

Regular Meeting

A Regular Meeting of the Township Committee of Middletown Township was held in the Main Meeting Room at Town Hall, One Kings Highway, Middletown, New Jersey and virtually through WebEx at 7:00 p.m. on September 18, 2023.

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

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to The Asbury Park Press, The Middletown Sun and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 05, 2023.

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

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Township Clerk Heidi Pieluc Chief Financial Officer Colleen Lapp, Township Engineer Ted Maloney and Deputy Township Clerk Kaaren Sena

PLEDGE OF ALLEGIANCE

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

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

CERTIFICATE OF APPRECIATION/PROCLAMATIONS

Distinguished Citizen of the Year Presentation Honoring George Kolber

Township Clerk Heidi Pieluc invited Miranda's Victim Writer/Producer and Middletown resident George Kolber to join Mayor Perry at the front of the room.

Mayor Perry spoke about the movie Miranda's Victim that was filmed in the old Middletown Town Hall and various other locations in Middletown and Monmouth County New Jersey. Mayor Perry presented Mr. Kolber with the key to the Township and the Distinguished Citizen of the Year Plaque.

George Kolber spoke about being a member of the Middletown community for 25 years and he is very honored to be considered for this award.

Proclamation Recognizing September 2023 as National Preparedness Month in the Township of Middletown

Township Clerk Heidi Pieluc invited Middletown Office of Emergency Management Deputy Coordinator Jim Van Nest to join Mayor Perry at the front of the room. Jim thanked the Township Committee for National Preparedness Month and encouraged the public to go to the website www.middletownnj.org for information as well as signing up for Nixle for storm emergency updates.

WHEREAS: For almost two decades, the Federal Emergency Management Agency has proclaimed September as National Preparedness Month as part of an effort to encourage personal preparedness for emergencies; and

WHEREAS: With this year’s theme, “Take Control in 1,2,3,” we are reminded to focus on preparing older adults for disaster since they can face greater risks with age; and

WHEREAS: The U.S. Department of Homeland Security, local officials, federal, state, and county offices, as well as the private sector, are working to deter, prevent, and respond to all types of emergencies, including human-made threats and natural disasters; and

WHEREAS: These activities, along with programs like Citizen Corps and others, contribute to a level of community unity and preparedness that is critical to securing our community, county, state, and nation; and

WHEREAS: Middletown Township and the Office of Emergency Management encourage our residents to take personal responsibility to become informed and prepared to be self- sufficient until assistance can arrive. Preparedness includes maintaining a preparedness kit, having an emergency plan, and making a commitment to practice that plan with their family periodically. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby recognize September 2023 as **National Preparedness Month** in Middletown Township. We encourage all residents to educate themselves about preparedness to improve community resilience during emergencies and to visit www.middletownnj.org/oem for additional information and resources.

Presentation Recognizing September 2023 as Ovarian Cancer Awareness Month in the Township of Middletown

Township Clerk Heidi Pieluc invited Turn the Town Teal volunteer Michele Collins to join Mayor Perry at the front of the room. Michele discussed her experience with ovarian cancer and talked about some preventive measures and awareness. Mayor Perry read the proclamation that was presented to Michele recognizing September 2023 as Ovarian Cancer Awareness month.

WHEREAS: In the past, ovarian cancer was referred to as the “silent killer,” but in 2007 doctors agreed that there are subtle early warning signs, such as bloating, urinary urgency or frequency, feeling full quickly when eating, and pelvic or abdominal pain or pressure; and

WHEREAS: Ovarian cancer is the fifth leading cause of cancer death among women and the leading cause of gynecologic cancer death in the United States. Each year almost 20,000 women are diagnosed with the disease and approximately 13,000 die from it; and

WHEREAS: If detected in the early stages, the 5-year survival rate can be as high as 90%, but only 16% are diagnosed with early-stage disease. There is no screening test, so awareness of symptoms remains imperative; and

WHEREAS: Mortality rates for ovarian cancer have declined only slightly in the 40 years since the “War on Cancer” was declared. However, other cancers have shown a much greater reduction in mortality due to many factors; and

WHEREAS: September has been designated as National Ovarian Cancer Awareness Month. Turn the Towns Teal is a national campaign to create awareness of ovarian cancer and its symptoms. This campaign was the inspiration of Gail MacNeil of Chatham, NJ and goes forward in her name and honor; and

WHEREAS: Biodegradable ribbons will be tied on trees and poles throughout Middletown to raise awareness about the disease. Free symptom and information cards will also be placed at local businesses. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim that September 2023 is **Ovarian Cancer Awareness Month** in Middletown Township. Be it further proclaimed that the governing body supports the Turn the Towns Teal Awareness Campaign.

Proclamation Recognizing September 23, 2023, as Middletown Day in the Township of Middletown

WHEREAS: Middletown Township is a 42-square mile community that approximately 68,000 residents call home; and

WHEREAS: Middletown is a unique collection of neighborhoods, each with its own geographic flavor and historic personality. Together, we form a dynamic community with a strong volunteer spirit; and

WHEREAS: Middletown Township began to hold an annual fall festival over a decade ago to offer residents the opportunity to meet friends and neighbors from Middletown Village, Leonardo, River Plaza, Lincroft, and everywhere in-between; and

WHEREAS: Middletown Day 2023 will be held rain or shine on Saturday, September 23rd from 11:00 AM to 4:00 PM on the Great Lawn at Croydon Hall; and

WHEREAS: Middletown Day 2023, which is sponsored by local businesses, groups, and individuals, promises to be a spectacular day for the whole family. Highlights include a car show and the return of the popular Business and Community Showcase, as well as many familiar favorites including a food court, first responder demonstrations, live entertainment, and more. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim September 23, 2023 as **Middletown Day** in Middletown Township. We encourage all our residents to come celebrate everything that makes Middletown so special.

Proclamation Recognizing September 24, 2023, as Gold Star Mother's and Family's Day in the Township of Middletown

- WHEREAS:** The Township of Middletown has and will forever support our military members, as well as their families, who have defended our nation's timeless truths and great freedoms; and
- WHEREAS:** Courageous American heroes of every generation have given their last full measure of devotion in defense of our country and freedom. The families who stood alongside these individuals have paid a price no family should ever have to pay; and
- WHEREAS:** Their heroic actions will never be forgotten and are eternally etched in the pages of our nation's history; and
- WHEREAS:** These selfless military members have left behind fathers, mothers, sisters, brothers, spouses, and children who mourn their loss. Although they have suffered unimaginable sorrow, these families have charged forward with inspiring strength and determination, giving selflessly to their communities and our country; and
- WHEREAS:** In 1963, Congress designated the last Sunday in September as "Gold Star Mother's Day", now commonly known as "Gold Star Mother's and Family's Day," as an opportunity to recognize and honor the entire families of our fallen heroes; and
- WHEREAS:** These families who have lost a loved one in defense of freedom are referred to as Gold Star Families; and
- WHEREAS:** Their unselfish leadership fosters patriotism and encourages us to consider what we can do to be better citizens. The Middletown community supports our Gold Star Families and commends their courage and resiliency. Now,
- THEREFORE:** I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim September 24, 2023 as **Gold Star Mother's and Family's Day** in the Township of Middletown and extend our support to all observing.

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APPROVAL OF MINUTES

Township Clerk Heidi Pieluc requested a motion to approve the minutes.

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

August 21, 2023, Regular Meeting, September 5, 2023, Workshop Meeting

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

Township Clerk Heidi Pieluc stated Motion carries to approve the minutes.

PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3387 – Ordinance Amending the Port of Belford Redevelopment Plan Within the Port of Belford Redevelopment Plan Area

Mayor Perry opened the meeting for public comments.

Don Watson, resident of Collinson Drive, requested a brief description of the ordinance. Township Attorney Brian Nelson explained the ordinance and what it entails.

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

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

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

Township Clerk Heidi Pieluc read the following ordinance by title:

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Ordinance 2023-3390 – Ordinance Adopting Circus Liquors Redevelopment Plan Amendment For The Delineated Area Consisting Of Block 825, Lots 53.02, 53.03 And 55.01 (Formerly Block 825, Lots 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 70, 72, 73, 74, 75, 76, 77, 78, 79, And 81); Block 825, Lots 58 And 70; And Block 870, Lots 1 And 2 Within The Circus Liquors Redevelopment Plan Area

Mayor Perry opened the meeting for public comments.

Craig Gianetti, Attorney with Day Pitney, who represents the client formally objected to the ordinance moving forward. He discussed trying to work with the Township before engaging in builder’s remedy lawsuit. He also discussed a letter he sent to the Township earlier in the day.

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

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

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

INTRODUCTION OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3391 - Ordinance Authorizing Execution of Quitclaim Deed Releasing Reversionary Rights and Amending and Restating Restrictive Covenants Upon Block 607, Lot 6 Pursuant to Settlement Agreement Between the Township and The NJ Titans Hockey Club In Consideration For \$1.5 Million

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

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

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Township Clerk Heidi Pieluc stated motion carried to pass this ordinance on first reading with a public hearing to be held on October 16, 2023.

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3392 - Ordinance Authorizing Entry into Lease/Sublease Agreement with The County of Monmouth and Port Belford Solar Farm, LLC, The Designated Sub-Redeveloper of a Portion Of Block 306, Lot 66 Within The Port Of Belford Redevelopment Plan Area

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

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

Township Clerk Heidi Pieluc stated motion carried to pass this ordinance on first reading with a public hearing to be held on October 16, 2023.

CONSENT AGENDA

Township Clerk Heidi Pieluc requested a motion to adopt a consent agenda including Resolutions 23-238 through 23-246.

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

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

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

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Resolution 23-238 – Cancellation of Community Development Mortgages

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

<u>Block</u>	<u>Lot</u>	<u>Borrower</u>	<u>Address</u>	<u>Amount</u>
604	20	Robert & Filomena Nizamoff	14 Village Lane	\$25,572

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

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

- A. Community Development

Resolution 23-239 - Appointment of Special Law Enforcement Officers - Class III

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, Class II, Class 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 individual is hereby appointed as Special Law Enforcement Officer – Class III, in the Middletown Township Police Department for the calendar year of 2023.

Special Law Enforcement Officer Class III – Christian Howlett

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 23-240 - Resolution Authorizing Initiation of Competitive Contracting for The Procurement of a Construction Management Company

WHEREAS, the Township has a desire to contract with one vendor to act as construction manager for any renovations undertaken at the Middletown Arts Center; and

WHEREAS, PL 1999 c.440 amended the Local Public Contracts Law and created a new category of contracting called Competitive Contracting; and

WHEREAS, 40A:11-4.3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in 40A:11-4.1 are desired to be contracted; and

WHEREAS, the Director of Purchasing has requested permission, and received approval, from the Division of Local Government Services (DLGS) to procure a construction management company via competitive contracting per 40A:11-4.1(k); and

WHEREAS, 40A:11-4.3(b) requires that the competitive contracting process shall be administered by a purchasing agent qualified pursuant to 40A:11-9, or, by legal counsel of the contracting unit, or by an administrator of the contracting unit.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middletown that the Director of Purchasing is hereby authorized to initiate competitive contracting to procure a construction management company.

Resolution 23-241 - Resolution Authorizing an Item of Funding in the 2023 Budget – Private Entity Contribution for Services of Special Law Enforcement Officers III

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Middletown has entered into an agreement to receive \$15,000 from the Christian Brothers Academy (CBA) and wishes to amend its 2023 budget to include this amount as revenue, and

NOW THEREFORE BE IT RESOLVED that the Township Committee of Middletown Township, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2023 budget in the sum of \$15,000.00_which is now available as revenue under Special Item of Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Private Entity Contribution Agreement CBA -SLEO III

BE IT FURTHER RESOLVED that a sum of \$15,000 is hereby appropriated under the caption of General Appropriations – Operations Excluded from “CAPS”:

Private Entity Contribution Agreement CBA -SLEO III

BE IT FURTHER RESOLVED that the Chief Financial Officer forward a copy of this resolution to the Director of Local Government Services.

Resolution 23-242 - Authorizing the Sale of Property Located Upon Block 795, Lot 11.04, (154 Ironwood Court) For the Purpose of Preserving It as An Affordable Housing Unit

WHEREAS, pursuant to the Fair Housing Act, the Township of Middletown (the “Township”) has adopted a Housing Element and Fair Share Plan (the “Plan”) for the administration of affordable housing units; and

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WHEREAS, the Township purchased an affordable housing unit identified as Block 795, Lot 11.04 (the “Unit”) from Michael Matick and Michelle Matick to retain the Unit as part of its affordable housing inventory; and

WHEREAS, the Township has identified a prospective purchaser of the Unit who meets the eligibility requirements and consents to purchasing the Unit subject to affordable housing restrictions; and

WHEREAS, the maximum resale price (the “Maximum Resale Price”) of the Unit is currently \$224,316; and

WHEREAS, the Township’s Director of Planning and Township Administrator recommend selling the Unit at the Maximum Result Price of \$224,316 in order to preserve the Unit as affordable housing and recover the associated costs incurred in purchasing the Unit.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, that pursuant to N.J.S.A. 52:27D-325, it hereby authorizes and directs the Mayor to execute a contract for the sale of the Unit identified as Block 795, Lot 11.04 to an eligible individual for the restricted price of \$224,316 subject to affordability controls remaining in place for an additional 30 years.

BE IT FURTHER RESOLVED that the Mayor, Township Administrator, Township Clerk and Township Attorney are authorized to execute the appropriate contract and all documents necessary to effectuate the sale of the affordable housing unit as set forth herein.

BE IT FURTHER RESOLVED that if any sentence, paragraph or section of this resolution, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action a sentence, paragraph or section of this resolution shall lose its force and effect, such judgment or action shall not affect, impair, or void the remainder of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon passage according to law.

Resolution 23-243 - Resolution Opposing The So-Called American Broadband Act Of 2023 (HR 3557)

WHEREAS, HR 3557, the “American Broadband Act of 2023,” was introduced with little notice and without full text on May 22, 2023, and was approved by the House Committee on Energy and Commerce, and ordered to be reported following markup only two days later on May 24, 2023; and

WHEREAS, prior to HR 3557’s introduction, only a single hearing was held on the eventual contents, on April 19, 2023, before the House Communications Subcommittee, the testimony before which consisted exclusively of that from witnesses supportive of federal preemption and to which not a single state or local government representative was invited to testify; and

WHEREAS, HR 3557 would pre-empt local governments’ rights-of-way compensation and management authority, zoning powers, cable franchising authority, and property rights; and

WHEREAS, the proposed bill would bestow on broadband providers an unprecedented federal grant of access to state and local public property, but impose no obligations on those providers to serve “unserved” and “underserved” Americans; and

WHEREAS, HR 3557 would mandate that siting decisions be “deemed granted” if not denied by a local government within 60 days, which is as little as 25% of the time the federal government gives itself to make identical decisions concerning access to federal property; and

WHEREAS, HR 3557 would make virtually any local government decision not to allow the installation of a proposed wireless facility at a provider’s request a “prohibition” preempted by federal law, and would require local governments to draft and publicly release a written explanation for the decision to deny an application on the same day it votes on the decision—a virtually impossible task because such written decisions typically require the examination and analysis of evidence; and

WHEREAS, the bill would substitute the FCC for the local federal district court as the reviewing body for challenges to local government decisions regarding wireless facility applications, thus breaking the promise made by Congress in 1996 that local governments would not be required to travel to Washington to defend local decisions; and

WHEREAS, HR 3557 would also eliminate cable franchise renewals, thereby restricting the ability of state or local franchising authorities to enforce franchise obligations such as public, educational, and government channel capacity and facilities, customer service requirements, and system build-out requirements; and

WHEREAS, HR 3557 would affirmatively grant cable operators the right to use local rights-of-way to provide non-cable services while prohibiting localities from imposing any fees on non-cable services for use of those rights-of-way.

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 opposes HR 3557 and urges the House and Senate not to pass this legislation.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Senate President, Vice President of the United States, Kamala Harris; Speaker of the House of Representatives, Senator Kevin McCarthy; Senator Cory Booker; Senator Bob Menendez; Representative Christopher Smith, Representative Frank Pallone Jr.; President of the United States Joseph R. Biden; and New Jersey State League of Municipalities.

Resolution 23-244 – Appointment to Middletown Library Board

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 individual is hereby appointed or reappointed as a member of the Middletown Library Board pursuant to the “Code of the Township of Middletown” for term as set forth below:

CINDY VAN GLAHN

SEAT II
Superintendents Designee
Term Ending
12/31/2023

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

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- a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office
- b. Library Board

Resolution 23-245 - Resolution Authorizing Shared Services Agreement with The Township of Millstone for Tax Assessment Services

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

WHEREAS, the Township of Middletown (“**Middletown**”) and the Township of Millstone (“**Millstone**”) wish to enter into a Shared Services Agreement for the provision of tax assessment services to Millstone utilizing Middletown’s Deputy Tax Assessor, Christopher Anthes; and

WHEREAS, on September 18, 2023, pursuant to N.J.S.A. 40A:9-146, Millstone is appointing Christopher Anthes as its Tax Assessor for the term prescribed by law under N.J.S.A. 40A:9-148, which shall be the initial term of the Shared Services Agreement between Middletown and Millstone; and

WHEREAS, pursuant to the Shared Services Agreement to be entered, Millstone shall pay Middletown \$106,700 annually through December 31, 2024, with this rate escalating by 2% each year thereafter so long as the Tax Assessor’s appointment and the Shared Services Agreement shall remain in place.

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

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

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Resolution 23-246 – Resolution Authorizing the Payment of Bills for September 18, 2023

The Township Committee hereby approves a resolution authorizing the payment of bills for September 18, 2023, in the amount of \$4,051,104.38.

TOWNSHIP COMMITTEE ACTING AS THE ABC ISSUING AUTHORITY

Resolution 23-247 – Resolution Authorizing Person To Person And Place To Place Liquor License Transfer Plenary Retail Consumption License 1331-33-013-010

Township Clerk Heidi Pieluc requested a motion to pass Resolution 23-247

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to adopt resolution 23-247.

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

WHEREAS, Colosseo of Red Bank Corporation, submitted an application for a Person to Person / Place-to-Place transfer on June 13, 2023, of license 1331-33-013-010 currently licensed to La Bella Vita Corporation and is inactive; and

WHEREAS, the application has been deemed complete and the Township of Middletown has no objection to the Person to Person / Place-to-Place transfer; and

WHEREAS, the License has been properly renewed for the current license term, and the applicant/licensee is qualified to be licensed according to the requirements of Title 33 of the New Jersey Statutes as well as local ordinances consistent with Title 33 and the applicant/licensee has disclosed the necessary requirements for this application.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that the Township Committee, acting. as the local A.B.C. Board, approves the Person to Person / Place-to-Place transfer of Plenary Retail Consumption License #1331-33-013-010 to Colosseo of Red Bank Corporation, Inc. at its new location 500 Highway 35, Middletown, NJ 07748.

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BE IT FURTHER RESOLVED that a certified copy of the Resolution and Application be provided by the Office of the Township Clerk to each of the following: NJ State Division of the Alcohol Beverage Control, Middletown Township Police Department, and Colosseo of Red Bank Corporation, Howard Lipstein, Esq., 535 Morris Avenue, Springfield, NJ 07081.

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Settembrino, thanked Turn the Towns Teal volunteer Michele Collins and our Deputy OEM Coordinator Jim Van Nest for National Preparedness.

Committeewoman Kratz, commented we were fortunate and grateful the weather cooperated on the remembrance ceremony for 9/11. She also mentioned the VFW POW recognition ceremony.

Deputy Mayor Hibell, thanked the McCarthy family for the beach clean-up. He announced Middletown Day is September 23, 2023 at 11:00 a.m.

Mayor Perry, thanked the National Park Service Naturalization ceremony and the 34 people who he swore in as citizens. He thanked all for attending the 9/11 memorial ceremony and also thanked the families of the 37 residents and first responders. He announced great news that the Secretary of the Navy and Middletown will be hosting the commissioning on April 6, 2024 of the USS New Jersey nuclear submarine at Weapons Station Earle. He thanked all involved in having Middletown designated as the commission location.

PUBLIC COMMENTS:

Peter O'Reilly, Resident, Golden Eye Lane, Port Monmouth, was looking for support in helping him keep the area clean. The Army Corp of Engineers is doing flood mitigation and uncovering a great deal of large objects being dumped in the area. He asked if the Township Committee would consider installing surveillance cameras and imposing fines. Mayor Perry thanked Mr. O'Reilly for his volunteer clean up work. He also stated that there are cameras that will continue to surveil the area.

Vinny Moran, Resident Brevent Avenue, Leonardo, requested discussion on Wagners creek and the flooding. Water comes from highway and pipe is plugged off of Vanderbilt and that the water is coming from Earle. Mayor Perry discussed the recent purchase of equipment to assist with this flooding and maintenance dredging. Township Administrator Anthony Mercantante discussed the creeks having silt build up and need clearing.

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ADJOURNMENT

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 8:04 pm.

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

Township Clerk Heidi Pieluc stated the motion carried to adjourn.

Respectfully submitted,

Heidi R Pieluc
Township Clerk

Approved:

Anthony S. Perry, Mayor