

Workshop Meeting

A Workshop 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 May 2, 2022.

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 Asbury Park Press, 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, 2022.

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

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, and Township Clerk Heidi Brunt

**PLEDGE OF ALLEGIANCE**

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

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

**PUBLIC HEARING OF PROPOSED ORDINANCES**

Township Clerk Heidi Brunt read the following ordinance by title:

**Ordinance 2022-3340 - Ordinance Amending § 130-15 Of the Code of The Township of Middletown Governing Hours of Sale for Alcoholic Beverages**

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 2022-3341 – Bond Ordinance Providing an Appropriation of \$1,400,000 For Construction of a Skateboard Park in Kunkel Park by And for The Township of Middletown in The County of Monmouth, New Jersey And Authorizing the Issuance Of \$1,330,000 In Bonds or Notes of The Township for Financing Part of The Appropriation**

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

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

Township Clerk Heidi Brunt stated motion carried to pass this ordinance on first reading with a public hearing to be held on May 16, 2022.

Township Clerk Heidi Brunt read the following ordinance by title:

**Ordinance 2022-3342 – Ordinance Authorizing the Vacation of a Portion of Barberie Place Within the Township of Middletown and Accepting Drainage Easement and Right of Way Associated with The Area to Be Vacated**

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 May 16, 2022.

Township Clerk Heidi Brunt read the following ordinance by title:

**Ordinance 2022-3343 – Ordinance Approving Entry into A Contract of Purchase of Real Estate Identified as Block 532, Lot 45 (Comptons Creek, Port Monmouth)**

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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 May 16, 2022.

Township Clerk Heidi Brunt read the following ordinance by title:

**Ordinance 2022-3344 – Ordinance Amending Ordinance No. 2021-3314 Modifying the Easements Area on Block 136, Lot 3, Main Street Row, And Brainard Avenue Row, Which Easements Are Upon Portions of Township-Owned Property Pursuant to The Raritan Bay and Sandy Hook Bay, Hurricane and Storm Damage Reduction Project, Port Monmouth, New Jersey, Phase II (Contract 5)**

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 May 16, 2022.

**CONSENT AGENDA**

Township Clerk Brunt requested a motion to adopt a consent agenda including Resolutions 22-136 through 22-143.

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

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**Resolution 22-136 – Resolution Terminating Shared Services Agreement with Monmouth Regional Health Commission No. 1 For Public Health Services**

**WHEREAS**, the Township of Middletown (the “**Township**”) and the Monmouth Regional Health Commission No. 1 (the “**Commission**”) are parties to a Shared Services Agreement for Local Public Health Services (the “**Agreement**”); and

**WHEREAS**, pursuant to N.J.S.A. 26:3A2-12 and Section H of the Agreement, the Township wishes to terminate its Agreement with the Commission and declare the Township’s intention to establish its own local health agency.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, that:

1. The Township hereby terminates its Agreement with the Commission pursuant to N.J.S.A. 26:3A2-12 and Section H of the Agreement.
2. The Township hereby declares its intention to establish its own local health agency.
3. This Resolution shall become effective immediately upon adoption, therefore, pursuant to N.J.S.A. 26:3A2-12 and Section H of the Agreement, termination of the Agreement shall become effective 6 months from the effective date of this Resolution, which shall be on November 2, 2022.
4. The Township Clerk is hereby authorized and directed to send certified copies of this Resolution by U.S. Postal Service certified and return receipt to:

The Monmouth Regional Health Commission No. 1  
1540 West Park Avenue, Suite 1  
Ocean, New Jersey 07712

and the

New Jersey Department of Health & Senior Services, Division of  
Health Infrastructure, Preparedness & Emergency Response  
Office of Public Health Infrastructure  
Post Office Box 360  
Trenton, New Jersey 08625-0360

**Resolution 22-137 - Resolution Authorizing Participation in The Governor’s Council on Alcoholism and Drug Abuse DMHAS Youth Leadership Grant**

**FORM 1B**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and

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engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

**WHEREAS**, The Township Council of the **Township of Middletown**, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

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

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

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

1. The Middletown Town Council does hereby authorize submission of an application for DMHAS Grant funding for the Middletown Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:  
DMHAS Grant Funding      \$ 11,742.25
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**Resolution 22-138 - Resolution Authorizing Emergency Award of Contract for Covid Vaccine Clinic**

**WHEREAS**, there was a public emergency declared March 25, 2020 due to the COVID19 pandemic; and

**WHEREAS**, as of October 1, 2021, there was a need to provide the public with access to a COVID vaccine clinic; and

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

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

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

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ratifies the award of an emergency contract to Visiting Nurse Association of Central Jersey, 1301 Main St. Asbury Park, NJ 07712 for the administration of a COVID vaccine clinic in an amount not to exceed \$41,779.91.

**Resolution 22-139 - A Resolution of The Township of Middletown Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on An Online Auction Website**

**WHEREAS**, the Township of Middletown has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, these items include vehicles and miscellaneous equipment for which various departments provided an estimated fair market value, and

**WHEREAS**, the Purchasing Agent recommends the award of the contract to USGovBid (Auction Liquidation Services), located at [USGovBid.com](http://USGovBid.com), as they provided the lowest rate for the service.

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

1. The award for auction services is hereby awarded to USGovBid.
2. The Township of Middletown is authorized to dispose of surplus vehicle(s) and miscellaneous equipment through the process of public auction.
3. The Purchasing Department is hereby authorized to forward the attached list of surplus vehicle(s) and miscellaneous equipment to [USGovBid.com](http://USGovBid.com), for an on-line auction.
4. Notice of the sale shall be published at least once in a newspaper circulating in the Township of Middletown not less than 7 or more than 14 days prior to the sale.
5. The appropriate officials are hereby authorized to execute the contract with the contractor.

**Resolution 22-140 - Resolution Authorizing the Award of a Contract for On Call Electrical Repair, Service, And Maintenance**

**WHEREAS**, the Township advertised for and received bids for contract #22-07 – On Call Electrical Repair, Service, and Maintenance in accordance with N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, five proposals were received and publicly opened on April 19, at 10:00 a.m.; and

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**WHEREAS**, the Township Engineer has recommended that the award of contract #22-07 be awarded to, Sodon's Electric, Inc., 25 West Highland Ave. Atlantic Highlands, NJ 07716 with their total price of \$48,265.00; and

**WHEREAS**, the initial contract term shall begin, May 9, 2022 and end May 8, 2024; with an option for two (2) one (1) year extensions; and

**WHEREAS**, the appropriations to be charged are budget line item number(s) 2-01-26-310-100-201, 2-01-26-310-100-259, 2-01-26-290-102-303, and 2-01-26-305-100-208 and no amount of this contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed purchase order.

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that the award for contract #22-07 – On Call Electrical Repair, Service, and Maintenance be awarded to Sodon's Electric, Inc., pursuant to the terms of their bid at the above prices, and that the appropriate officials are hereby authorized to execute the contract with the contractor.

**Resolution 22-141 - Resolution Authorizing the Award of a Contract for On Call Plumbing Repair, Service, And Maintenance**

**WHEREAS**, the Township advertised for and received bids for contract #22-08 – On Call Plumbing Repair, Service, and Maintenance in accordance with N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, two proposals were received and publicly opened on April 19, at 10:30 a.m.; and

**WHEREAS**, the Township Engineer has recommended that the award of contract #22-08 be awarded to, Magic Touch Construction Company Inc., 59 West Front St. Keyport, NJ 07735 with their total price of \$46,518.00; and

**WHEREAS**, the initial contract term shall begin, May 9, 2022 and end May 8, 2024; with an option for two (2) one (1) year extensions; and

**WHEREAS**, the appropriations to be charged are budget line item number(s) 2-01-26-310-100-201, 2-01-26-310-100-259, and 2-01-26-290-102-308 and no amount of this contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed purchase order.

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that the award for contract #22-08 – On Call Plumbing Repair, Service, and Maintenance be awarded to Magic Touch Construction Company Inc., pursuant to the terms of their bid at the above prices, and that the appropriate officials are hereby authorized to execute the contract with the contractor.

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**Resolution 22-142 - 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>
467	9	Theresa Cummings	437 Leonardville Road	\$16,150.

**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 22-143 – Resolution Authorizing the Payment of Bills for May 2, 2022**

The Township Committee hereby approves a resolution authorizing the payment of bills for May 2, 2022 in the amount of \$6,848,990.32

**Resolution 22-144 - Appointments to Zoning Board of Adjustment**

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 as members of the Zoning Board of Adjustment pursuant to the "Code of the Township of Middletown" for the terms as set forth below:

Steven Shanker            Term to Expire 12/31/2023

**ALTERNATE I**

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.



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b. Zoning Board of Adjustment

**RESOLUTION REMOVED FROM CONSENT AGENDA FOR SEPARATE VOTE**

Township Clerk Heidi Brunt read the following resolution by title:

**Resolution 22-140 - Resolution Authorizing the Award of a Contract for On Call Electrical Repair, Service, And Maintenance**

**WHEREAS**, the Township advertised for and received bids for contract #22-07 – On Call Electrical Repair, Service, and Maintenance in accordance with N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, five proposals were received and publicly opened on April 19, at 10:00 a.m.; and

**WHEREAS**, the Township Engineer has recommended that the award of contract #22-07 be awarded to, Sodon’s Electric, Inc., 25 West Highland Ave. Atlantic Highlands, NJ 07716 with their total price of \$48,265.00; and

**WHEREAS**, the initial contract term shall begin, May 9, 2022 and end May 8, 2024; with an option for two (2) one (1) year extensions; and

**WHEREAS**, the appropriations to be charged are budget line item number(s) 2-01-26-310-100-201, 2-01-26-310-100-259, 2-01-26-290-102-303, and 2-01-26-305-100-208 and no amount of this contract shall be chargeable until certification of available funds are made and upon receipt of a properly executed purchase order.

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown that the award for contract #22-07 – On Call Electrical Repair, Service, and Maintenance be awarded to Sodon’s Electric, Inc., pursuant to the terms of their bid at the above prices, and that the appropriate officials are hereby authorized to execute the contract with the contractor.

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to pass Resolution 22-140.

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

Township Clerk Heid Brunt stated motion carried to adopt Resolution 22-140.

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**DISCUSSION ITEMS**

**Sustainable Land Use Pledge**

Director of Planning Amy Citrano addressed the Township Committee regarding the Sustainable Land Use Pledge and keeping our certification and asked for them to support this effort.

**TOWNSHIP COMMITTEE COMMENTS:**

Committeeman Clarke – None

Committeewoman Kratz – None

Committeeman Settembrino, commented he attended the ribbon cutting for the community gardens.

Deputy Mayor Hibell – None

Mayor Perry – gave a shout out to the McCarthy family for the ceremony raising awareness for pulmonary hypertension. Congratulated the DPW team for the community gardens.

**PUBLIC COMMENTS:**

Don Watson, 1 Collinson Drive, inquired about Main Street and Port Monmouth Road when it will be repaved.

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**ADJOURNMENT**

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 7:16 pm.

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

Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,

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Heidi R Brunt  
Township Clerk

Approved:

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Anthony S. Perry, Mayor