responded it is a capital project that includes tennis courts and basketball courts and will be completed this year.

Alan Antol, 47 Portland Road, commented on the extreme flooding problem and the Beacon Hill County Club water crossing the road. He requested a meeting to discuss possible solutions.

Francis Morotta, 29 Portland Road, commented on the severe flooding he had two feet of water in his garage from the little brook and the golf course. Mayor may move forward with hydraulic study.

ADJOURNMENT

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 7:46pm.

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,

Heidi R Pieluc
Township Clerk

Approved:

Anthony S. Perry, Mayor