

A Regular 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 November 15, 2021.

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 7, 2021.

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

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Township Engineer Ted Maloney and Deputy Township Clerk Kaaren Sena.

PLEDGE OF ALLEGIANCE

Deputy Township Clerk Kaaren Sena led the assembly in the Pledge of Allegiance.

Deputy Township Clerk Kaaren Sena requested a moment of silence to honor the troops serving worldwide defending our freedom and way of life.

CERTIFICATE OF APPRECIATION/PROCLAMATIONS

Presentation Recognizing Middletown Township Fire Department Company #1 Volunteer Robert A. Carhart for 50 Years of Service

Deputy Township Clerk Kaaren Sena invited Robert Carhart to join Mayor Perry at the front of the room to be honored. Mayor Perry congratulated him for his 50 years of service and presented him with the key to Middletown and read the certificate being presented to him. Mr. Carhart stated that he can't say enough about Middletown a wonderful community, thank you and be safe.

Proclamation Recognizing November 2021 as Native American Heritage Month in the Township of Middletown

Deputy Township Clerk Kaaren Sena invited Claire Garland the Director of the Sand Hill Indian Historical Association to join Mayor Perry at the front of the room. She spoke about Native American heritage and displayed a peace pipe belonging to her family since 1778 and the symbol it presents. Mayor Perry presented her with the proclamation.

**Native American Heritage
Month November 2021**

WHEREAS: The Lenni-Lenape Native Americans were the original settlers of Middletown. This peaceful Native American tribe lived a hunter-gatherer lifestyle. They grew and cultivated crops such as corn, squash, and tobacco. They hunted and fished using tools made from rocks; and

WHEREAS: Some white settlers learned the language of the Lenni-Lenapes, although the settlers' articulations often led to slightly different pronunciation of words. The name Navesink, pronounced by the Lenni-Lenape as *ne-was-ink*, was borrowed from the Native American word for fishing place. On June 8, 1662 in the First Town Book of Middletown, the purchase of the first land to become Middletown was recorded. The land, called Chaquasitt, was reported to have been purchased by the settlers from the Lenni-Lenape. These original Middletown settlers were called the Weapsiel Lenapes, or the white people, by the Native Americans. The book also makes reference to Poricy Brook, the stream which runs into Poricy Pond, as *Choncsis supus Run* and was a boundary for five outlots; and

WHEREAS: Beach plums, which grow wild on Sandy Hook, were a delicacy of the Lenni-Lenape Native Americans and the colonists alike. Richard Hartshorne, an early Middletown resident, made a pact with the Native Americans to preserve the beach plum plants; and

WHEREAS: In 1664 Middletown was settled by the English. Thomas Whitlock purchased land from the Lenni-Lenape Native Americans. More land was purchased by Captain John Bowne, Richard Stout, and 10 others. The town was laid out with two rows of building lots bifurcated by an old American Indian path, which later became Kings Highway; and

WHEREAS: Middletown Township's logo is a long-standing symbol of our heritage. It depicts Sachem Popamora, the Lenape chief who was thought to have sold the land that encompassed Middletown to the first settlers. It is a tribute to our past and a reminder to present day residents of those who were responsible for giving us the wonderful place we are fortunate enough to call home. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby recognize November 2021 and every November going forward, as **Native American Heritage Month** in the Township of Middletown. We encourage the community to join us in honoring and thanking those responsible for laying the groundwork for our community.

APPROVAL OF MINUTES

Deputy Township Clerk Kaaren Sena requested a motion to approve the minutes.

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adopt the minutes of the following meetings:

October 4, 2021, Workshop Meeting, October 18, 2021 Regular Meeting

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

Deputy Township Clerk Kaaren Sena stated Motion carries to approve the minutes.

INTRODUCTION OF PROPOSED ORDINANCES

Deputy Township Clerk Kaaren Sena read the following Ordinance by title:

Ordinance 2021-3323 – An Ordinance Authorizing the Partial Vacation of a Conservation Easement Across Block 885, Lot 1.01 On the Tax Map of the Township of Middletown, County of Monmouth and State of New Jersey

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, Mayor Perry
 Nays: None
 Abstention: None
 Absent: Settembrino

Deputy Township Clerk Kaaren Sena stated motion carried to pass this ordinance on first reading with a public hearing to be held on December 6, 2021.

Deputy Township Clerk Kaaren Sena read the following Ordinance by title:

Ordinance 2021-3324 – Ordinance Establishing Fair Market Value and Authorizing and Directing the Acquisition of Properties Located in The Township of Middletown Designated as Block 136, P/O Lot 7, Block 265, P/O Lots 31.03, 31.04, 62-68, And 70, Block 276, P/O Lots 77.01, 77.022, 77.03 And 78, Block 133, P/O Lots 11 And 12, Block 136, P/O Lot 5, Block 137, P/O Lot 2.06, Block 139, P/O Lot 7, Block 26, P/O Lot 2.01 By Purchase or Eminent Domain

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, Mayor Perry
 Nays: None
 Abstention: None
 Absent: Settembrino

Deputy Township Clerk Kaaren Sena stated motion carried to pass this ordinance on first reading with a public hearing to be held on December 6, 2021.

CONSENT AGENDA

Deputy Township Clerk Kaaren Sena requested a motion to adopt a consent agenda including Resolutions 21-238 through 21-255 removing 21-253 for separate vote and Bingo and Raffle Applications.

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, Mayor Perry
 Nays: None
 Abstention: None
 Absent: Settembrino

Deputy Township Clerk Kaaren Sena stated the motion carried to adopt the consent agenda.

Resolution 21-238 – Amending Resolution 21-107 For State Contracts to Amend Maximum Amounts for State Contract Vendors

WHEREAS, Resolution 21-107 authorized the Township of Middletown 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, it is necessary to amend the maximum amount allocated to two state contract vendors from which purchases may be made during the calendar year 2021.

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 the vendors listed below in accordance with the terms of the State Contracts as indicated, in the 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.

<u>EXISTING VENDOR</u>			<u>EXISTING AMOUNT</u>	<u>NEW AMOUNT</u>
W.W. Grainger Inc.	19-FLEET-00566	Industrial Supplies and Equipment	\$30,000.00	\$50,000.00
Taylor Oil Co. Inc.	19-FOOD-01097	Diesel & Biodiesel Fuel Heating Oil	\$20,000.00	\$35,000.00

Resolution 21-239 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Purchase of Body Worn and in Car Cameras

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

In accordance with the requirements of the Local Public Contract Law N.J.S.A. 40A:11-12 et seq., and the regulations promulgated thereunder, the following purchase without competitive bids from vendor(s) with a State Contract is hereby approved:

ITEM # 1

VENDOR

**WATCHGUARD VIDEO
 415 E. EXCHANGE
 ALLEN, TX 75002**

NEW JERSEY STATE CONTRACT #: 17-FLEET-00793

AMOUNT \$931,889.00

DESCRIPTION

BODY WORN AND IN CAR CAMERAS

1. In accordance with N.J.A.C. 17:44-2.2 “The vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.”

WHEREAS, the Chief Financial Officer of the Township of Middletown has certified that adequate funds for such contract are available, and are designated to line item appropriation of the

official budget no. see below-. A copy of the said certification is attached hereto and part hereof and the funds to be expended herein are assigned to line item no. see below. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

C-04-55-921-315-001 - \$931,889.00

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

- A) Purchasing Agent
- B) Comptroller
- C) Chief of Police
- D) Vendor

Resolution 21-240 - Resolution Authorizing Award of Contract to Vendor with National Cooperative Contracts for Fire Apparatus

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

2. In accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the "Law" or "Chapter 139" and N.J.S.A.52:34-6.2 the regulations promulgated there under, the following purchase without competitive bids from vendor(s) with a National Cooperative Contract is hereby approved:

ITEM # 1

VENDOR

**SPARTAN FIRE LLC
907 7TH AVE. NORTH
BRANDON, SOUTH DAKOTA 57005**

HGAC NATIONAL CONTRACT #: FS12-19

PRODUCT CODE: FS19EEC09

AMOUNT \$ 612,915.00

DESCRIPTION

One (1) Spartan Custom Pumper Fire Apparatus for Station 3 Belford Engine Company

3. In accordance with N.J.A.C. 17:44-2.2 “The vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.”

WHEREAS, the Chief Financial Officer of the Township of Middletown has certified that adequate funds for such contract are available, and are designated to line item appropriation of the official budget no. see below-. A copy of the said certification is attached hereto and part hereof and the funds to be expended herein are assigned to line item no. see below. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

C-04-55-921-321-003 - \$612,915.00

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

- A) Purchasing Agent**
- B) Comptroller**
- C) Fire Chief**
- D) Vendor**

Resolution 21-241 - Resolution Releasing Performance Bond for Tiger 623 Construction LLC (1273 Green Oak Boulevard - Block 618 Lot 14.02)

WHEREAS, the developer of the site known as Green Oak Boulevard (Block 618, Lot 14.02) had posted with the Township a performance bond in the amount of \$13,800.00; and

WHEREAS, the developer has requested a release of said Performance Bond; and

WHEREAS, the Township Engineer, Joseph E. Maloney, P.E., as set forth in his letter of October 18, 2021, indicates that he has inspected the improvements at the referenced site and recommends that the performance bond totaling \$13,800.00 be released; and

WHEREAS, the Township Committee agrees with said recommendation.

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 Performance Bond be released.

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
- b. Joe Kachinsky, Township Construction Official
- c. Tiger 623 Construction LLC
623 Cooper Road
Atlantic Highlands, New Jersey 07716

Resolution 21-242 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Purchase of a Beach Rake

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

In accordance with the requirements of the Local Public Contract Law N.J.S.A. 40A:11-12 et seq., and the regulations promulgated thereunder, the following purchase without competitive bids from vendor(s) with a State Contract is hereby approved:

ITEM # 1

VENDOR

**H. BARBER & SONS, INC.
15 RAYTKWICH DR.
NAUGATUCK, CT 06770**

NEW JERSEY STATE CONTRACT #: 86414

AMOUNT \$55,529.70

DESCRIPTION

ONE (1) BARBER SURF RAKE – MODEL 600HD

In accordance with N.J.A.C. 17:44-2.2 “The vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.”

WHEREAS, the Chief Financial Officer of the Township of Middletown has certified that adequate funds for such contract are available, and are designated to line item appropriation of the official budget no. see below-. A copy of the said certification is attached hereto and part hereof and the funds to be expended herein are assigned to line item no. see below. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is

satisfied that the availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

1-01-26-290-103-238 - \$55,529.70

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

- A) Purchasing Agent**
- B) Comptroller**
- C) Director of Public Works**
- D) Vendor**

Resolution 21-243 – Resolution Authorizing Execution of the 2022 Food Shopping Agreement with The County of Monmouth (SCAT)

WHEREAS, the Township of Middletown has heretofore entered into an agreement with the Monmouth County Board of Chosen Freeholders, specifically, the office of Senior Citizens Area Transportation (SCAT), to provide certain services to senior citizens and handicapped individuals, among others, residing within the Township of Middletown and the Board of Chosen Freeholders of Monmouth County; and

WHEREAS, the Township Committee of the Township of Middletown wishes to continue said service.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown, County of Monmouth, and state of New Jersey, as follows:

1. The Mayor is hereby authorized to execute, and the Township Clerk to attest, to an agreement between Monmouth County and the Township of Middletown to provide SCAT for 2021.
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following
 - a. Colleen M. Lapp, CFO
 - b. Janet E. Dellett, Director of Recreation
 - c. Kathleen Lodato, Director
Department of Transportation
250 Center Street
Freehold, NJ 07728

Resolution 21-244 - Resolution Authorizing Award of Contract to Vendor with National Cooperative Contracts for Electric Vehicles

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

4. In accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139” and N.J.S.A.52:34-6.2 the regulations promulgated there under, the following purchase without competitive bids from vendor(s) with a National Cooperative Contract is hereby approved:

ITEM # 1

VENDOR

**NATIONAL AUTO FLEET GROUP
490 AUTO CENTER DRIVE
WATSONVILLE, CA 95075**

SOURCEWELL NATIONAL CONTRACT #120716-NAF

AMOUNT \$ 73,300.20

DESCRIPTION

**TWO (2) NEW 2022 CHEVROLET BOLT EUVS
FOR THE DEPARTMENT OF PUBLIC WORKS**

5. In accordance with N.J.A.C. 17:44-2.2 “The vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.”

WHEREAS, the Chief Financial Officer of the Township of Middletown has certified that adequate funds for such contract are available, and are designated to line item appropriation of the official budget no. see below-. A copy of the said certification is attached hereto and part hereof and the funds to be expended herein are assigned to line item no. see below. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

1-01-26-315-100-205 - \$73,300.20

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

- A) Purchasing Agent
- B) Comptroller
- C) Director of Public Works
- D) Vendor

Resolution 21-245 - 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>	<u>Type</u>
163	17	Craig & Lisa Domanski	8 Central Ave	\$23,570	Original Mortgage

BE IT FURTHER RESOLVED that the Mayor and other authorized appropriate and responsible officials including the Township Administrator, the Director of Planning, the Community 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.

Resolution 21-246 - Resolution Authorizing the Transfer of Appropriations in The Local Budget of the Township of Middletown for The Year 2021

WHEREAS, Section 40A:4-58 of the Revised Statutes of New Jersey authorizes the transfer of appropriations, during the last two (2) months of the calendar year, to said budget where adopted heretofore by the governing body by two-thirds vote thereof.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown, as follows:

1. That the excess in the appropriations listed in the column designed "FROM" be transferred to the appropriations listed in the column designated "TO" as follows:

	CURRENT FUND	FROM	TO
Account Number			
1-01-20-150-100-100	Tax Assessor S&W	\$12,000.00	
1-01-21-180-100-100	Planning S&W	\$2,000.00	
1-01-25-265-100-100	Fire S&W	\$1,000.00	
1-01-26-290-100-100	DPW Streets & Roads S&W	\$18,000.00	
1-01-26-315-100-100	DPW Fleet Maintenance S&W	\$50,000.00	
1-01-27-330-100-100	Health S&W	\$7,000.00	
1-01-31-430-200-271	Utilities - Electricity - PBG	\$50,000.00	
1-01-20-100-101-100	Purchasing S&W		\$12,000.00
1-01-21-180-101-100	Planning Board S&W		\$1,000.00
1-01-21-185-100-100	Zoning Board S&W		\$1,000.00
1-01-25-260-100-100	First Aid S&W		\$1,000.00
1-01-26-305-100-100	Solid Waste & Recycling S&W		\$18,000.00
1-01-26-315-100-200	DPW Fleet Maintenance		\$50,000.00
1-01-27-330-101-100	Alliance S&W		\$7,000.00
1-01-31-445-200-273	Utilities - Water - PBG		\$50,000.00
	TOTAL	\$ 140,000.00	\$ 140,000.00

2. The Township Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Township Auditor, a certified copy of this resolution.

3. This resolution shall take effect immediately

4. A copy of this resolution shall be filed forthwith with the Director of New Jersey, Division of Local Government Services.

Resolution 21-247 – Resolution Authorizing the Payment of Bills for November 15, 2021

The Township Committee hereby approves a resolution for the payment of bills for November 15, 2021, in the amount of \$37,421,428.92

Resolution 21-248 - Governor's Committee on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2020-June 2025 FORM IB

WHEREAS, the Governor's Committee on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the **Township of Middletown**, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem

in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor's Committee on Alcoholism and Drug Abuse through the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the Township of Middletown, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Middletown Municipal Alliance grant for fiscal year **2023** in the amount of:

DEDR	\$ <u>27,800.00</u>
Cash Match	\$ <u>6,950.00</u>
In-Kind	\$ <u>20,850.00</u>

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution 21-249 - Resolution Authorizing Award of Contract to Vendors with State Contracts for The Purchase of Furniture and Accessories

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

In accordance with the requirements of the Local Public Contract Law N.J.S.A. 40A:11-12 et seq., and the regulations promulgated thereunder, the following purchase without competitive bids from vendor(s) with a State Contract is hereby approved:

VENDOR #1

**NATIONAL OFFICE FURNITURE
1610 ROYAL STREET
JASPER, IN 47549**

NEW JERSEY STATE CONTRACT #: 81721

AMOUNT \$33,000.00

VENDOR #2

**AFFORDABLE INTERIOR SYSTEMS
25 TUCKER DR.
LEOMINSTER, MA 01453**

NEW JERSEY STATE CONTRACT #: 19-FOOD-00876

AMOUNT \$570,000.00

VENDOR #3

**EXEMPLIS/SIT ON IT SEATING
61415 KATELLA AVE
CYPRESS, CA 90630**

NEW JERSEY STATE CONTRACT #: 81711

AMOUNT \$274,000.00

6. In accordance with N.J.A.C. 17:44-2.2 “The vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.”

WHEREAS, the Chief Financial Officer of the Township of Middletown has certified that adequate funds for such contract are available, and are designated to line item appropriation of the official budget no. see below. A copy of the said certification is attached hereto and part hereof and the funds to be expended herein are assigned to line item no. see below. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

1-01-44-917-200-800- \$877,000.00

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

- A) Purchasing Agent**
- B) Comptroller**
- C) Director of Public Works**
- D) Vendor**

Resolution 21-250 - Authorizing the Acquisition and Delivery of Office Furniture and Accessories for the Township Through the Educational Services Commission of New Jersey Cooperative Pricing System

WHEREAS, the Township of Middletown is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey Cooperative Pricing System, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10; and

WHEREAS, the Local Public Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids; and

WHEREAS, the Township is in need of various pieces of office furniture and accessories for the Township; and

WHEREAS, the Educational Services Commission of New Jersey Cooperative Pricing System has awarded a contract to Global Furniture Group, 17 West Stow Road, Marlton, N.J. 08053 for the acquisition of furniture and accessories (Contract# ESCNJ 20/21-01 Furniture and Accessories); and

WHEREAS, the Chief Financial Officer of the Township of Middletown has certified that adequate funds for such contract are available and are designated to line item appropriations of the official budget see below. A copy of the said certification is attached hereto and made part hereof and the funds to be expended herein are assigned to line-item see below. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

1-01-44-917-200-800 - \$85,000.00

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 Global Furniture Group, 17 West Stow Road, Marlton, N.J. for the delivery and installation of furniture and accessories in the amount of \$85,000.00.

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

- a. Purchasing Agent
- b. Comptroller
- c. Director of Public Works
- d. Vendor

Resolution 21-251 - Resolution of The Township Committee of the Township of Middletown, New Jersey Authorizing Change Order No. 1 For Traffic Line Striping & Lettering

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

Traffic Line Striping & Lettering - Change Order No. 1

DESCRIPTION OF CHANGE:

EXTRAS: - NONE -
SUPPLEMENTARY: Additional work for line striping and lettering
REDUCTIONS: -NONE-

	ADDITIONAL	REDUCTION
Total reductions this CO	XXXX	\$0.00
Total extras this CO	XXXX	XXXX
Total Supplementary this CO	\$10,084.00	XXXX
Total this CO	\$10,084.00	-\$0.00
Net change this CO		+\$10,084.00
Previous Change Orders		\$0.00
Total Change Orders to Date		+\$10,084.00
Net Change in Contract		+\$10,084.00
Original Contract Amount		\$50,420.00
Change Orders to Date		+\$10,084.00
Revised Contract Price		\$60,504.00

be and the same is hereby ratified and confirmed.

BE IT FURTHER RESOLVED, The Township Clerk shall send a certified copy of this resolution to the following:

- a. Purchasing Agent
- b. Comptroller
- c. Ted Maloney, Director of Public Works
- d. Traffic Lines, 5100 Asbury Road, Farmingdale, NJ 07727

Resolution 21-252 - Resolution Confirming Appointment of Michael Rizzo as The Purchasing Agent, Qualified Purchasing Agent and Public Agency Compliance Officer for The Township of Middletown

WHEREAS, the Township of Middletown (the “**Township**”)’s longtime Qualified Purchasing Agent (“**OPA**”) and Public Agency Compliance Officer (“**PACO**”) retired effective November 1, 2021; and

WHEREAS, pursuant to § 7-39 of the Township Code, the Township wishes to the confirm the appointment of Michael Rizzo to serve as the Township’s Purchasing Agent; and

WHEREAS, pursuant to N.J.S.A. 40A:11-9, the Township wishes to confirm the appointment of Michael Rizzo to serve as the Township’s QPA; and

WHEREAS, pursuant to N.J.A.C. 17:27-3.3, the Township wishes to confirm the appointment of Michael Rizzo to serve as the Township’s PACO.

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 confirms the November 1, 2021 appointment of Michael Rizzo to serve as the Township’s Purchasing Agent, QPA and PACO.

BE IT FURTHER RESOLVED that Michael Rizzo shall be compensated as set forth in the Township’s annual salary ordinance.

BE IT FURTHER RESOLVED that the Township Clerk shall hereby forward a certified copy of this Resolution to the Director of the Division of Local Government Services.

Resolution 21-253 REMOVED FROM CONSENT AGENDA FOR SEPARATE VOTE

Resolution 21-254 - Resolution Authorizing Emergency Award of Contract for Microsoft 365 Licenses from CDW Government

WHEREAS, an emergency arose due to the criminal cyberattack that interrupted access to the Township of Middletown’s (the “**Township**”) servers; and

WHEREAS, to restore electronic mail service while systems are being fully recovered the Township has been required to utilize cloud-based services by acquiring software licenses for the same; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1) (dd), contracts for the purchase of goods and services for the support or maintenance of proprietary computer software are exempt from public bidding; and

WHEREAS, N.J.S.A. 40A:11-6 permits a contract to be negotiated or awarded without public advertisement for bids, notwithstanding the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.12, contracts awarded under such circumstances are also exempted from pay to play regulations.

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 award of an emergency contract to CDW Government, 75 Remittance Drive, Suite 1515, Chicago, IL 60675 for Microsoft 365 related cloud-based software licenses in an amount not to exceed \$76,309.75.

Resolution 21-255 - Resolution Authorizing the Award of Contract for Professional Engineering Services for Environmental Services for Leonardville Road Veterans Housing Project

WHEREAS, the Township of Middletown (the “**Township**”) requires professional engineering services in relation to the Township’s veterans housing project to complete the environmental remediation of the site and to seek grant funding from the NJDEP for the same; and

WHEREAS, pursuant to the fair and open process and Resolution No. 21-021, the Township previously qualified multiple engineering firms to provide consulting engineering services; and

WHEREAS, the Township has received a proposal from CME Associates to provide the required professional engineering services in the amount of \$80,530, which the Township Engineer 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 CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, New Jersey 08852 for professional engineering services related to the Township’s veterans housing project in an amount not to exceed \$80,530.
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 and advertised in the Township’s official newspaper pursuant to law.

BINGO AND RAFFLE APPLICATIONS

Bayview PTA	21-111
New Monmouth School PTA	21-112
New Monmouth School PTA	21-113
New Monmouth School PTA	21-114
American Legion Post #338	21-115
Monmouth Museum	21-116

Deputy Township Clerk Kaaren Sena requested a motion to adopt Resolution 21-253 that was removed from the Consent Agenda for a separate vote.

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to approve Resolution 21-253

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

Resolution 21-253 - Resolution Authorizing the Award of Contract For Professional Engineering Services For Kunkel Park Skate Park Project

WHEREAS, the Township of Middletown (the “**Township**”) requires professional engineering services in relation to the proposed rehabilitation of the former Kunkel Park roller hockey rink into a skate park designed to standards established by the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, pursuant to the fair and open process and Resolution No. 21-021, the Township previously qualified multiple engineering firms to provide consulting engineering services; and

WHEREAS, the Township has received a proposal from Suburban Consulting Engineers to provide the required professional engineering services in the amount of \$46,750, which the Township Engineer 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 Suburban Consulting Engineers, 2430 Highway 34, Building A, Wall, New Jersey 08736 for professional engineering services related to the Kunkel Park Skate Park project in an amount not to exceed \$46,750.

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 and advertised in the Township's official newspaper pursuant to law.

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, commented that he attended the Field of Flags ceremony at Westminister Presbyterian Church and it was awesome and he was happy to be a part of it. He also participated in the Veterans Day Parade and thanked all Veterans. He congratulated Bob Carhart on 50 years of service to the Middletown Township Fire Department.

Committeewoman Kratz, thanked the residents of Middletown for electing her to the Township Committee. She attended the Field of Flags Ceremony at the Westminister Presbyterian Church, the Veterans Day Parade and the wreath laying ceremony at the site of the future Veterans housing in Middletown. She thanked Mayor Perry for being a wonderful running mate.

Deputy Mayor Hibell, congratulated Maureen Raich on being elected Monmouth County Surrogate. He commended Reverend Heine of the Westminister Presbyterian Church for the Field of Flags ceremony it was a great event. He congratulated Bobby Carhart for his 50 years of service with the Middletown Township Fire Company #1.

Mayor Perry, commented that the Field of Flags ceremony at the Westminister Presbyterian Church was a beautiful day. He attended Bayshore school where students were asked to drawing what Veterans Day means to them and they formed a giant American Flag. It meant a lot to see Veterans Day being passed on to students today. He congratulated Kimberly Kratz on her election victory. He also congratulated Maureen Raich who was elected Monmouth County Surrogate. He stated Middletown's loss is Monmouth County's gain.

PUBLIC COMMENTS:

Donna Cummings, Conover Lane, expressed her concern regarding the brush in the street. There are multiple homes that put the brush on the street and it sits there for months and months. She called recycling and they told her due to cutbacks they will not be picking up the brush from the storm damage. She said it is a traffic hazard and the police need to get involved. Township Engineer Ted Maloney responded that they will go out and give notices to the residents with the brush on the street and if it is not removed they will get the police involved.

Student, Middletown HS South, stated she is thrilled to see Native American Month and hopes there is a plan for more education on the subject.

ADJOURNMENT

It was moved by Deputy Mayor Hibell, seconded by Committeewoman Snell and carried to adjourn at 8:00 p.m.

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

Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,

Heidi Brunt
Township Clerk

Approved:

Anthony S. Perry, Mayor