

The following Reorganization Meeting of the Township Committee of Middletown Township was held Virtually in the Main Meeting Room at Town Hall, One Kings Highway, Middletown, New Jersey at 12:00 PM on January 1, 2023.

NOTICE REQUIREMENTS FOR OPEN PUBLIC MEETING:

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 Independent, The Star Ledger and the Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 7, 2022.

Roll Call Vote: Present: Clarke, Hibell, Kratz, Settembrino, Perry
Absent: None

PLEDGE OF ALLEGIANCE

Leading the Pledge of Allegiance was Veteran of the Year Award Recipient Dennis Beauregard.

Township Clerk Heidi Brunt asked for a moment of silence to honor the troops serving worldwide defending our Constitutions, Freedoms, and Way of Life.

INVOCATION The invocation was given by Reverend Jeffrey J. Kegley, Saint Mary Mother of God Church.

ADMINISTRATION OF THE OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

Monmouth County Commissioner Director Thomas A. Arnone administered the following Oath of Office to Rick Hibell

I, Rick Hibell do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the governments established in the United States and in this state, under the authority of the people, and I do swear to faithfully, impartially and justly perform all the duties of the office of Township Committeeman, according to the best of my ability. So help me God.

Monmouth County Commissioner Director Thomas A. Arnone administered the following Oath of Office to Kevin Settembrino

I, Kevin Settembrino do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the governments established in the United States and in this state, under the authority of the people, and I do swear to faithfully, impartially and justly perform all the duties of the office of Township Committeewoman, according to the best of my ability. So help me God.

APPOINTMENT OF TOWNSHIP ATTORNEY

Township Clerk Heidi Brunt asked for a motion to adopt Resolution 23-01

It was moved by Committeeman Perry, seconded by Committeeman Hibell and carried to adopt Resolution 23-01

Roll Call Vote: Ayes: Clarke, Hibell, Kratz, Settembrino, Perry
Nays: None
Abstentions: None

Absent: None

Township Clerk Heidi Brunt stated the motion carried to adopt Resolution 23-01

Resolution 23-01 - Resolution Appointing Township Attorney

WHEREAS, pursuant to N.J.S.A. 40A:9-139 and § 7-32A of the Code of the Township of Middletown there exists a need to appoint a qualified individual as Township Attorney to serve as the municipal attorney and designated legal officer for the Township of Middletown; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Brian M. Nelson, Esq., Spiro Harrison & Nelson LLC, 2 Bridge Avenue, Suite 322, Red Bank, NJ 07701 is hereby appointed Township Attorney for 2023 to perform the duties prescribed pursuant to § 7-32C of the Code of the Township of Middletown.

BE IT FURTHER RESOLVED that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

ELECTION OF MAYOR AND ADMINISTRATION OF OATH

A motion was made by Committeeman Hibell seconded by Committeeman Settembrino and carried to elect Anthony S. Perry as Mayor of Middletown Township for the year 2023.

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

Township Clerk Heidi Brunt stated motion carried to elect Anthony S. Perry, as Mayor of Middletown Township for the year 2023.

SWEARING IN OF MAYOR ANTHONY S. PERRY

Captain Ed Callahan, Commanding Officer Naval Weapons Station Earle administered the following oath:

I, Anthony S. Perry do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the governments established in the United States and in this state, under the authority of the people, and I do swear to faithfully, impartially and justly perform all the duties of the office of Mayor, according to the best of my ability. So help me God.

ELECTION OF DEPUTY MAYOR AND ADMINISTRATION OF OATH

A motion was made by Mayor Perry, seconded by Committeeman Clarke and carried to elect Committeeman Rick W. Hibell as Deputy Mayor of Middletown Township for the year 2022 with the following roll call vote:

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

Absent: None

Township Clerk Heidi Brunt stated motion carried to elect Rick W. Hibell as Deputy Mayor of Middletown Township for the year 2023.

SWEARING IN OF DEPUTY MAYOR RICK W. HIBELL

Monmouth County Sheriff Shaun Golden administered the following oath:

I, Rick W. Hibell, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the governments established in the United States and in this State, under the authority of the people, and I do swear to faithfully, impartially and justly perform all the duties of the office of Deputy Mayor, according to the best of my ability. So help me God.

MAYOR'S ADDRESS

Happy New Year and I am honored to welcome you all to Middletown's Annual Reorganization Meeting.

For the fifth time, I stand before you filled with excitement, full of gratitude, and inspired by the patriotism and love in this room for our town and our Nation.

I cannot tell you how humbling it has been to serve the people of this amazing town and year after year, as we approach this reorganization meeting, I ask myself how can we top the accomplishments of the past year, how can we best address the needs of our community and exceed the expectations of our residents?

Well...It begins with the team here behind me. Without the dedication, support and commitment of the Township Committee, we would be unable to celebrate all the successes.

I want to congratulate, my friends Rick Hibell and Kevin Settembrino on their victories this past November. Middletown is incredibly fortunate to have the continued leadership of these two public servants and I am personally lucky to have their continued friendship and support on this governing body.

I also want to congratulate and thank Rick for his willingness to continue serve as our Deputy Mayor. All of us are grateful for your unwavering dedication and the leadership that he brings to the job each day.

Last year, we welcomed many of you to this new Town Hall, as I laid out the priorities and agenda for 2022. I am very happy to report that this governing body has fulfilled the promises made here exactly 365 days ago.

To support our veterans, Middletown continued to work toward constructing our Veteran's Housing Project on Leonardville Road. As we ended 2022, the Township is completing the environmental cleanup on the property and we voted to officially turn the property over to the Middletown Housing Authority with approved plans to construct this amazing new facility. I want to thank our Veterans Affairs Committee Chairman and its members for their assistance and support for this project.

Last year, I stressed the desperate need for Middletown and governments at every level to accept and address the often overlooked and underreported effect the pandemic had on our students. While this issue impacted young people across our Nation - I stated that we could not afford to wait for a national solution. That the answer could come from right here in Middletown.

The Township immediately formed the Next Generation Support Program, which utilized the American Rescue Plan funding to ensure that our students received the necessary tutoring and support they lost when schools were closed or using virtual learning.

The shocking and upsetting reality was soon understood.

Of the more than 250 Middletown students, who were signed up for our program, not 50%, not 75% but **99% - 99%** of them were measured to have significant learning loss as a result of the pandemic. **99%**

That's the next generation of business owners, of tradespeople, of athletes, that's a generation of Americans - who have all been impacted. There are millions of students now trying to catch up for time lost and we will not sit by.

While our program in 2022 topped more than \$75,000, to implement this program. We are not stopping there!

I am very proud to announce today, that Middletown is preparing to match and if we must exceed last year's allocation to ensure that every child is taken care of, to make sure that every parent feels their child will succeed, and to create a generation of Americans ready to shape the future.

Now, while on the subject of our students, I want to point to another victory for Middletown that was accomplished. After years of opposition by previous Boards of Education, together the Township and Board were able to quickly come together in the aftermath of the tragedy in Uvalde, Texas to place a Class III Police Officer in every Middletown Public School.

This unprecedented effort was completed in less than three months and without the leadership and partnership of Board President Frank Capone and our Police Chief Craig Weber - this accomplishment would not have been possible. And every day since the beginning of the school year, a Middletown Police officer has stood guard at every school but more importantly they have become a part of the fabric of the district, they have become part of the community and while we pray, they are never needed to act, we are grateful to have them in place should they be needed.

Our students need to learn, our teachers need to teach and our parents need to have peace of mind.

In a time when police activity is so heavily scrutinized from a microscopic instances, it is beneficial for our young people to have this daily interaction with the men and women of our law enforcement.

On the subject of public safety, Middletown has been at the forefront of curbing the auto theft wave in partnership with our Police Department and Monmouth County Sheriff Shaun Golden that has struck our town, county and state. Unfortunately, New Jersey's bail reform policies have created this lack of law and order. As a result, we have had to increase patrols in targeted areas and have a police officer assigned full-time to the State Police Auto Theft Task Force.

Unfortunately, our judicial system has been hamstrung by policies and policymakers that result in no consequences for illegal behavior. What message are we sending...are we a nation of laws or a nation of chaos.

The time for empty talk, promises or pointless legislation is over - Trenton created this disaster and Trenton should fix this before tragedy strikes. This week, Middletown Police will continue its enhanced presence in neighborhoods frequently targeted by these criminals.

But the Middletown taxpayer should not be required to pay the tab for the continued reckless policymaking by Trenton. This week, Middletown will file a complaint against the State of New Jersey with the Council of Unfunded Mandates to pay for their mess, to pay for this insanity. This governing body will not be quiet, we will not sit by, the safety and security of our residents should be the top priority of every elected official.

Middletown has long enjoyed its placement as one of the safest towns not just in New Jersey but in America and we will restore peace and security to our town with or without Trenton's help.

After the successful implementation of the voter approved open space referendum in 2021, the Township has prioritized the preservation of our open space and enhancements of our recreational facilities. We are currently working in good faith with Saint Mary's Church to preserve and utilize the existing fields at Mater Dei for recreational sports leagues all the while preventing any possible development of the area.

The repair of the Conover Beacon in Leonardo is currently being finished by our public works team and before the summer, the beacon will once again shine with new paint and a new light. Restoring the historic importance of this navigational tool and Bayshore symbol.

The dog park at Tindall Park in place of the old mini golf course will be ready for use this year and as soon as the weather breaks for spring the final phase of that project will quickly start and the facility will be a destination for dog owners across the town.

Our new skate park at Kunkel will be quickly assembled and ready for new life at this beautiful park.

I could certainly go on and on but we achieved so much to be proud of: our new Health Shared Service agreement with Monmouth County that not only saves taxpayer dollars but increases services and programming.

The enhancement of our incredible new recycling center at Kanes Lane.

The installation of the only clone of the World Trade Center Survivor Tree here at our memorial.

We rightfully distinguished the location of the Cedar View Cemetery in Lincroft as a part of Middletown's rich heritage.

We opened our community gardens at Stevenson Park, which has generated hundreds of pounds of food for those most in needs.

Finally, as always, fiscal discipline will remain the top priority of this Township Committee, and not only will we continue to renew that commitment, but we will take an active approach, in finding new ways outside of the traditional property taxes to lessen the burden on our residents.

Now nothing I say here is possible without the team that jumps at all the projects and initiatives that come from the Township Committee. Our administration is made up of incredibly dedicated professionals that I am honored to work alongside. From our Township Administrator Tony Mercantante, our attorney Brian Nelson, our clerk Heidi Brunt, our CFO Colleen Lapp, our public works director Ted Maloney and so many others who work tirelessly. A very special shout-out to two individuals that I rely on the most, Laura Mattes and Amy Rose Napolitano who I could not effectively do this job, without. Finally, our communications team, Tara Berson and Raven Rentas who continue to demonstrate how government should, can and will continue to inform residents of all that is happening in Middletown.

Our police department have risen to the challenge, especially given the absolute failure of our state government but I am honored to work alongside them each and every day. I am incredibly grateful for the leadership of our Police Chief Craig Weber and Deputy Chiefs Kaiser, and Bailey.

I want to thank our all-volunteer Fire Department and our Fire Chiefs, all of whom I have had the great fortune of working with so closely these past few years. I must extend a sincere thank you to the department's 2022 Chief, Bernie Chenoweth. Chief Chenoweth's — leadership and dedication is much appreciated. I want to congratulate our 2023 Chief John Waltz and I look forward to the continued collaboration with you and the entire department.

To all of our Emergency Services Personal - thank you for your service, we know that your efforts these past two years are unlike any before and we are so grateful.

I must take a minute to thank my family — I am able to do this job and do it the way I believe it should be done because of my amazing and incredible family. I do this job for my kids, I do it to ensure that Reagan and Grant have an amazing place to call home. And while today, they do not understand, today they are unsure why I do this...but one day, I want them to have the same values my parents instilled in myself. I do not only want to provide them with the most comfortable life we can, I want them to understand what it means to be a citizen that leaves their home, their neighborhood and town better then we found it.

That is why I do this job.

I am so fortunate to have such an understanding wife in Alannah. Who affords me the time, guidance and support needed.

As I mentioned, this is the fifth time I have had the honor of giving this address and each year has been very different but my commitment - my commitment to this position and this community remains the same.

Today is day one of 365 and we are already moving at full speed for 2023. We will and we must be the leader - not just here in Monmouth County but statewide.

So let us continue to create a legacy, one that we will be proud of, one that will keep Middletown a top place to live, a legacy worthy of passing on - I am honored to once again serve as your Mayor.

DEPUTY MAYOR'S ADDRESS

Happy New Year. Thank you to my family, smiling Valerie ???, Mom & Dad and my wife for always allowing me to share with the community. It's been twelve years since I was Fire Chief, a thoroughly rewarding job. Over the past two years inflation is out of control working to keep costs down to save on the budget. Thank you, Sheriff Golden, for swearing me in. Thank you Fire and EMS officers, and John Drucker for providing year end statistics. In 2022 there were 1,500 fire calls responded to which is almost 4 per day. There were 3,000 EMS calls and combining calls 4,500 calls with volunteers who spend 75,000 hours away from family. Thank you to all the professionals, I work with throughout the year.

OATH OF OFFICE FOR MIDDLETOWN FIRE DEPARTMENT OFFICERS

Township Clerk Heidi Brunt requested a motion to adopt Resolution 23-02 Appointment of Fire Department Officers. It was moved by Mayor Perry and seconded by Deputy Mayor Hibell.

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

Township Clerk stated motion carries to adopt Resolution 23-02

Resolution 23-02 - Appointment of Fire Department Officers

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 be and they are hereby appointed or reappointed members of the Fire Department pursuant to the "Code of the Township of Middletown" for a full term of one year commencing January 1, 2023 and terminating December 31, 2023.

| | |
|--------------------------|--------------------------|
| FIRE CHIEF: | JOHN WALZ, JR. |
| DEPUTY CHIEF: | WILLIAM KANE, JR. |
| FIRST ASSISTANT: | ANTHONY FULCINITI |
| SECOND ASSISTANT: | DANIEL P. KELLY |
| THIRD ASSISTANT: | KEVIN MORRISSEY |

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

Township Clerk Heidi Brunt invited the newly elected Fire Chief's and their families to join Mayor Perry at the front of the room at a time for administering the Oath of Office

OATH OF OFFICE FOR MIDDLETOWN EMERGENCY MEDICAL SERVICES DEPARTMENT

Township Clerk Heidi Brunt requested a motion to adopt Resolution 23-03 Appointment of Middletown Emergency Medical Services Department. It was moved by Mayor Perry and seconded by Deputy Mayor Hibell.

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

Township Clerk stated motion carries to adopt Resolution 23-03

Resolution 23-03 - Resolution Appointing Middletown Emergency Medical Services Department Officers

WHEREAS, pursuant to Chapter 28 of the Code of the Township of Middletown ("the Township"), as amended by Ordinance 15-3147, the Township formed an Emergency Medical Services Department to be charged with providing administrative and operational oversight to the Township's five independent volunteer first aid and rescue squads; and

WHEREAS, pursuant to § 28-3 "[t]he selection of officers and trustees of the EMS Department and their respective terms and conditions to qualify to serve in office shall be determined by the EMS Department's bylaws, which shall be filed with the Township";

WHEREAS, the initial appointments having been requested to be made by the governing body of 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 following officers shall be and are hereby appointed as the officers of the Middletown Emergency Medical Services Department for 2023:

| | |
|-----------------------------|-------------------------|
| EMS CHIEF: | PETER PROCOPIO |
| EMS DEPUTY CHIEF: | BRIAN MCKITTRICK |
| EMS ASSISTANT CHIEF: | MARCO FERNANDES |

Township Clerk Heidi Brunt invited the newly elected EMS Chief's and their families to join Mayor Perry at the front of the room at a time for administering the Oath of Office

INTRODUCTION OF PROPOSED ORDINANCES

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2022-3363 - Ordinance Amending § 240-15 Of the Code of The Township of Middletown Governing Rates for Additional Solid Waste and Recycling Carts

It was moved by Mayor Perry and seconded by Committeeman Settembrino 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 Brunt stated motion carried to pass this ordinance on first reading with a public hearing to be held on January 17, 2023.

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2022-3364 - Ordinance Adopting The 100 Schultz Drive Redevelopment Plan Within the Exit 109 Redevelopment Plan Area Consisting of Block 1086, Lot 30

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 Brunt stated motion carried to pass this ordinance on first reading with a public hearing to be held on January 17, 2023.

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2022-3365 - Ordinance Amending § 7-32 Of the Code of The Township of Middletown Governing the Township Attorney's Position

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 Brunt stated motion carried to pass this ordinance on first reading with a public hearing to be held on January 17, 2023.

CONSENT AGENDA

Township Clerk Heidi Brunt requested a consent agenda including resolution 23-04 through 23-47, removing Resolutions 23-09, 23-13 and 23-14 a separate vote

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

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

Nays: None
Abstentions: None
Absent: None

Township Clerk Heidi Brunt stated motion carried to adopt Consent Agenda.

Resolution 23-04 - Resolution Re-Appointing Judges of The Middletown Municipal Court

WHEREAS, pursuant to N.J.S.A. 2B:12-5 and approval from the Assignment Judge of the Monmouth Vicinage of the Superior Court of New Jersey, the Township of Middletown (the “Township”) maintains two municipal court judgeships; and

WHEREAS, N.J.S.A. 2B:12-4 and § 27-4 of the Township Code provide that municipal court judges shall serve a term of three years and until a successor is appointed and qualified, and shall be compensated at the rate or salary set forth in the Township’s annual salary ordinance; and

WHEREAS, James E. Berube, Jr., Esq. served as Presiding Judge of the Municipal Court to a term that expired on December 31, 2022, and Stephen P. Monaghan, Esq. served as a Judge of the Municipal Court to a term that expired on December 31, 2022; and

WHEREAS, the Township wishes to re-appoint Judges Berube and Monaghan to their respective judgeships.

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:

1. James E. Berube, Jr. is hereby appointed as Presiding Judge of the Municipal Court to a three-year term commencing on January 1, 2023 and expiring on December 31, 2025, and shall be compensated during said term pursuant to the Township’s applicable salary ordinance.

2. Stephen P. Monaghan, Esq. is hereby appointed as a Judge of the Municipal Court to a three-year term commencing on January 1, 2023 and expiring on December 31, 2025, and shall be compensated during said term pursuant to the Township’s applicable salary ordinance.

Resolution 23-05 - Resolution Appointing First Municipal Prosecutor

WHEREAS, pursuant to N.J.S.A. 2B:25-4 and § 7-33 of the Code of the Township of Middletown there exists a need to appoint a qualified attorney as a Municipal Prosecutor for the Township; and

WHEREAS, the Township maintains two Municipal Prosecutor positions for individual court days; and

WHEREAS, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that John Lane, Esq. is hereby appointed to the First Municipal Prosecutor’s position for the Township of Middletown for 2023 to be compensated pursuant to the Township’s applicable salary ordinance.

BE IT FURTHER RESOLVED that notice of this appointment shall be published by the Township Clerk in the Township’s official newspaper.

Resolution 23-06 - Resolution Appointing Second Municipal Prosecutor

WHEREAS, pursuant to N.J.S.A. 2B:25-4 and § 7-33 of the Code of the Township of Middletown there exists a need to appoint a qualified attorney as a Municipal Prosecutor for the Township; and

WHEREAS, the Township maintains two Municipal Prosecutor positions for individual court days; and

WHEREAS, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Sean Kean, Esq. is hereby appointed to the Second Municipal Prosecutor's position for the Township of Middletown for 2023 to be compensated pursuant to the Township's applicable salary ordinance.

BE IT FURTHER RESOLVED that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

Resolution 23-07 - Resolution Appointing Municipal Public Defender

WHEREAS, pursuant to N.J.S.A. 2B:24-3 there exists a need to appoint a qualified attorney as Municipal Public Defender for the Township; and

WHEREAS, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Stanley Werse, Esq. is hereby appointed Municipal Public Defender for the Township of Middletown for 2023 to be compensated pursuant to the Township's applicable salary ordinance and at an hourly rate specified by ordinance for matters in the Superior Court that may be reimbursed by individuals utilizing the services of the Public Defender.

BE IT FURTHER RESOLVED that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

Resolution 23-08 - Resolution by The Township Committee, Authorizing Various Volunteer Appointments To The Boards And Commissions Of The Township Of Middletown, Monmouth County, New Jersey

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 in Schedule A are hereby appointed members of their designated board or commission pursuant to the "Code of the Township of Middletown" for terms as set forth in Schedule A.
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. Boards and Commissions

SCHEDULE A NEXT PAGE

SCHEDULE A

| Board Name | Position | First Name | Last Name | Start Date | End Date |
|--|-----------------|-------------------|------------------|-------------------|-----------------|
| Clean Communities Advisory Committee | Seat 1 | Colleen | Lapp | 1/1/2023 | 12/31/2023 |
| Clean Communities Advisory Committee | Seat 2 | Eric | Maggio | 1/1/2023 | 12/31/2023 |
| Clean Communities Advisory Committee | Seat 3 | Valerie | Robertson | 1/1/2023 | 12/31/2023 |
| Clean Communities Advisory Committee | Seat 4 | Kenneth | Walls | 1/1/2023 | 12/31/2023 |
| Clean Communities Advisory Committee | Seat 5 | Ted | Maloney | 1/1/2023 | 12/31/2023 |
| Community Affairs Council | Seat 9 | Michael | Vitkansas | 1/1/2023 | 12/31/2025 |
| Community Affairs Council | Seat 10 | Andrew | Zapcic | 1/1/2023 | 12/31/2025 |
| Community Affairs Council | Seat 8 | Gary | Tulp | 1/1/2023 | 12/31/2025 |
| Community Assistance Network | Seat 1 | Ryan | Clarke | 1/1/2023 | 12/31/2023 |
| Community Assistance Network | Seat 2 | Mary Ellen | Walker | 1/1/2023 | 12/31/2023 |
| Community Assistance Network | Seat 4 | Richard | DeBenedetto | 1/1/2023 | 12/31/2023 |
| Community Assistance Network | Seat 5 | Jeff | Kegley | 1/1/2023 | 12/31/2025 |
| Community Assistance Network | Seat 6 | Luigi | Hargain | 1/1/2023 | 12/31/2025 |
| Community Assistance Network | Seat 9 | Kimberly | Kratz | 1/1/2023 | 12/31/2025 |
| Community Assistance Network | Seat 10 | Susan | Griffin | 1/1/2023 | 12/31/2025 |
| Community Assistance Network | Seat 8 | Kathy | Straniero | 1/1/2022 | 12/31/2024 |
| Economic Development Board | Seat 1 | Ryane | Clarke | 1/1/2023 | 12/31/2023 |
| Economic Development Board | Seat 4 | John | Ross | 1/1/2023 | 12/31/2025 |
| Economic Development Board | Seat 3 | Peter | Wilkens | 1/1/2023 | 12/31/2025 |
| | Mayors | | | | |
| Economic Development Board | Designee | Rick | Hibell | 1/1/2023 | 12/31/2023 |
| Economic Development Board | Seat 8 | John | Yurish | 1/1/2023 | 12/31/2025 |
| Environmental Commission | Seat 6 | Cynthia | Bianchi | 1/1/2023 | 12/31/2025 |
| Environmental Commission | Alt I | Robert | Schillberg | 1/1/2023 | 12/31/2025 |
| Fort Hancock 21st Century Advisory Committee | Seat 2 | Tony | Perry | 1/1/2023 | 12/31/2025 |
| Green Team Advisory Committee | Seat 8 | Pat | Miller | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 9 | Michael | Rizzo | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 11 | John | Lande | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 6 | Janet | Dellett | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 3 | Richard | DeBenedetto | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 5 | Ted | Maloney | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 7 | Anthony | Mercantante | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 2 | Eugenio | Grano | 1/1/2023 | 12/31/2023 |
| Green Team Advisory Committee | Seat 1 | Katelyn | Krynski | 1/1/2023 | 12/31/2023 |
| Historic Preservation Committee | Seat 2 | Valerie | Slawson | 1/1/2023 | 12/31/2023 |
| Historic Preservation Committee | Seat 1 | Matthew | Coombs | 1/1/2023 | 12/31/2023 |
| Joint Shared Services and Consolidation Advisory Committee | Seat 3 | Anthony | Mercantante | 1/1/2023 | 12/31/2023 |
| Joint Shared Services and Consolidation Advisory Committee | Seat 2 | Rick | Hibell | 1/1/2023 | 12/31/2023 |

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|--|---------|------------|----------------|----------|------------|
| Joint Shared Services and Consolidation Advisory Committee | Seat 4 | Anthony | Fiore | 1/1/2023 | 12/31/2023 |
| Joint Shared Services and Consolidation Advisory Committee | Seat 1 | Anthony | Perry | 1/1/2023 | 12/31/2023 |
| Landmarks Commission | Seat 4 | Gerard | Scharfenberger | 1/1/2023 | 12/31/2026 |
| Library Board of Trustees | Seat 2 | Maureen | McCormack | 1/1/2023 | 12/31/2023 |
| Library Board of Trustees | Seat 1 | Kimberly | Kratz | 1/1/2023 | 12/31/2023 |
| Library Board of Trustees | Seat 5 | Robert | Phelan | 1/1/2023 | 12/31/2027 |
| Lincroft Senior Citizen Housing | Seat 4 | Ryan | Clarke | 1/1/2023 | 12/31/2027 |
| Lincroft Senior Citizen Housing | Seat 5 | Lois | Whittom | 1/1/2023 | 12/31/2027 |
| Middletown Arts Council | Liaison | Maureen | Raisch | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Frank | Self | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Robert | Bucco | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Donald | Antenucci | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Margaret | Bertorelli | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Barbara | Miceli | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Michael | Donlon | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Angela | Pepe-Lage | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Anthony | Perry | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Maureen | McGee | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Kathy | Straniero | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Rebecca | Rean | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | John | Maguire | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Gerard | Scharfenberger | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Daniel | Sullivan | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Mary Ellen | Walker | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Craig | Weber | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Kristie | Tapolow | 1/1/2023 | 12/31/2023 |
| Municipal Alliance against Drug and Alcoholism | Member | Kimberly | Kratz | 1/1/2023 | 12/31/2023 |
| Open Space Preservation Committee | Seat 5 | Anthony | Mercantante | 1/1/2023 | 12/31/2023 |
| Open Space Preservation Committee | Seat 6 | Anthony | Perry | 1/1/2023 | 12/31/2023 |

Township of Middletown
January 1, 2023
Reorganization Meeting

| | | | | | |
|---|--------------|----------------|-------------|----------|------------|
| Open Space Preservation Committee | Seat 3 | Paul | Gleitz | 1/1/2023 | 12/31/2023 |
| Open Space Preservation Committee | Seat 2 | John | Spinelli | 1/1/2023 | 12/31/2023 |
| Open Space Preservation Committee | Seat 4 | Victor | Wymbs | 1/1/2023 | 12/31/2023 |
| Open Space Preservation Committee | Seat 7 | Michael | Kopec | 1/1/2023 | 12/31/2023 |
| Open Space Preservation Committee | Seat 8 | Martin | Judd | 1/1/2023 | 12/31/2023 |
| Navesink River Municipalities Committee | Seat 1 | Tony | Perry | 1/1/2023 | 12/31/2023 |
| Navesink River Municipalities Committee | Seat 1 | Anthony | Mercantante | 1/1/2023 | 12/31/2023 |
| Planning Board | Seat 8 | David | Merces | 1/1/2023 | 12/31/2026 |
| Planning Board | Seat 9 | Jay | Banasiak | 1/1/2023 | 12/31/2024 |
| Planning Board | Seat 1 | Vlad | Berson | 1/1/2023 | 12/31/2023 |
| Planning Board | Seat 3 | John | Rentschler | 1/1/2023 | 12/31/2023 |
| Planning Board | Seat 2 | Kevin | Settembrino | 1/1/2023 | 12/31/2023 |
| Recreation Advisory Committee | Seat 10 | Stefanie | Markus | 1/1/2023 | 12/31/2025 |
| Safety Council | Seat 11 | Cynthia | Bianchi | 1/1/2023 | 12/31/2023 |
| Safety Council | Seat 10 | Raphael | Borgess | 1/1/2023 | 12/31/2023 |
| Safety Council | Seat 4 | Dominick | Donatelli | 1/1/2023 | 12/31/2023 |
| Safety Council | Seat 2 | Anthony | Iacovone | 1/1/2023 | 12/31/2023 |
| Safety Council | Seat 8 | Robert | Pfleger | 1/1/2023 | 12/31/2023 |
| Safety Council | Seat 9 | Joe | Shade | 1/1/2023 | 12/31/2023 |
| Safety Council | Seat 5 | Edward "Buddy" | Skelly | 1/1/2023 | 12/31/2023 |
| Sewer Authority | Seat 3 | Steven | Schweizer | 2/2/2023 | 2/1/2028 |
| Sewer Authority | Alternate I | Willis | Kratz | 1/1/2023 | 2/1/2028 |
| Sewer Authority | Seat 2 | Roseann | Eteson | 1/1/2023 | 2/1/2028 |
| Sewer Authority | Alternate II | Edward "Buddy" | Skelly | 1/1/2023 | 2/1/2026 |
| Veterans Affairs Committee | Seat 3 | Dennis | Beauregard | 1/1/2023 | 12/31/2023 |

Township of Middletown
January 1, 2023
Reorganization Meeting

| | | | | | |
|------------------------------------|--------------|-------------|-----------|----------|------------|
| Veterans Affairs Committee | Seat 2 | Michael | Quilty | 1/1/2023 | 12/31/2025 |
| Veterans Affairs Committee | Seat 1 | Tom | Hackett | 1/1/2023 | 12/31/2025 |
| Volunteer Corps Advisory Committee | Seat 9 | Anthony | Panzica | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 2 | Jim | Brett | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 3 | Mathew | Winters | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 8 | Joe | Grasso | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 10 | James | Lennon | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 11 | Joseph | Giunta | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 13 | Rick | O'Donnell | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 9 | Luke | Sims | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 4 | Matthew | Riordan | 1/1/2023 | 12/31/2023 |
| Youth Athletic Advisory Board | Seat 5 | Rob | Fischer | 1/1/2023 | 12/31/2023 |
| Zoning Board of Adjustment | Seat 4 | Catherine | Rogers | 1/1/2023 | 12/31/2026 |
| Zoning Board of Adjustment | Alternate II | Christopher | Barvels | 1/1/2023 | 12/31/2024 |

Resolution 23-09 – Removed from Consent Agenda for Separate Vote

Resolution 23-10 - Resolution Awarding Professional Services Contract for Township Auditor

WHEREAS, pursuant to N.J.S.A. 40A:5-4 there exists a need for the Township to retain the services of a qualified Registered Municipal Accountant (“RMA”) to conduct the Township’s annual audit and related professional services as needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, Robert Swisher, RMA of the firm of Suplee, Clooney & Company has agreed to serve as the Township Auditor for the sum of \$90,525, plus hourly rates ranging from \$75 to \$175 for special projects for 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Robert Swisher, RMA of the firm of Suplee, Clooney & Company, 308 East Broad Street, Westfield, New Jersey 07090 is hereby awarded a professional services contract to serve as the Township Auditor for 2023 for the sum of \$90,525.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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.

Resolution 23-11 - Resolution Awarding Professional Service Contract for Bond Counsel

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown as bond counsel as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Gibbons PC, One Gateway Center, Newark, New Jersey 07102, has qualified and agreed to provide legal counseling as Bond Counsel at transactional rates specified by contract in an amount estimated not to exceed \$30,000, exclusive of fees for filing fees, legal research, or other reasonable approved expenses.

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 law firm of Gibbons PC is hereby awarded a professional services contract for the provision of legal services as Bond Counsel to the Township as needed during 2023 for an amount estimated not to exceed \$30,000.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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.

Resolution 23-12 - Resolution Awarding Professional Services Contract For Broker of Record

WHEREAS, the Township requires the services of a Broker of Record to procure prescription, excess liability and other potential coverages for the Township's primarily self-insured funds; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(m)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, Round Hill Risk Partners, LLC is qualified and has agreed to serve as the Broker of Record for the Township with fees for insurance placement services anticipated to be paid through customary brokerage commissions and fees paid by carriers resulting in minimal or no direct cost to or payments by 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 Round Hill Risk Partners, LLC, 788 Morris Turnpike Suite 101, Short Hills, New Jersey 07078 is hereby awarded a professional services contract to serve as the Township's Broker of Record for 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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.

Resolution 23-13 – Removed from Consent Agenda for Separate Vote

Resolution 23-14 - Removed from Consent Agenda for Separate Vote

Resolution 23-15 - Resolution Awarding Professional Service Contracts for General Special Counsel

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint individuals or law firms to serve as special counsel to the Township of Middletown to handle general litigation, transactions and other legal representation as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Spiro Harrison & Nelson LLC, 2 Bridge Avenue, Suite 322 Red Bank, NJ 07701 is qualified and agrees to handle general litigation, transactions and other legal representation as needed for a flat fee of \$390,000.00 for 2023, with an additional total NTEs of \$60,000 for Affordable Housing , \$60,000 for Condemnation matters, and \$120,000 for Port Monmouth Flood Control matters, and other escrowed matters being set by applicable project escrow agreements, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable allowable expenses.

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 law firm of Spiro Harrison & Nelson is hereby awarded a professional service contract for the provision of legal services as General Special Counsel to the Township to handle general litigation, transactions, and provide other legal representation as needed for a flat fee of \$390,000 (exclusive of allowable expenses) for 2023.

BE IT FURTHER RESOLVED that the law firm of Spiro Harrison & Nelson may also charge a blended hourly rate of \$195 per hour for affordable housing related matters to be paid from the Township's Affordable Housing Trust Fund in an amount estimated not to exceed \$60,000 exclusive of allowable expenses.

BE IT FURTHER RESOLVED that the law firm of Spiro Harrison & Nelson may also charge a blended hourly rate of \$195 per hour for Port Monmouth Flood Control matters in an amount estimated not to exceed \$120,000 exclusive of allowable expenses.

BE IT FURTHER RESOLVED that the law firm of Spiro Harrison & Nelson may also charge a blended hourly rate of \$195 per hour for open space condemnation matters in an amount estimated not to exceed \$60,000 exclusive of allowable expenses.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-16 - Resolution Awarding Professional Service Contract For Special Labor Counsel

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle labor matters as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of O'Toole & Scrivo LLC has qualified and agreed to provide legal services in relation to Special Labor Counsel matters at a rate of \$145 per hour, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

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 law firm of O'Toole & Scrivo LLC, 14 Village Park Rd, Cedar Grove, New Jersey 07009 is hereby awarded a professional

services contract for the provision of legal services as Special Labor Counsel to the Township as needed during 2023 for an estimated amount not to exceed \$75,000.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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.

Resolution 23-17 - Resolution Awarding Professional Services Contracts for Qualified Redevelopment Planners

WHEREAS, there exists a need for the Township to retain the services of qualified and licensed professional planners or firms to assist the Township on a number of ongoing and impending redevelopment projects; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, the firms of T&M Associates, H2M Associates, and DMR Architects are qualified and have agreed to provide professional redevelopment planning services pursuant to the rate schedules provided for in their respective proposals for 2023, subject to the Certification of availability of funds being provided 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 the firms of T&M Associates, H2M Associates, and DMR Architects are hereby offered and awarded professional services contracts to serve as Qualified Redevelopment Planners for 2023 pursuant to the rate schedules provided for in their proposals for 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-18 - Resolution Awarding Professional Services Contracts for Complex Commercial Tax Appeal Appraiser/Consultant

WHEREAS, there exists a need for the Township to retain the services of qualified and licensed firms to assist the Township on a number of ongoing and impending commercial tax appeal projects; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, the firms of Otteau Group, Inc. and Sterling DiSanto & Associates are qualified and have agreed to provide professional commercial tax appeal services pursuant to the rate schedules provided for in their respective proposals for 2023, subject to the Certification of availability of funds being provided 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 the firms of Otteau Group, Inc., and Sterling DiSanto & Associates are hereby offered and awarded professional services contracts to serve as Complex Commercial Tax Appeal Appraiser/Consultants for 2023 pursuant to the rate schedules provided for in their proposals for 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-19 - Resolution Awarding Professional Service Contracts for Tax Appeal Counsel

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle legal matters relating to tax appeals as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Malamut & Associates has qualified and agreed to provide these services for \$170 per hour, for a total estimated amount not to exceed \$30,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Zager Fuchs has qualified and agreed to provide these services for \$165 per hour, for a total estimated amount not to exceed \$50,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

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 law firms of Malamut & Associates LLC, 457 Haddonfield Road, Suite 500, Cherry Hill, New Jersey 08002 and Zager Fuchs LLC, 268 Broad Street, Red Bank, New Jersey 07701 are hereby awarded professional service contracts for the provision of legal services as Special Tax Appeal Counsel to the Township as needed during 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-20 - Resolution Awarding a Professional Service Contract For Tax Foreclosure Counsel

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle legal matters relating to tax foreclosures as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Zager Fuchs has qualified and agreed to provide these services for \$165 per hour, for a total estimated amount not to exceed \$25,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

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 law firm of Zager Fuchs LLC, 268 Broad Street, Red Bank, New Jersey 07701 is hereby awarded a professional service contract for the provision of legal services as Special Tax Foreclosure Counsel to the Township as needed during 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-21 - Resolution Awarding Professional Service Contracts for Workers Compensation Counsel

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle workers compensation matters as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, the law firms of Biancamano & Distefano PC, Capehart & Scatchard PA and Malamut & Associates LLC are qualified and agree to provide legal services in relation workers compensation matters; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Biancamano & Distefano PC has agreed to perform at a rate of \$155 per hour, estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable allowable expenses; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Capehart & Scatchard PA has agreed to perform at a rate of \$165 per hour, estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable allowable expenses; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Malamut & Associates LLC has agreed to perform at a rate of \$170 per hour, estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable allowable expenses.

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 law firms of Biancamano & Distefano PC, Capehart & Scatchard PA and Malamut & Associates LLC are hereby awarded professional services contracts for the provision of legal services as Special Workers Compensation Counsel to the Township, as needed, during 2023 for an estimated amount not to exceed \$17,500 each.

Resolution 23-22 - Resolution Awarding Professional Service Contract for Extraordinary Unspecifiable Service For Governmental Affairs Consultant

WHEREAS, the Township of Middletown has sought the services of a governmental affairs consultant to seek opportunities to help offset future increases in property taxes and assist the Township on a wide array of issues and concerns the Township has with the State of New Jersey; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, CLB Partners LLC is qualified and agrees to provide governmental affairs consulting services for a flat monthly retainer of \$5,000, exclusive of reasonably approved expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that CLB Partners LLC, 130 West State Street, Trenton, New Jersey 08608 is hereby awarded a contract for governmental affairs consulting services for a flat monthly retainer of \$5,000, exclusive of reasonably approved expenses, for 2023 for an estimated contract amount not to exceed \$60,000.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-23 - Resolution Awarding Professional Insurance-Related Services Contract For Third Party Administration Of Workers Compensation, Automobile And General Liability Claims

WHEREAS, the Township requires the services of a third party administrator to assist in the processing of the Township's various self-insured claims for worker's compensation, automobile and general liability; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(m)) does not require competitive bidding for this position as an insurance related contract, it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with four bids having been received and considered for the position; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, Inservco Insurance Services, Inc. is qualified and has agreed to serve as the Township's third party administrator for the processing of self-insured workers compensation, automobile and general liability claims for 2023 for a flat rate of \$44,000 for the year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Inservco Insurance Services, Inc., Two North Second Street, Harrisburg, PA 17101 is hereby awarded a professional services contract to serve as the Township's third party administrator for the processing of self-insured workers compensation, automobile and general liability claims for 2023 for a flat rate of \$44,000 for the year.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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.

Resolution 23-24 - Resolution Awarding Non-Fair and Open Contract for Employee Assistance Provider

WHEREAS, the Township has found that it is beneficial to have in place an Employee Assistance Program, which is a third-party professional agency providing counseling and referral services for employees and their dependents, and the program has worked well for several years helping reduce the Township's health benefits and other costs; and

WHEREAS, the Township wishes to continue to retain the services of Preferred Behavioral Health Group, a non-profit organization, as its Employee Assistance Provider; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial

Officer, Preferred Behavioral Health Group is qualified and has agreed to provide professional services in relation to the provision of employee assistance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Preferred Behavioral Health Group of Lakewood, New Jersey is hereby awarded a contract for the provision of the Township's employee assistance program as needed during 2023 for an amount estimated not to exceed \$9,000, plus \$60 per employee session to which such services are provided.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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.

Resolution 23-25 - Resolution Awarding Professional Services Contract for Risk Management Consultant

WHEREAS, the Township requires various insurance coverages, including automobile, general liability, workers compensation, employee health, prescription, dental, and other insurance coverages, and requires assistance in soliciting and reviewing insurance proposals and assessments as to traditional insurance coverages and policies as well as alternative forms of coverage through self-insurance, municipal self-insurance funds, and combinations of same, and requires the services of a licensed professional insurance brokers in order to solicit and assess such various insurance policies and carriers and alternative coverages and provide risk management consulting services, and also to serve as the risk management representative to the Monmouth County Joint Insurance Fund (JIF), through which the Township is also a participant and insured; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(m)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, Acrisure, LLC is qualified and has agreed to provide such insurance-related services with fees for insurance placement services anticipated to be paid through customary brokerage commissions and fees paid by the Insurance companies and/or Joint Insurance Funds to the

broker/risk management consultant, and it is anticipated that the services provided will result in minimal or no direct cost to or payments by 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 Acrisure, LLC is hereby awarded a professional services contract to serve as the Township's Risk Management Consultant for 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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.

Resolution 23-26 - Resolution Awarding Professional Service Contract for Extraordinary Unspecifiable Service for Grant Writing Consultant

WHEREAS, the Township of Middletown has sought the services of a grant writing consultant to seek out both public and private grant opportunities to help offset future increases in property taxes; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position as an extraordinary unspecifiable service, it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one responsive bid having been considered and upon the recommendation provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, Millennium Strategies LLC has qualified and agreed to provide grant writing consulting services for a flat monthly retainer of \$3,300 inclusive of fees, travel and associated expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Millennium Strategies LLC is hereby awarded a contract for grant writing consulting services for a flat monthly retainer of \$3,300 inclusive of fees, travel and associated expenses for 2023 for an estimated contract amount

not to exceed \$39,600.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-27 – Resolution Awarding Professional Services Contracts for State Tax Court Appraiser

WHEREAS, there exists a need for the Township to retain the services of qualified and licensed firms to assist the Township on a number of ongoing and impending state tax court projects; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, the firms of Otteau Group, Inc. and Sterling DiSanto & Associates are qualified and have agreed to provide professional commercial tax appeal services pursuant to the rate schedules provided for in their respective proposals for 2023, subject to the Certification of availability of funds being provided 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 the firms of Otteau Group, Inc., and Sterling DiSanto & Associates are hereby offered and awarded professional services contracts to serve as State Tax Court Appraisers for 2023 pursuant to the rate schedules provided for in their proposals for 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Resolution 23-28 - Appointment of Police Chaplains

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 Police Chaplains of Middletown Township for the year 2022:

Reverend Dr. Daniel Correa
Father Luigi Hargain
Reverend Joseph E. Hein
Father Daniel C. Hesko
Reverend Donald Magaw
Deacon James Neubauer, Colonel, USMC (Ret.)
Chaplain Joseph Pezzano

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

Resolution 23-29 - Appointment of Police Physicians

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 be and they are hereby appointed Police Physicians pursuant to the "Code of the Township of Middletown" for the year 2022.

**HACKENSACK MERIDIAN / RIVERVIEW MEDICAL CENTER OCCUPATIONAL
HEALTH UNIT**

For Department K9's
DR. BEVERLY J. DROZD, DVM
HOME VETERINARY SERVICES OF BELFORD

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

Resolution 23-30 - Appointment of Special Law Enforcement Officers - Class I, II, III And Special Crossing Guards

WHEREAS, the Township Administrator and Chief of Police have previously recommended that the structure of the Police Department be adjusted to include allowing the appointment of certain Special Law Enforcement Officers (Class I, II, and III); and Special Crossing Guards.

WHEREAS, § 44-7B of the Code of the Township of Middletown (1996) was amended and supplemented by Ordinance No. 2015-3136; and

WHEREAS, the Chief of Police has complied with the provisions of N.J.S.A.40A:14-146.1 regarding the appointment of Special Law Enforcement Officers and Special Crossing Guards, represents that the applicants named below meet all the requirements set forth by statute

and recommends the appointment.

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:

1. That the following individuals are hereby appointed as Special Law Enforcement Officers – Class I, II, III and Special Crossing Guards in the Middletown Township Police Department for the calendar year of 2023.

Special Law Enforcement Officers Class I –

Francesco Lotorto
Robert Poss
Austen McKnight

Jason Stevenson
Thomas Stone

Special Law Enforcement Officers Class II –

David L. Chenoweth
Tyler J. Wilton

James Courtney
Kyle Flanagan

Special Law Enforcement Officers Class III-

Christopher Algieri
Carl Castellano
John Cunningham
Michael Donahue
Christopher English
Richard Fusella
Richard Knochel
Michael Leeman
Arthur Lima

Charles Loeffler
Thomas Melvin
Michael Nordstrom
William Strohkirch
Antonio Tavares
Mark Ward
Fernando Valente
Charles Zulla
Charles Loeffler

Special Crossing Guards -

Matthew Viaud

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

Resolution 23-31 - Authorizing the Purchase of Fiber Optic Network Advanced Applications Through the Union County Cooperative Pricing System

WHEREAS, the Township may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Union County Cooperative Pricing System (Co-Op #UCCP 8-2022IT) pursuant to the provision of N.J.S.A. 40A:11-11; and

WHEREAS, Johnston Communications, 36 Commerce St., Springfield, NJ 07081, has been awarded the UCCP Contract No. 8-2022IT (expiration 3/28/23) for Telephone/Associated Services Systems - Equipment, Installation, Maintenance Services; and

WHEREAS, under Contract 8-2022IT, Johnston Communications, can provide Fiber Optic Network Advanced Application Services, and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$108,445.21 are available for this purpose in account/line-item number C-04-55-922-347-001. 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 Johnston Communications for the delivery, installation, and maintenance of Fiber Optic Network Advanced Applications as noted above in the amount of \$108,445.21.

Resolution 23-32 - Annual Meeting Notice

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) provides for the giving of the annual notice by public bodies of the time, date and location of the regular meetings of such public body to be held during the succeeding year; and

WHEREAS, the Open Public Meetings Act hereinafter referred to as The Act, authorizes a public body to make certain other determinations and take certain other actions in conformance therewith.

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

1. Regular meetings of this committee shall be held during the 2023 calendar year at 7:00 p.m. at the Middletown Township Municipal Building, Main Meeting Room, One Kings Highway, Middletown, New Jersey on the following dates:

January 17 (Tuesday)
February 21 (Tuesday)
March 20
April 17
May 15
June 19
July 17

August 21
September 18
October 16
November 20
December 18

Workshop meetings of the Middletown Township Committee shall be held during the 2023 calendar year at 7:00 p.m. at the Middletown Township Municipal Building, Conference Room, One Kings Highway, Middletown, New Jersey on the following dates:

February 6
March 6
April 3
May 1
June 5
September 5 (Tuesday)
October 2
December 4

* The Reorganization Meeting of the Township Committee for the year 2022 will be held on Sunday, January 7, 2024.

At all regular and workshop meetings of the Middletown Township Committee formal action will be taken on any matter subject to compliance with the Open Public Meetings Act respecting issuance of the "48-hour notice" containing the agenda for such regular and workshop meetings, to the extent known.

2. Executive Sessions will be held at 6:00 p.m. preceding each Regular Meeting and Workshop Meeting in 2023 to discuss personnel matters, labor relations, pending litigation and other matters permitted for closed session under N.J.S.A. 10:4-12. At 7:00 p.m., prior to each Executive Session, the Township Committee will convene in open session at which time an Executive Session Resolution specifying the general nature of the items to be discussed in Executive Session will be adopted in accord with N.J.S.A. 10:4-13. All such meeting sessions will

be held in the Conference Room, Town Hall, One Kings Highway, Middletown, N.J., unless otherwise noted as per the law.

3. The following newspapers are hereby designated as the newspapers to receive any and all notices required or permitted to be given under The Act, shall including but not limited to Annual Notice and 48 hour notices, as needed:

- a. The Independent, The Two River Times and Asbury Park Press which are hereby designated and determined to be the official newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings.

4. Copies of this Resolution and any revisions or modification thereof, certified to be true copies by the Clerk of this municipality, be disseminated and distributed as required by The Act as follows:

- a. The Independent, the Two River Times and Asbury Park Press which are hereby designated and determined to be the official newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings; and
- b. Filed with the Municipal Clerk of this municipality; and
- c. Mailed to such other person as may be entitled thereto under the terms of the Act and this Resolution.

5. Pursuant to N.J.S.A. 10:4-19, the Municipal Clerk is hereby authorized and directed to mail such notice as may be required and authorized under the Act to any person requesting the same providing that person has first complied with the following terms and conditions:

- a. Any and all request for notice under the act shall be made in writing either by letter or by signing a request list to be maintained in the Office of the Municipal Clerk.

6. Take further notice that further resolutions may be adopted at these public meetings and/or workshop meetings providing for the Township Committee to meet in executive session specifying matters to be discussed requiring confidentiality and/or of a privileged nature as permitted by N.J.S.A. 10:4-12 and 13.

7. Take further notice that regular public and/or workshop meetings or executive session may be canceled or adjourned. Rescheduled regular public and/or workshop meetings shall be duly advertised with appropriate notice being provided.

Resolution 23-33 - Establishment of Official Newspapers

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

1. During the year 2023, the official newspapers for this municipality shall be The Independent, The Two River Times and The Asbury Park Press pursuant to NJSA 40:53-1 and NJSA 40:53-2.

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

- a. The Independent
- b. The Two River Times
- c. The Asbury Park Press

Resolution 23-34 - Appointment of Official Searcher

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

1. Heidi R. Brunt, Township Clerk, be and is hereby appointed Official Searcher for improvements made or to be made and assessed locally for the year 2023.

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

- a. Township Clerk
- b. Comptroller

Resolution 23-35 - Appointment of Tax Searcher

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,

as follows:

1. Debra Marchetti, Tax Collector, be and he is hereby appointed Official Searcher for improvements made or to be made and assessed locally for the year 2023.
2. A certified copy of this resolution shall be provided by the Township Clerk to each of the following:
 - a. Debra Marchetti
 - b. Comptroller

Resolution 23-36 - Establishing Roberts Rules of Order

BE IT RESOLVED by the Township Committee of the Township of Middletown, County of Monmouth and State of New Jersey that the Township Committee will adopt Robert's Rules of Order for use as parliamentary procedure for all Township Committee Meetings.

Resolution 23-37 - Resolution Establishing Standing Rules Of The Township Committee

WHEREAS, pursuant to section 7-6 of the Township Code, the Township Committee wishes to establish rules of order for Township Committee meetings; and

WHEREAS, it is the desire of the Township Committee to provide for effective and productive Township meetings, to hear from its residents in a timely manner, and to conduct the large volume of township business within the time constraints available at public meetings in a more orderly, productive manner.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey hereby adopts the

attached Standing Rules for Meetings of the Township Committee governing the conduct of all meetings of the Township Committee for 2023.

**STANDING RULES FOR MEETINGS
OF THE TOWNSHIP COMMITTEE**

1. The Mayor or other Committeeperson acting as the Mayor shall act as the Chair of meetings of the Township Committee.
2. Any persons desiring to speak on either an ordinance or during the public comment section shall raise their hand and must be recognized by the Chair before speaking. All comments by the members of the public shall be made from the podium after first having been recognized by the Chair.
3. As to the public comment portion of the meeting, all persons recognized to speak may speak once for a maximum of five minutes.
4. Any speaker who exceeds these time limits shall be ruled out of order and subject to removal. Each five minute period is personal to each speaker and made not be ceded to another person.
5. No profanity shall be permitted. Any person who uses profanity may be ruled out of order and subject to removal.
6. Questions or comments of the public should be directed to the Chair. If appropriate, the Chairperson may direct and recognize a staff employee or professional of the Township to respond. The Chair may request that any question asked of the Township Committee or its staff or professionals which, due to its complexity or need for research or factual investigation cannot be answered immediately, be placed in writing by the inquirer and directed to the appropriate Township official and that an answer be provided to the inquirer as soon as possible.
7. Any of these Standing Rules may be suspended for a particular matter by vote of a majority of the Township Committee present at the meeting.

8. As to Township Committee meetings, members or invited guests may participate via telephonic or video conference. Members of the Township Committee are permitted to vote through these electronic means.
9. These rules may be supplemented by the adoption of additional rules required to be adopted by law during a declared State of Emergency for the conducting of remote meetings of the Township Committee by electronic means.

Resolution 23-38 - Resolution Authorizing A Temporary Budget For 2023

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2023 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriations in the 2022 current fund budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$76,958,654.01 and

WHEREAS, 26.25% of the total appropriations in the 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$20,201,646.68 and

WHEREAS, the total debt service for the municipal budget temporary appropriations is \$7,000,000.00 and

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 attached listing (Attachment 1 – 2023 Temporary Budget Worksheet) of appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

Township of Middletown
January 1, 2023
Reorganization Meeting

| Attachment 1 - 2023 Temporary Budget Worksheet | | |
|--|---|-----------------|
| | | 1/1/2023 |
| Account Number | Description | Meeting |
| Current Fund | | |
| 3-01-20-100-100-100 | A/E S&W | 217,285.16 |
| 3-01-20-100-100-200 | A/E O/E | 70,481.25 |
| 3-01-20-100-101-100 | Purchasing S&W | 65,254.88 |
| 3-01-20-100-101-200 | Purchasing O/E | 1,706.25 |
| 3-01-20-110-100-100 | Township Committee S&W | 5,250.00 |
| 3-01-20-110-100-208 | Township Committee O/E | 4,856.25 |
| 3-01-20-120-100-100 | Township Clerk S&W | 104,904.19 |
| 3-01-20-120-100-200 | Township Clerk O/E | 31,221.25 |
| 3-01-20-120-101-101 | Elections S&W | 1,312.50 |
| 3-01-20-120-101-208 | Elections O/E | 9,187.50 |
| 3-01-20-130-100-100 | Finance S&W | 169,598.10 |
| 3-01-20-130-100-200 | Finance - O/E | 23,100.00 |
| 3-01-20-135-100-000 | Finance Audit Control Account | 26,906.25 |
| 3-01-20-140-100-100 | MIS S&W | 129,243.19 |
| 3-01-20-140-100-200 | MIS O/E | 150,543.75 |
| 3-01-20-145-100-100 | Tax Collector S&W | 118,170.41 |
| 3-01-20-145-100-200 | Tax Collector O/E | 30,712.50 |
| 3-01-20-145-101-260 | Tax Collector -Tax Liens/Foreclosurers | 7,875.00 |
| 3-01-20-150-100-100 | Tax Assessor S&W | 89,453.70 |
| 3-01-20-150-100-200 | Tax Assessor O/E | 55,781.25 |
| 3-01-20-150-101-298 | Tax Assessor - Maintenance of Tax Maps - Engineer | 7,875.00 |
| 3-01-20-155-100-200 | Legal O/E | 210,000.00 |
| 3-01-20-165-100-200 | Engineer O/E | 18,375.00 |
| 3-01-21-180-100-100 | Planning S&W | 72,967.39 |
| 3-01-21-180-100-200 | Planning O/E | 22,155.00 |
| 3-01-21-180-101-100 | Planning Board S&W | 8,163.62 |
| 3-01-21-180-101-200 | Planning Board O/E | 9,450.00 |
| 3-01-21-185-100-100 | Zoning Board S&W | 7,901.12 |
| 3-01-21-185-100-200 | Zoning Board O/E | 8,662.50 |
| 3-01-22-195-100-100 | Building Dept. S&W | 398,689.73 |
| 3-01-22-195-100-200 | Building Dept. O/E | 6,431.25 |

Township of Middletown
January 1, 2023
Reorganization Meeting

| | | |
|---------------------|--|--------------|
| 3-01-23-210-100-200 | General Liab. Insurance O/E | 825,191.71 |
| 3-01-23-215-100-200 | Workers Compensation O/E | 243,521.78 |
| 3-01-23-220-100-200 | Insurance O/E | 3,000,000.00 |
| 3-01-23-225-100-200 | Unemployment Insurance | 39,830.96 |
| 3-01-25-240-100-100 | Police S&W | 4,125,543.45 |
| 3-01-25-240-100-200 | Police O/E | 182,700.00 |
| 3-01-25-252-100-101 | Emergency Management S&W | 11,000.33 |
| 3-01-25-252-100-200 | Emergency Management O/E | 10,946.25 |
| 3-01-25-255-100-621 | Fire-Aid Subsidy to Fire Companies | 64,968.75 |
| 3-01-25-260-100-100 | First Aid S&W | 1,575.00 |
| 3-01-25-260-100-200 | First Aid O/E | 25,462.50 |
| 3-01-25-260-101-621 | First Aid - Subsidy to Companies | 52,500.00 |
| 3-01-25-265-100-100 | Fire S&W | 21,098.44 |
| 3-01-25-265-100-200 | Fire O/E | 136,762.50 |
| 3-01-25-265-101-100 | Uniform Fire Safety S&W | 44,870.70 |
| 3-01-25-265-101-200 | Uniform Fire Safety O/E | 4,856.25 |
| 3-01-25-265-102-306 | Fire-Uniform Fire Safety - LEA Rebate | 24,937.50 |
| 3-01-25-275-100-100 | Prosecutor S&W | 19,687.50 |
| 3-01-25-275-100-200 | Prosecutor O/E | 2,625.00 |
| 3-01-25-445-100-273 | Fire Hydrant Services | 249,375.00 |
| 3-01-26-290-100-100 | Dept of Public Works & Engineering S&W | 514,786.39 |
| 3-01-26-290-100-200 | DPW Streets & Roads O/E | 334,031.25 |
| 3-01-26-290-101-200 | DPW Storm Response O/E | 161,568.75 |
| 3-01-26-290-102-100 | DPW Parks S&W | 316,184.66 |
| 3-01-26-290-102-200 | DPW Parks O/E | 133,087.50 |
| 3-01-26-290-103-238 | DPW Parks - Beach Maintenance | 11,812.50 |
| 3-01-26-290-104-100 | DPW Administration & Engineering S&W | 191,818.20 |
| 3-01-26-290-104-200 | DPW Administration & Engineering O/E | 8,793.75 |
| 3-01-26-305-100-100 | Solid Waste & Recycling S&W | 193,960.73 |
| 3-01-26-305-100-200 | Solid Waste & Recycling O/E | 2,178,225.00 |
| 3-01-26-310-100-100 | DPW Maintenance of Public Property S&W | 236,599.13 |
| 3-01-26-310-100-200 | DPW Maintenance of Public Property O/E | 139,125.00 |
| 3-01-26-315-100-100 | DPW Fleet Maintenance S&W | 184,386.30 |
| 3-01-26-315-100-200 | DPW Fleet Maintenance O/E | 261,738.75 |
| 3-01-26-325-100-250 | DPW Muni Svs - Condominium Maintenance | 45,937.50 |

Township of Middletown
January 1, 2023
Reorganization Meeting

| | | |
|---------------------|--|--------------|
| 3-01-27-330-100-100 | Health S&W | 90,829.99 |
| 3-01-27-330-100-200 | Health O/E | 7,350.00 |
| 3-01-27-330-101-100 | Alliance S&W | 27,752.55 |
| 3-01-27-330-101-200 | Alliance O/E | 5,906.25 |
| 3-01-27-340-100-000 | Animal Control S&W | 35,844.38 |
| 3-01-27-340-100-200 | Animal Control O/E | 20,212.50 |
| 3-01-28-370-100-100 | Recreation S&W | 145,951.58 |
| 3-01-28-370-100-200 | Recreation O/E | 18,506.25 |
| 3-01-29-390-100-100 | Maintenance of Free Public Library | 1,089,123.79 |
| 3-01-30-410-204-284 | Fire Dept. - LOSAP | 85,312.50 |
| 3-01-30-410-205-291 | Railroad Parking Lot Lease | 6,562.50 |
| 3-01-30-410-223-208 | Prior Year Bill - 2020 Laurel Greene Condominium | 44.00 |
| 3-01-30-410-224-208 | Prior Year Bill - 2020 RK Occupational & Environmental | 1,756.25 |
| 3-01-30-410-225-208 | Prior Year Bill - 2020 Siemens | 2,951.00 |
| 3-01-30-415-100-115 | Accumulated Leave Compensation | 23,625.00 |
| 3-01-30-415-100-125 | Sick Time Buy Back | 53,812.50 |
| 3-01-31-430-200-200 | Utilities - Electricity O/E | 100,275.00 |
| 3-01-31-435-200-271 | Utilities - Street Lights - Electricity | 181,125.00 |
| 3-01-31-440-200-200 | Utilities - Telephone O/E | 189,000.00 |
| 3-01-31-445-200-273 | Utilities - Water - PBG | 45,937.50 |
| 3-01-31-446-200-200 | Utilities - Gas O/E | 68,250.00 |
| 3-01-31-447-100-275 | Utilities - Heating Oil - PBG | 3,937.50 |
| 3-01-31-455-200-200 | Utilities - Sewer O/E | 4,305.00 |
| 3-01-31-460-200-200 | Utilities - Fuel O/E | 259,875.00 |
| 3-01-35-470-200-208 | Contingencies | 5,250.00 |
| 3-01-36-472-200-284 | Statutory - Social Security | 326,936.40 |
| 3-01-36-477-200-284 | Defined Contribution Retirement Program (DCRP) | 19,027.84 |
| 3-01-37-480-200-221 | Insurance - Judgements/Settlements | 39,375.00 |
| 3-01-40-899-470-208 | Match for Indeterminate Grants | 8,617.50 |
| 3-01-41-240-100-525 | Municipal Alliance DEDR Grant | 25,852.50 |
| 3-01-41-240-101-520 | Alliance DMHAS Youth Leadership | 11,742.25 |
| 3-01-41-700-101-532 | Bayshore Distracted Driving | 22,000.00 |
| 3-01-41-700-203-529 | Police Body Armor Replacement - State | 6,516.33 |
| 3-01-41-700-210-521 | Senior Citizen Center Grant | 33,500.00 |
| 3-01-41-700-213-531 | Tonya Keller Community Center Improvements Grant | 75,000.00 |

| | | |
|---------------------|--|----------------------|
| 3-01-42-101-200-270 | Interlocal Agreement - BOE | 52,500.00 |
| 3-01-42-101-200-271 | Interlocal Agreement - Tax Collector | 4,725.00 |
| 3-01-42-101-200-272 | Interlocal Agreement - CFO Services | 15,750.00 |
| 3-01-42-101-200-275 | Interlocal Agreement - Boro of Highlands Building Department | 50,531.25 |
| 3-01-42-101-200-277 | Interlocal Agreement - Boro of Atlantic Highlands Lane Use Board | 6,300.00 |
| 3-01-42-101-200-278 | Interlocal Agreement - Middletown BOE SLEO III | 155,373.23 |
| 3-01-42-101-202-233 | Interlocal - Monmouth County SCAT Agreement | 6,431.25 |
| 3-01-42-101-204-233 | Interlocal - Monmouth County Dispatch Services | 135,769.99 |
| 3-01-42-101-205-233 | Interlocal - Monmouth County CRS Project Management Software | 1,627.50 |
| 3-01-42-101-206-233 | Interlocal - Monmouth County Board of Health | 30,000.00 |
| 3-01-43-490-100-100 | Court S&W | 145,348.61 |
| 3-01-43-490-100-200 | Court O/E | 10,631.25 |
| 3-01-43-495-100-101 | Public Defender S&W | 7,875.00 |
| 3-01-44-915-200-800 | Police Vehicles | 282,000.00 |
| | | |
| | TOTAL | 20,029,949.93 |
| | Debt Service | 7,000,000.00 |
| | | 27,029,949.93 |

Resolution 23-39 - Appointment Of Official Depositories

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

1. That PNC Bank, Santander Bank, Columbia Savings Bank, TD Bank, Amboy National Bank, Provident Bank, Bank Of America, Valley National Bank, Ocean First Bank, Investors Savings Bank, Citizen Financial Group, Chase Bank, M&T Bank, Wells Fargo, PFM Asset Management NJ Arm/NJ Term, USB Financial Services, NJ Cash Management Fund and MBIA Municipal Investors Service Corp. are hereby designated as the official depositories of the Township of Middletown for the year 2023 under the "Governmental Unit Depository Protection Act."

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

a. Department of Finance

Resolution 23-40 - Resolution Authorizing Pre-Payment of Certain Bills For 2023

WHEREAS, the Township of Middletown has budgeted funds for payment of obligations including, utilities, payroll, debt service, governmental fees and other statutory payments, insurance, and for the advertising, printing and mailing costs of the Township; and

WHEREAS, the payment of these items occasionally arrives out of time for placement on the next available list of bills and claims, thereby inadvertently placing these bills and mailings in arrears because of the schedule of meetings; and

WHEREAS, the Township's Chief Financial Officer and Township Attorney have advised that the governing body may provide for the pre-payment of these items, so that they may be paid in a timely manner without penalty.

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 Chief Financial Officer be and is hereby authorized and directed to make pre-payment of the following items prior to the same appearing on the next meeting's list of bills and claims:

1. Utilities (electric, gas, water, sewer and telephone, cellular telephone, gasoline, diesel fuel, internet providers, etc.).
2. Township payroll and payroll agencies.
3. Debt service as evidenced by pre-authorized bonds and/or notes.
4. Health, dental and other insurance premiums and/or claims.

5. Governmental fees and other statutory payments (school, county, sewage authority, state and county fees).
6. Bills pertaining to the advertising, printing and mailing costs of the Township.
7. Third party fees collected through pre-authorized credit/debit card processing.
8. Bills where vendor discounts are granted for timely payment. Example 2% discount for payments made within 10 days. Maximum dollar amount allowed is \$20,000.
9. Inter-fund Obligations
10. Purchase of Investments
11. Town Hall Lease Payment
12. Other items with written authorization of the Township Administrator.

Resolution 23-41 - Resolution Authorizing Mayor to Execute Cancellations of Municipal Tax Sale Certificates

WHEREAS, pursuant to N.J.S.A. 54:5-55 and 54:5-58, the governing body or other officer of the municipality may act to authorize the cancellation of municipal tax sale certificates; and

WHEREAS, the Township of Middletown's Tax Collector has recommended that a resolution be adopted clarifying the Township's policy that the governing body authorizes the Mayor to execute cancellations of municipal tax sale certificates.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that, as directed by the Township's Tax Collector, the Mayor and Township Clerk are hereby authorized to execute tax sale certificates for cancellation upon redemption without the necessity of the governing body passing a resolution for each individual certificate.

Resolution 23-42 - Resolution Of The Township Committee Of The Township Of Middletown Authorizing An Accelerated Tax Sale

WHEREAS, NJSA 54:5-19 permits a municipality to sell liens on delinquent municipal charges prior to the close of the Calendar Year 2023 and

WHEREAS, the Township of Middletown has realized an exceptional tax collection rate through this process, and

WHEREAS, the Township of Middletown CY 2023 Budget has anticipated continuing an Accelerated Tax Sale;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the Township of Middletown is hereby authorized to conduct an Accelerated Tax Sale for the Calendar Year 2023.

BE IT FURTHER RESOLVED, that the Township Clerk is directed to file two certified copies of this resolution with the Director of Local Government Services.

Debra Marchetti
Tax Collector

Colleen Lapp
Chief Financial Officer

Anthony Mercantante
Township Administrator

Brian Nelson
Township Attorney
Certified as to Form

Resolution 23-43 - Resolution Authorizing Electronic Municipal Lien Tax Sales

WHEREAS, N.J.S.A. 54:5-19.1 authorizes municipalities to conduct electronic municipal tax lien sales, in accordance with regulations promulgated by the Director of the Division of Local Government Services in the Department of Community Affairs; and

WHEREAS, the pertinent regulation, N.J.A.C. 5:33-1.1, sets forth various other regulatory terms that the Township shall comply with as part of its electronic municipal tax lien sales; and

WHEREAS, N.J.A.C. 5:33-1.1(b) provides that electronic municipal tax lien sales shall be approved by resolution of the governing body.

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 use of electronic municipal tax lien sales, pursuant to N.J.S.A. 54:5-19.1 and N.J.A.C. 5:33-1.1.

BE IT FURTHER RESOLVED that the Township Chief Financial Officer is hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing, including compliance with the regulatory provisions contained in N.J.A.C. 5:33-1.1.

Resolution 23-44 - Setting Grace Period and Interest Rates for Taxes For Calendar Year 2023

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for late payment of taxes or assessments as provided by law; and

WHEREAS, any unpaid taxes and municipal charges constitute an unfair burden on those taxpayers who pay their taxes and municipal charges in a timely manner and delinquent taxpayers should be required to carry their share of the tax burden; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Middletown, County of Monmouth, State of New Jersey, that the property taxes shall be due and

payable quarterly on February 1st, May 1st, August 1st and November 1st for the year 2023, with a ten day grace period, after which dates, if unpaid, shall become delinquent, with interest charges as set for below and reverting back to the due date on any quarterly installment of taxes. The Tax Collector is hereby authorized and directed to charge, subject to any abatement or discount for the late payment of taxes as provided by law:

1. Eight percent (8%) per annum on the first \$1,500.00 of taxes delinquent after due date; and
2. Eighteen percent (18%) per annum on any amount in excess of \$1,500.00 of taxes delinquent after due date; and
3. Any 2023 municipal charges remaining unpaid on the 11th day of the 11th month of the fiscal year will be subject to Tax Sale.
4. If the delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31, an additional penalty of 6% shall be charged against the delinquency.

RESOLUTIONS REMOVED FROM CONSENT AGENDA FOR SEPARATE VOTE

Township Clerk Heidi Brunt requested a motion to adopt Resolution 23-09 that was removed from the Consent Agenda for a separate vote. It was moved by Mayor Perry and seconded by Deputy Mayor Hibell.

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

Township Clerk stated motion carries to adopt Resolution 23-09

Resolution 23-09 - Resolution Awarding Professional Services Contract for Architect of Record

WHEREAS, the Township of Middletown (the “Township”) regularly needs the services of a licensed professional architect for work and planning being done at multiple Township facilities; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, DMR Architects has been working with the Township and have been recommended by the Township Administrator to continue such work; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, DMR Architects is qualified and has agreed to provide professional licensed architectural services, as requested, pursuant to the rate schedules provided for in its proposal for 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that DMR Architects is hereby awarded a professional services contract to serve as the Township’s Architect of Record for 2023 in an amount anticipated not to exceed \$75,000 exclusive of allowable expenses pursuant to the rate schedules provided for in its proposal.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed 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 Clerk Heidi Brunt requested a motion to adopt Resolution 23-13 that was removed from the Consent Agenda for a separate vote. It was moved by Mayor Perry and seconded by Deputy Mayor Hibell.

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

Township Clerk stated motion carries to adopt Resolution 23-13

Resolution 23-13 - Resolution Awarding Professional Service Contracts for Special Conflicts Counsel

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint individuals or law firms to serve as special counsel to the Township of Middletown to address legal matters in which the Township Attorney or General Special Counsel may have a conflict under the New Jersey Court Rules or other applicable laws or regulations; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, based on the recommendation of the Township Administrator the law firms of Dasti & Associates, LLC, King, Moench, & Collins, LLP, and Malamut & Associates, LLC are qualified and have agreed to serve as Special Conflicts Counsel.

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 law firms of Dasti & Associates, LLC, King, Moench, & Collins, LLP, and Malamut & Associates, LLC are hereby awarded professional services contracts for the provision of legal services at the rates set forth in their respective proposals as Special Conflicts Counsel to the Township as needed during 2023 for an estimated amount not to exceed as follows:

- 1) Dasti & Associates, LLC - \$25,000.00
- 2) King, Moench, & Collins, LLP - \$10,000.00
- 3) Malamut & Associates, LLC - \$15,000.00

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

Township Clerk Heidi Brunt requested a motion to adopt Resolution 23-14 that was removed from the Consent Agenda for a separate vote. It was moved by Mayor Perry and seconded by Deputy Mayor Hibell.

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

Township Clerk stated motion carries to adopt Resolution 23-14.

Resolution 23-14 - RESOLUTION AWARDDING PROFESSIONAL SERVICES CONTRACTS FOR QUALIFIED CONSULTING ENGINEERS

WHEREAS, there exists a need for the Township to retain the services of qualified and licensed engineering firms to provide professional engineering services in relation to the maintenance of the Township's 400 miles of roadway, parks and other facilities, and to provide planning and review services that cannot be addressed entirely by the Township Engineer; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, the Township has determined to appoint multiple qualified consulting engineering firms to be assigned on a case-by-case basis by the Township Engineer based on expertise, availability and pricing; and

WHEREAS, the engineering firms of T&M Associates, Colliers Engineering & Design, Boro Engineering, Suburban Consulting Engineers, Remington & Vernick Engineers, Greenman-Pederson, Inc. and French & Parrello Associates are all qualified and have agreed to provide professional engineering services pursuant to the rate schedules provided for in their respective proposals for 2023, subject to the Certification of availability of funds being provided 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 the engineering firms of T&M Associates, Colliers Engineering & Design, Boro Engineering, Suburban Consulting Engineers, Remington & Vernick Engineers, Greenman-Pederson, Inc. and French & Parrello Associates are hereby offered and awarded professional services contracts to serve as Qualified Consulting Engineers for 2023 pursuant to the rate schedules provided for in their proposals for 2023.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, wished everyone a Happy New Year. He congratulated Deputy Mayor Hibell. He thanked the EMS, Fire, Police and is looking forward to a great new year.

Committeeman Settembrino, Wished everyone a Happy New Year. He thanked the Mayor and Deputy Mayor, and is thankful to serve three more years on the Township Committee.

Committeewoman Kratz, congratulations to the Mayor and Deputy Mayor and the election of Rick Hibell and Kevin Settembrino. She thanked all her colleague and support staff. She congratulated all the emergency services who will continue making Middletown a great place to live.

Deputy Mayor Hibell, thanked Police Chief Craig Weber and Deputy Chief John Kaiser. He thanked the Mayor's office for all the support. He also thanked Peter Carton.

PUBLIC COMMENTS:

None

ADJOURNMENT

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to adjourn at 1:58 p.m.

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

Respectfully submitted,

Heidi R. Brunt, Township Clerk

APPROVED:

Anthony S. Perry, Mayor