A Workshop Meeting of the Township Committee of Middletown Township was held in the Conference Room at Town Hall, One Kings Highway, Middletown, New Jersey at 7:00 p.m. on March 4, 2019.

Township Clerk Heidi Brunt 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 Star Ledger, The Independent and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 10, 2019.

Roll Call Vote: Present: Hibell, Settembrino, Snell, Mayor Perry
Absent: Fiore

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Township Clerk Heidi Brunt, Chief Financial Officer Colleen Lapp and Assistant Administrator Jim VanNest.

PLEDGE OF ALLEGIANCE

Township Clerk Brunt led the assembly in the Pledge of Allegiance.

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

PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk read the following Ordinance by title:

Ordinance 2018-3248 – Ordinance Amending Middletown Department of Recreation Program Fees to Establish Refund Policy

Mayor Perry opened the meeting for public comments.

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

Roll Call Vote: Ayes: Hibell, Settembrino, Snell, Deputy Mayor Fiore, Mayor Perry
Nays: None
Abstention: None
Absent: None

Township Clerk Heidi Brunt stated motion carried to adopt this ordinance on second and final reading.

Township Clerk read the following Ordinance by title:

Ordinance 2018-3249 – Ordinance Amending Middletown Department of Recreation Preschool Program Fees

Mayor Perry opened the meeting for public comments.

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

Roll Call Vote: Ayes: Hibell, Settembrino, Snell, Deputy Mayor Fiore, Mayor Perry
Nays: None
Abstention: None
Absent: None

Township Clerk Heidi Brunt stated motion carried to adopt this ordinance on second and final reading.

INTRODUCTION OF PROPOSED ORDINANCES

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2019-3250 - Ordinance Amending Chapters 240 And 540 of the Code of the Township of Middletown Governing Certain Fee Schedules for Solid Waste, Recycling, Streets, Sidewalks, And Planning

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

Roll Call Vote: Ayes: Hibell, Settembrino, Snell, Deputy Mayor Fiore, Mayor Perry
Nays: None
Abstention: None
Absent: None

Township Clerk Brunt stated motion carried to pass this ordinance on first reading with a public hearing to be held on March 18, 2019.

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2019-3251 - Calendar Year 2019 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

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

Roll Call Vote: Ayes: Hibell, Settembrino, Snell, Deputy Mayor Fiore, Mayor Perry
Nays: None
Abstention: None
Absent: None

Township Clerk Brunt stated motion carried to pass this ordinance on first reading with a public hearing to be held on March 18, 2019.

CONSENT AGENDA

Township Clerk Brunt requested a motion to adopt a consent agenda including Resolutions 19-101 through 19-103.

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

Roll Call Vote: Ayes: Hibell, Settembrino, Snell, Deputy Mayor Fiore, Mayor Perry
Nays: None
Abstention: None
Absent: None

Clerk Brunt stated the motion carried to adopt the consent agenda.

Resolution 19-101 - 2019 Resolution for State Contracts

WHEREAS, the Township of Middletown desires to purchase various goods and services from authorized vendors under the State of New Jersey Cooperative Pricing Program 1-NJCP as authorized by N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-77.15; and

WHEREAS, the Township Purchasing Agent has reviews and recommends the utilization of these contracts on the grounds that they represent the best available; and

WHEREAS, a list of vendors has been attached hereto showing state contract vendors, state contract numbers and maximum amounts from which purchases may be made during the calendar year 2019.

NOW THEREFORE BE RESOLVED by the Township Committee that the Purchasing Agent on behalf of the Mayor and the Township Administrator as Contracting Agent is hereby authorized to process purchase orders with vendors on the attached list in accordance with the terms of the State Contracts as indicated in amounts not to exceed amount listed for each; and

BE IT FURTHER RESOLVED that no certification of funds from the Chief Financial Officer has been attached because these contracts are open-ended pursuant to N.J.A.C. 5:30-11-10 individual purchase orders will be processed prior to release of the order to the vendor.

Resolution 19-102 - 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 2019 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 2019 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total $19,560,293.34 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:

2019 Temporary Budget Worksheet		
Account Number	**Description**	**3/4/2019 Amount**
Current Fund		
9-01-20-135-100-000	Finance Audit Control Account	3,975.00
9-01-26-290-100-200	Streets & Roads - O&E	150,000.00
9-01-27-330-100-200	Health - O&E	5,500.00
9-01-40-899-470-208	Interdeterminate Grants Municipal Match	20,000.00
9-01-42-101-203-270	Interlocal - Monmouth County Regional Health	41,000.00
	TOTAL	**$220,475.00**

2. That said emergency temporary appropriations will be provided for in the 2019 budget under the appropriate titles.

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

Resolution 19-103 – Resolution Authorizing the Payment of Bills for March 4, 2019

The Township Committee hereby approves a Resolution for Payment of Bills for March 4, 2019 in the amount of $2,834,531.94.

DISCUSSION ITEMS FOR March 4, 2019

a. Recycling Program

Administration discussed photos given to the Township Committee showing recycling violations. Discussed enforcement of recycling, using warning stickers and a newsletter for education. Discussed 16.4% contamination rate in the sample. The goal is 5% rate to save money in the next contract.

TOWNSHIP COMMITTEE COMMENTS:

Committeewoman Snell, commented there is continuing litigation between the Zoning Board and Fair View Cemetery. At the Planning Board meeting she will propose tabling the application until litigation is complete.

Committeeman Hibell, commented that a fundraiser for the First Aid is being planned.

Deputy Mayor Fiore, Thanked Committeewoman Snell for bringing the cemetery litigation to light and agrees with the postponement of the cemetery application. The Governor will address his budget tomorrow. He stated that Governor after Governor continue to push state spending on Municipalities. State aid is money that belongs to the municipalities. He hopes the Governor found ways to cut spending. He discussed the energy receipt tax and money that belongs to the municipality and is taken by the State.

Committeeman Settembrino, no comment.

Mayor Perry, thanked Pam Rogers the School Board President for coming. He commended Committeewoman Snell. He welcomed Brennans Deli on Route 35. He announced the Mobile Town Hall dates.

PUBLIC COMMENTS:

Attorney Nelson announced the proper forum for comments on the crematorium at Fair View Cemetery would be with the Planning Board.

Daniel Minoli, Oak Hill Road Resident, spoke about the statistics and opposes the building of the Fair View Cemetery crematorium.

Roseann Etson, Conover Avenue, inquired about the crematorium process. Attorney Nelson explained that the Planning and Zoning Board process. Committeewoman Snell explained that she asked the Planning Board Attorney to draft a resolution to seek an injunction on the Fair View application.

Resident, opposes the crematorium at Fair View Cemetery. Township Administrator Anthony Mercantante discussed conditional uses and State law which supersedes local laws. Committeeman Settembrino stated that waiting for the Court decision on the application would allow for more information.

Sharon Zebony, 27 Sugar Maple Drive, stated she opposes the Fair View crematorium she is worried about the proximity to neighborhoods, parks and schools. She is also concerned about the toxins. She stated there is a petition which already has 5,000 signatures opposing the crematorium. Deputy Mayor Fiore commented that the Township Committee found out about the new application the same way the neighbors did.

Helmut Meditz, opposes the crematorium at Fair View Cemetery because of the 9/11 terror attack.

Julian Niles, 23 Ivy Hill Road, stated he is concerned about his children. He doesn't want to live in Middletown because of the crematorium.

Dennis Skudera, Colts Glen Section, opposes the crematorium he spoke about 9/11 and the odor coming from the bodies. He is concerned the smell from burning bodies at the crematorium.

Michael DiCicco, 46 Alexander Drive, stated that this governing body holds the power of eminent domain for open space. He asked the Township Committee to exercise eminent domain of the Fair View Cemetery property.

William Brunt, 47 Kings Highway, stated he believes environmental concerns are overstated. He stated that modern crematoriums have air scrubbers. He is opposed to taking tax payer money to fight litigation. He also stated that the towns that are being compared to Middletown that have crematoriums with low property values i.e., Newark, Orange, Camden and Trenton are not comparable to Middletown values.

Regina Makowitz, announced that a Stop Fair View crematorium facebook page has been created and encouraged people to join the page.

Tricia Magure, Fox Wood Run, commented that often times the public cannot express their concerns at the Planning Board meetings. Township Administrator Anthony Mercantante responded that you need to provide evidence and testimony not just emotions.

ADJOURNMENT

It was moved by Mayor Perry, seconded by Committeeman Settembrino and carried to adjourn at 8:15 pm.

Roll Call Vote: Ayes: Hibell, Settembrino, Snell, Deputy Mayor Fiore, Mayor Perry
Nays: None
Abstention: None
Absent: None

Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,

_____
Heidi R Brunt
Township Clerk

Approved:

_____
Anthony S. Perry, Mayor