

Workshop Meeting

A Special 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 October 4, 2021.

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

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to The Star Ledger, The Independent and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 07, 2021.

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

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Assistant Administrator Jim Van Nest and Township Clerk Heidi Brunt.

PLEDGE OF ALLEGIANCE

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

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

CERTIFICATE OF APPRECIATION/PROCLAMATIONS

Presentation Recognizing Mady's Paws for Middletown Township Police Department K-9 Fundraiser

Township Clerk Heidi Brunt invited Madelyn Lewis founder of Mady's Paws, Officer Mike Heaton and K-9 Officer Titan to join Mayor Perry in the front of the room to accept the certificate.

Mayor Perry congratulated Mady on the incredible work she does. Mayor Perry read the certificate and accepted the check for the \$4,125.00 raised for the K-9 unit.

Presentation Recognizing Hailey Keiser for Success in the MLB Pitch, Hit & Run Competition

Township Clerk Heidi Brunt invited Hailey Keiser to the front of the room to accept the certificate.

Mayor Perry congratulated Hailey and read the certificate for Winning in Your Age Division at Middletown Recreation's MLB Pitch, Hit & Run Competition and advancing to the Team Championship in Philadelphia where you won first place! We are so proud of your outstanding athletic achievements, both locally and nationally. You maintained an

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impressive winning streak in the competition, and we are confident you will continue to hit home runs throughout your softball career. Middletown is cheering you on

Proclamation Recognizing November 11, 2021 as Veterans Day in the Township of Middletown

WHEREAS: Veterans Day, once called Armistice Day, originated as a national commemoration of the anniversary of the ending of World War I. Congress changed the name to **Veterans Day** in 1954 to expand the significance of the commemoration so that a grateful nation might pay homage to the veterans of all wars who have contributed so much to the preservation of the nation; and

WHEREAS: Middletown Township and Middletown VFW Post 2179 will honor the sacrifice and valor of our brave servicemen and women with a **Veterans Day** Parade on Sunday, November 7th; and

WHEREAS: We, as citizens of a grateful nation, are thankful for the opportunity to recognize our distinguished veterans whose service has allowed our nation to prosper and let us live in freedom. We pay special tribute to the valiant guardians of our freedom who remain listed as Missing in Action, and we offer support to the loving families who hope for their safe return; and

WHEREAS: This year we celebrate the 63rd anniversary of the **Veterans Day** Parade. The theme of the parade is “Thank You for Guarding the Gates of Freedom,” and on behalf of all Middletown residents, we will use this milestone to rededicate ourselves to honoring all the veterans who have served our great nation. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim November 11, 2021 as **Veterans Day** in Middletown Township in recognition of the courageous efforts of our veterans. We invite the residents of Middletown Township to join us at the **Veterans Day** Parade starting at Bayview Elementary School on Sunday, November 7th at 1:00 p.m. to honor our American heroes, both past and present.

Proclamation Recognizing October 2021 as Make A Difference Month in the Township of Middletown

WHEREAS: On October 23rd, millions of volunteers across the nation will unite with a common mission—to improve the lives of others on the 29th year of Make a Difference Day; and

WHEREAS: Make A Difference Day is the largest single-day of volunteering in the country. No matter who you are or where you’re from, everyone has the power to do something that can improve the life of another. Whether it’s donating a can of food that will help one person or working on a project that would benefit an entire community, every contribution makes a difference; and

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WHEREAS: One in eight people in the U.S. and one in twelve people in New Jersey face hunger; and

WHEREAS: More than 38 million people in the U.S. experienced food insecurity in 2020, most likely due to the COVID-19 pandemic; and

WHEREAS: Middletown Township is committed to combating hunger throughout the Township; and

WHEREAS: In recognition of Make a Difference Day, Middletown Township is holding a **Food and Cleaning Supplies Drive** throughout the entire month of October. Donations are to help stock the Middletown Township Social Services/Middletown Helps Its Own Household Pantry located at 180 Main Street in Port Monmouth; and

WHEREAS: Middletown Township and New Jersey's Emergency Food Provider System strive to bring awareness and attention to hunger and encourage the community to become involved in endeavors to end hunger in our Township. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim October 2021 as **Make a Difference Month** in Middletown Township. We encourage the community to Make a Difference and support Middletown's **Food and Cleaning Supplies Drive** throughout the month of October.

Proclamation Recognizing the American Cancer Society and Real Men Wear Pink Candidates in Honor of Breast Cancer Awareness Month

WHEREAS: Every year, too many Americans are touched by the pain and hardship caused by breast cancer – a disease that, among women, is not only one of the most common cancers, but also one of the leading causes of cancer-related death; and

WHEREAS: Hundreds of thousands of Americans will be diagnosed with breast cancer this year, and tens of thousands will lose their battle with this disease. Although both women and men can have breast cancer, women are at higher risk; and

WHEREAS: The American Cancer Society is dedicated to helping people who face cancer and determined to save lives from breast cancer by promoting early detection and prevention, bunding groundbreaking research, and providing comprehensive support; and

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WHEREAS: Real Men Wear Pink of Central and Northern New Jersey is a distinguished group of community leaders who are committed to raising awareness and funds to support the American Cancer Society's mission.
Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby recognize the American Cancer Society and the 2021 **Real Men Wear Pink of Central and Northern New Jersey** candidates for helping create a world free from the pain and suffering of breast cancer.

PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3318 - Ordinance Establishing Permitting Process for Closure of Municipal Roadways for Special Events

Mayor Perry opened the meeting for public comments.

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

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

Township Clerk Heidi Brunt stated motion carried to pass this ordinance.

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3319 - Ordinance Amending Section 240 Of The Code of the Township of Middletown Governing Fee Schedules for Passports, Registrar of Vital Statistics and Legalized Games of Chance, Bingo and Raffle Applications

Mayor Perry opened the meeting for public comments.

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

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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.

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3320 - Ordinance Amending § 465-109 Of The Code of the Township of Middletown Adding a Midblock Crosswalk to Red Hill Road

Mayor Perry opened the meeting for public comments.

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

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

Township Clerk Heidi Brunt stated motion carried to pass this ordinance.

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3321 - Bond Ordinance Providing an Appropriation of \$6,414,150 For Various Capital Improvements by and for The Township of Middletown in The County of Monmouth, New Jersey and Authorizing the Issuance of \$5,665,943 In Bonds or Notes of the Township for Financing Part of the Appropriation.

Mayor Perry opened the meeting for public comments.

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

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

Township Clerk Heidi Brunt stated motion carried to pass this ordinance.

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INTRODUCTION OF PROPOSED ORDINANCES

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3322 – Bond Ordinance Providing an Appropriation of \$1,500,000 For Various Improvements to The Municipal Complex by and for The Township of Middletown in The County of Monmouth, New Jersey and Authorizing the Issuance of \$300,000 In Bonds or Notes of the Township for Financing Part of the Appropriation.

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 October 18, 2021.

CONSENT AGENDA

Township Clerk Brunt requested a motion to adopt a consent agenda including Resolutions 21-228 through 21-233.

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

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

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

Resolution 21-228 - Resolution Amending Resolution 20-163 As to Estimated and Authorized Expenditure

WHEREAS, the Township by Resolution 20-163 awarded the Road Materials contract to Stavola Construction Materials, Inc., an estimated total expenditure amount not to exceed \$200,000.00 for a twenty-four (24) month period.

WHEREAS, due to the extensive amount of road work needed throughout the Township, it is necessary to increase the estimated total annual expenditure as set forth in the Resolution 20-163 from the \$200,000.00 for 2021/2022 originally estimated to the amount of \$400,000.

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NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that Resolution 20-163 related to Road Materials is amended to increase the estimated authorized total expenditure for the services during the year 2021/2022. All other provisions of the Resolution remain in effect.

Resolution 21-229 - Authorizing the Contract for a Subsite “Cube” Sewer Inspection Camera System from a Vendor with a Contract through the Educational Services Commission for the Middletown Public Works Department through the Educational Services Commission of New Jersey Cooperative Pricing System

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

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

WHEREAS, the Township is in need of a Subsite “Cube” Sewer Inspection Camera System for the Middletown Public Works Department, and

WHEREAS, the Educational Services Commission of New Jersey Cooperative Pricing System has awarded a contract to Timmerman Equipment Company, PO Box 71, Whitehouse, NJ 08888 for a Subsite “Cube” Sewer Inspection Camera System (Contract# ESCNJ #20/21-55) in the amount of \$104,838.65 and

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

C-04-55-918-227-006 - \$29,838.65

C-04-55-918-227-006 - \$45,000.00

C-04-55-919-262-001 - \$30,000.00

BE IT RESOLVED, by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with **Timmerman Equipment Company, PO Box 71, Whitehouse, NJ 08888** for a Subsite “Cube” Sewer Inspection Camera System for the Middletown Public Works Department in the amount of **\$104,838.65**.

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1. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following
 - A) Purchasing Agent
 - B) Comptroller
 - C) Director of Public Works
 - D) Vendor

Resolution 21-230 – Resolution Authorizing Renewal of Maintenance, Monitoring and Repair of the Emergency Services Simulcast Public Safety Radio System, Including 24 Hour/7 Day Emergency Service

WHEREAS, PMC Associates designed, constructed and installed a multi-channel simulcast public safety system for the Township of Middletown (“Township”); and

WHEREAS, the contract price included the five-year maintenance agreement; and

WHEREAS, upon the completion of the performance of the statement of work (“SOW”) the first-year maintenance period began on September 15, 2016, after the parties agreed that the system was fully operational and;

WHEREAS, the fifth-year maintenance period will begin on September 15, 2020 and it has expired on September 14, 2021 and;

WHEREAS, the Township is in receipt of documentation from PMC Associates that the cost for the service for the new year September 15, 2021 through September 14, 2022 is \$83,657.28 as per the original contract; and

WHEREAS, the Middletown Township Police Department, under the direction of the Chief of Police, as the FCC licensee for the public safety radio system, allocated funds in the Police Department 2020 operating budget under equipment maintenance (1-1-25-240-100-232) to ensure the efficient provision of public safety radio services; and

WHEREAS, the certification of availability of funds has been provided by the Township’s Chief Financial Officer; and

WHEREAS, the Township Committee believes it is in the best interest of the taxpayers of the Township to continue the Agreement for such services with PMC Associates to ensure continuity of operations;

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 Administrator and Chief of Police are hereby authorized to execute an Agreement with PMC Associates for the provision of maintenance, monitoring and repair of the Emergency Services Simulcast Public Safety Radio System pursuant to the terms of the original SOW and contract.

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1. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - A. Purchasing Agent
 - B. Comptroller
 - C. Police Chief
 - D. Vendor

Resolution 21-231 – Resolution Authorizing the Payment of Bill for October 4, 2021

The Township Committee hereby approves a resolution for the payment of bills for August 16, 2021 in the amount of \$6,633,098.78.

Resolution 21-232 - Resolution Authorizing Emergency Appropriation Pursuant to N.J.S.A. 40a:4-46 And N.J.S.A. 40a:4-48 Associated with Capital Expenses for The New Municipal Complex That Must Be Ordered Immediately Due to Pandemic Related Delays

WHEREAS, an emergency has arisen with respect to certain expenses related to the municipal complex and no adequate provision was made in the 2021 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$1,500,000, and three per cent of the total operations in the budget for the year 2021 is \$2,185,131.89; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three percent of the total current appropriations in the budget for the year 2021; and

WHEREAS, due to pandemic related shipping delays, certain furnishings and IT related equipment outside of the Township’s pre-determined allowances need to be ordered immediately and environmental remediation completed so that the new municipal complex is ready for occupation in 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

1. An emergency appropriation be and the same is hereby made pursuant to N.J.S.A. 40A:4-46 for funding of expenses related to the new municipal complex in the amount of \$1,500,000.
2. That said emergency appropriation shall be provided in full in the 2022 budget, except if financing of such emergency appropriation shall have been made pursuant to an authorization of notes or bonds pursuant to N.J.S.A. 40A:2-3.

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3. That said emergency appropriation shall be funded by the adoption of a bond ordinance to be introduced on October 4, 2021, in accordance with N.J.S.A.40A:2-3.
4. That two certified copies of this resolution be filed with the Director of Local Government Services.

Resolution 21-233 - Resolution Authorizing the Mayor and Clerk to Execute the Cost Share Agreement (“Agreement”) Between The County of Monmouth and The Township of Middletown for Shadow Lake Dam Study Proposal

WHEREAS, the Federal Highway Administration (FHWA) authorized funding up to an amount of \$342,522.40, for a Safe Routes to School Project to improve the safety and accessibility of the existing pedestrian facilities along Monmouth County Route 12 (Hubbard Avenue) between Navesink River Road and Front Street in Middletown Township, Monmouth County, New Jersey which sits atop Shadow Lake Dam (NJDEP Dam No.: 29-32) in order to enable and encourage children to walk and/or bicycle to school and residents to walk within their community; and

WHEREAS, the New Jersey Department of Environmental Protection Division of Dam Safety and Flood Control (NJDEP-DDS&FC) has identified Monmouth County (the “County”) and Middletown Township (“the Township”) as co-owners of Shadow Lake Dam (New Jersey Dam No.: 29-032);

WHEREAS, Shadow Lake Dam is classified by the New Jersey Department of Environmental Protection (NJDEP) as a Class II, Significant Hazard Dam and has been deemed hydraulically deficient because it cannot safely convey the required spillway design flood without overtopping;

WHEREAS, the Township and the County have determined it is necessary to enter a Cost Share Agreement for Shadow Lake Dam, and have negotiated the terms thereof, in order to bring Shadow Lake Dam into compliance with the New Jersey Dam Safety Standards and in furtherance of the Safe Routes to School Project along Monmouth County Route 12 (Hubbard Avenue);

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

1. The Recitals set forth above are incorporated herein by reference.
2. The Mayor and Clerk are hereby authorized and directed to execute the attached Cost Share Agreement with Monmouth County. A copy of the Agreement shall be open for public inspection at the Offices of the Township immediately after passage of this Resolution.

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BE IT FURTHER RESOLVED that the clerk is hereby directed to forward a certified copied of this resolution, along with the executed Cost Share Agreement for Shadow Lake Dam to the clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 East Main Street, Freehold, New Jersey 07728.

DISCUSSION ITEMS

Fee Ordinance Amendments

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, None

Committeeman Settembrino, congratulated Hailey Keiser on the Pitch, Hit and Run competition.

Kim Kratz, congratulated Mady and Hailey. She attended the car show and presented the Mayor's choice award.

Deputy Mayor Hibell, None

Mayor Perry, congratulated the River Plaza Fire Co. for the Barrel of Bucks event.

PUBLIC COMMENTS:

Art Gallagher, VNA Health Clinic he thanked the Township Committee for allowing space at the Library for booster shots.

Don Watson, 1 Collinson Drive, requested information on the booster vaccine at VNA clinic. He also requested a meeting status between Township Engineer Ted Maloney and the Gas Company.

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ADJOURNMENT

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 7:38 pm.

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

Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,

Heidi R Brunt
Township Clerk

Approved:

Anthony S. Perry, Mayor