

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 November 20, 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: Clarke, Hibell, Kratz, Settembrino, Mayor Perry
Absent: None

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Township Clerk Heidi Pieluc Chief Financial Officer Colleen Lapp, 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

Presentation Recognizing Middletown High School South Girls Cross Country Team for Winning 2023 NJSIAA Group 3 State Championship

Township Clerk Heidi Pieluc invited Coach Bill Clifton and the team to join Mayor Perry at the front of the room. Mayor Perry congratulated another Middletown team for winning a state championship. Coach Clifton said he is grateful to be here since Cross Country doesn't get a lot of attention, he is happy for his team to be recognized.

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:

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October 16, 2023, Regular Meeting, November 8, 2023 Special Meeting.

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

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 2023-3396 – Ordinance Adopting the River Centre South
Redevelopment Plan for Block 1131, Lots 30, 31 And 32 Within the Exit 109
Redevelopment Plan Area**

Mayor Perry opened the meeting for public comments.

Dr. Laura Smith Staines, Resident Tinton Falls, asked the Committee to save our Swimming River from redevelopment and is unhappy with the lack of transparency and no opportunity to oppose. Mayor Perry and Township Attorney Brian Nelson responded by outlining the approval process for the plan.

Doug Tomchuk, Resident, stated he is disappointed to be here tonight and believes there are errors in the Master Plan and expressed his concerns regarding environmental and traffic issues.

Gordon Brown, Resident Tinton Falls, commented he appreciated Laura Smith Staines concerns about the building height and her objectives are noble. He asked the Township Committee to be good neighbors in the way they proceed.

Mitch Kober, Resident Tinton Falls, questioned the affordable housing credits associated with the redevelopment.

Ester Nelson, Lincroft Resident, thanked the Township Committee for answering questions. She expressed her concerns for traffic safety. She also discussed the affordable housing quotas. She commented that reducing the footprint would be helpful.

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Melanie Elmiger, Resident Lincroft, requested the height issue be solved. She also cited the Rutgers study on parking and that the number of parking spaces is way too high.

Resident, Glendale Drive, questioned how the building in the south lot will be used.

Hearing no further 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 Pieluc stated the motion carried to pass this ordinance.

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3396B – An Ordinance Providing Funding for Various Capital Improvements for The Township of Middletown and Appropriating \$2,567,500 For Such Purpose

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 Pieluc stated the motion carried to pass this ordinance.

Township Clerk Heidi Pieluc read the following ordinance by title:

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Ordinance 2023-3397 – Bond Ordinance Providing an Appropriation Of \$2,261,000 For Various Park Improvements by And for The Township of Middletown in The County of Monmouth, New Jersey And Authorizing the Issuance Of \$2,147,950 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 Pieluc stated the motion carried to pass this ordinance.

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3398 – Bond Ordinance Providing an Appropriation Of \$5,499,000 For Various Capital Improvements by And for The Township of Middletown in The County of Monmouth, New Jersey And Authorizing the Issuance Of \$4,968,813 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 Pieluc stated the motion carried to pass this ordinance.

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INTRODUCTION OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3399 - Ordinance Establishing Fair Market Value for Property Identified as Block 835, Part of Lot 18 Within the Township of Middletown and Authorizing Acquisition of This Property by Purchase or Eminent Domain for The Purpose of Maintaining Open Space and Enhancing Public Recreational Opportunities

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 Pieluc stated motion carried to pass this ordinance on first reading with a public hearing to be held on December 4, 2023.

NJ BEST PRACTICES SURVEY

Township Clerk Heidi Pieluc asked the Township Committee if there was anything to discuss regarding the Best Practices Survey. No member of the Township Committee had any comments.

CONSENT AGENDA

Township Clerk Heidi Pieluc requested a motion to adopt a consent agenda including Resolutions 23-269 through 23-285 and Firefighter Application.

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:

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

Resolution 23-269 – Resolution Authorizing the Extension of The Contract For Brush Grinding And Mulching Operations

WHEREAS, the Township advertised for and received bids for contract #22-01 – Brush Grinding and Mulching Operations in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Mazza Mulch, Inc. was awarded the initial two year contract with options for two (2) one (1) year extensions; and

WHEREAS, it is the recommendation of the Director of the Department of Public Works to execute the first one (1) year extension as services are being performed in an effective and efficient manner by Mazza Mulch, Inc.; and

WHEREAS, pursuant to the pricing provided for extension year one, pricing will remain at \$5.24 per cubic yard for an estimated total cost of \$628,800.00; and

WHEREAS, the contract term shall begin January 21st, 2024, and end January 20th, 2025; and

WHEREAS, the appropriation to be charged is Budget Line Item #4-01-26-305-100-810, and no amount of this contract shall be chargeable until the adoption of the 2024 temporary budget and 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 contract for Brush Grinding and Mulching Operations is renewed with Mazza Mulch, Inc. and is hereby extended for a period of one year pursuant to the terms of their bid submitted on January 5th, 2022, and that the appropriate officials be and are hereby authorized to execute the contract with the contractor.

Resolution 23-270 - Resolution Authorizing the Township of Middletown to Enter into A Cooperative Pricing Agreement with The Somerset County Cooperative Pricing System, #2SOCCP

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements; and

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WHEREAS, the Somerset County Cooperative Pricing System (ID #2SOCCP), hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, the Township of Middletown desires to become a member of the Cooperative, effective immediately upon passage.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middletown that the appropriate officials are hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency and execute the agreement for such membership. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

Resolution 23-271 - Resolution Authorizing a Chapter 159 Additional Item of Funding in the 2023 Budget – “2023-2024 Bayshore DWI Saturation Patrol Grant”

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 received a \$24,990.00 grant from the NJ Dept. of Law and Public Safety, Division of Highway Traffic Safety 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 \$24,990.00 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:

NJ Dept. of Law and Public Safety, Division of Highway Safety
“Bayshore DWI Saturation Patrol Grant”

BE IT FURTHER RESOLVED that a sum of \$24,990.00 is hereby appropriated under

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the caption of General Appropriations – Operations Excluded from “CAPS”:
NJ Dept. of Law and Public Safety, Division of Highway Safety
“Bayshore DWI Saturation Patrol Grant”

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

Resolution 23-272 - Resolution Authorizing Award of Contract to A Vendor with A National Cooperative Contract for Led Sports Lighting and Related Supplies and Services

WHEREAS, the Township of Middletown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Sourcewell National Cooperative, pursuant to the provision of Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139”) and N.J.S.A.52:34-6.2 and the regulations promulgated in Local Finance Notice LFN 2012-10, which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

WHEREAS the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

WHEREAS, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation; and

WHEREAS, the Qualified Purchasing Agent, recommends the utilization of this contract based on the requirements of State Law; and

WHEREAS, under Sourcewell Contract #041123-MSL Musco Sports Lighting Inc., an authorized dealer for Light Structure System, can provide LED Sports Lighting to Middletown Parks and Recreation at various Park locations in the amount of \$149,875.00 per their quote dated October 26, 2023; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$149,875.00 are available for this purpose in account/line-item number(s) C-04-55-922-354-200. A copy of the said certification is attached hereto and made part hereof.

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THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middletown that Musco Sports Lighting Inc., under Sourcewell Contract #041123-MSL be utilized to provide LED Sports Lighting in the amount of \$149,875.00.

Resolution 23-273 - Resolution Authorizing An Item Of Funding In The 2023 Budget – Additional Funding For 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 an additional \$11,753.00 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 \$11,753.00 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 \$11,753.00 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.

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Resolution 23-274 – Resolution Approving Additional Funds for Previously Approved Contract

WHEREAS, the Township Committee regularly approves entry into various contracts, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, in order to ensure fiscal responsibility, the various approving resolutions include amounts not to exceed (the “**NTE Amount**”) for the corresponding contracts; and

WHEREAS, the Township has determined that the NTE Amounts must be increased for certain contracts in order to address increased needs for the remainder of the contract period; and

WHEREAS, the Township seeks to increase the NTE Amount on the following contracts by the amounts specified as “Additional Funds” as provided herein:

Resolution No.	Entity	Service	NTE Amount	Additional Funds
23-52	Monmouth County ASPCA	Housing, adoption, & related services for stray animals	\$30,000.00	\$22,000.00

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 approves modifications to the NTE Amount on the foregoing contract previously approved by the Township Committee, upon the terms set forth in this Resolution.

BE IT FURTHER RESOLVED that the above-referenced resolutions are hereby repealed only to the extent of their inconsistency with the terms of this Resolution.

Resolution 23-275 - Resolution Authorizing Change Order No. 2 For Professional Engineering Services

WHEREAS, pursuant to the fair and open process and Resolution No. 23-14, the Township previously qualified multiple engineering firms to provide consulting engineering services; and

WHEREAS, the Township Committee awarded a contract to T&M Associates for construction administration and inspection services for the 2021 Paving and Drainage project in the amount of \$314,190.00; and

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WHEREAS, T&M Associates and the Township have encountered unforeseen circumstances requiring the change order as proposed; and

WHEREAS, the Township requires additional funds as listed on Change Order No. 2 increasing the contract by \$16,000.00, making the total amount of the contract to date \$405,190.00 and;

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$16,000.00 is available for this purpose in account/line-item number(s) C-04-55-922-355-200. 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 that Change Order No. 2, with an increase in the amount of \$16,000.00, be authorized and executed by the appropriate officials.

Resolution 23-276 - Resolution Authorizing The Middletown Township To Accept A Subgrant Award Of The Federal Fiscal Year 2023 Of Emergency Management Performance Grant And Emergency Management Agency Assistance

WHEREAS, the Middletown Township Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY23-EMPG-EMAA-1332 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Middletown Township will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period is from July 1, 2023 to June 30, 2024; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Middletown Township Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an

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Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

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

1. That the Council accepts the award of the FFY232 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

Resolution 23-277 - Resolution Authorizing Change Order No. 1 For Professional Engineering Services

WHEREAS, pursuant to the fair and open process and Resolution No. 23-14, the Township previously qualified multiple engineering firms to provide consulting engineering services; and

WHEREAS, the Township Committee awarded a contract to T&M Associates for construction administration and inspection services for the 2022 Miscellaneous Roadway Improvements, Sleepy Hollow Rd, Texas Ave, Chapel Hill Rd project in the amount of \$84,000.00; and

WHEREAS, T&M Associates and the Township have encountered unforeseen circumstances requiring the change order as proposed; and

WHEREAS, the Township requires additional funds as listed on Change Order No. 1 increasing the contract by \$9,000.00, making the total amount of the contract to date \$93,000.00 and;

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WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$9,000.00 are available for this purpose in account/line-item number(s) C-04-55-922-349-200. 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 that Change Order No. 1, with an increase in the amount of \$9,000.00, be authorized and executed by the appropriate officials.

Resolution 23-278 - 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>
341	12	Geraldine Weber	103 Center Ave	20,995

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 23-279 - 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.

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<u>Block</u>	<u>Lot</u>	<u>Borrower</u>	<u>Address</u>	<u>Amount</u>
391	2	Jeanmarie Horgan	36 Highland Ave	22,317.64

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 23-280 - Resolution Authorizing a Chapter 159 Additional Item of Funding in the 2023 Budget – “National Opioids Settlement Fund”

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 received a \$8,165.27 grant from the National Opioids Settlement Fund which will bill overseen by the NJ Dept. of Human Services 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 \$8,165.27 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:

“National Opioids Settlement Fund”

BE IT FURTHER RESOLVED that a sum of \$8,165.27 is hereby appropriated under the caption of General Appropriations – Operations Excluded from “CAPS”:

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“National Opioids Settlement Fund”

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

**Resolution 23-281 - 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 and Class II); 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 II, and Special Crossing Guards in the Middletown Township Police Department for the calendar year of 2023.

Special Law Enforcement Officer(s) Class III – James Toth

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 23-282 - Resolution Authorizing the Transfer of Appropriations in The Local Budget of The Township of Middletown for The Year 2023

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

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

1. That the excess in the appropriations listed in the column designed “FROM” be transferred to the appropriations listed in the column designated “TO” as follows:
- 2.

	CURRENT FUND	FROM	TO
Account Number	Account Name	Amount	Amount
3-01-25-240-100-100	Police S&W	\$50,000.00	
3-01-25-240-100-200	Police O/E		\$50,000.00
3-01-26-305-100-200	Solid Waste & Recycling O/E	\$35,000.00	
3-01-25-445-100-273	Fire Hydrant Services		\$35,000.00
3-01-26-305-100-200	Solid Waste & Recycling O/E	\$25,905.00	
3-01-26-315-100-200	DPW Fleet Maintenance O/E		\$25,905.00
3-01-27-330-100-100	Health S&W	\$6,000.00	
3-01-27-330-101-100	Alliance S&W		\$6,000.00
3-01-26-290-100-200	DPW Streets & Roads O/E	\$159,610.00	
3-01-31-460-200-276	Utilities - Fuels - Motor Fuel		\$159,610.00
3-01-31-446-200-272	Utilities - Gas - PBG Natural Gas	\$10,000.00	
3-01-31-445-200-273	Utilities - Water - PBG		\$10,000.00
	TOTAL	\$286,515.00	\$286,515.00

3. The Township Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Township Auditor, a certified copy of this resolution.
4. This resolution shall take effect immediately.
5. A copy of this resolution shall be filed forthwith with the Director of New Jersey, Division of Local Government Services.

Resolution 23-283 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Provision of a Health and Wellness App

WHEREAS, the Township of Middletown, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, Yorktel, has been awarded New Jersey State Contract No. 20-TELE-01512; and

WHEREAS, under Contract 20-TELE-01512, Yorktel, can provide the Woliba Health and Wellness App for the Township of Middletown for a period two years upon notice to proceed; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$64,660.55 are available for this purpose in account/line-item number T-03-56-802-440-001. 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 Yorktel for the provision of a Health and Wellness App in the not to exceed amount of \$64,660.55.

Resolution 23-284 – Resolution Authorizing the Payment of Bills for November 20, 2023

The Township Committee hereby approves a resolution for the payment of bills for November 20, 2023, in the amount of \$3,680,377.58.

Resolution 23-285 - Resolution Ratifying Memorandum of Agreement (“MOA”) With Superior Officers Association

WHEREAS, the Township of Middletown (“the Township”) and the Superior Officers Association (“the Union”) were parties to a Collective Bargaining Agreement (“CBA”) covering the period of January 1, 2018 through December 31, 2021; and

WHEREAS, the Township and the Union have been engaged in good faith negotiations for the purpose of reaching terms and conditions for a successor CBA; and

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WHEREAS, the Township's and the Union's negotiating teams have recommended ratification of an MOA establishing new CBA terms and conditions covering the period of January 1, 2022 through December 31, 2026, and the Union having already ratified the same.

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 MOA amending and supplementing the CBA with the Superior Officers Association for the period of January 1, 2012 through December 31, 2026 is hereby ratified by the Township pursuant to the terms and conditions of the MOA annexed hereto and made part hereof.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Mayor and Township Clerk are hereby authorized and directed to execute the ratified MOA annexed hereto and made part hereof on behalf of the Township along with revisions to the CBA reflecting the same.

FIREFIGHTER APPLICATION

Ryan Fairhurst – Belford Engine Fire Company

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, congratulated the Middletown High School South Girls Cross Country team for winning the State championship. He thanked the public and his colleagues for the election day win. He is proud of the hard work and great decisions made in order to get things done.

Committeeman Settembrino, congratulated Committeeman Clarke and Committeewoman Kratz on their election day win and he is looking forward to working with them this year. He wished everyone a Happy Thanksgiving.

Committeewoman Kratz, congratulated the Middletown High School South Girls Cross Country Team on the state championship win. She thanked the residents of Middletown for electing her for the next three years, it's a pleasure to work with all of you. She gave shout out to Middletown Helps Its Own for the 350 baskets and boxes they made this year. She wished everyone a Happy Thanksgiving.

Deputy Mayor Hibell, congratulated Committeeman Clarke and Committeewoman Kratz on their election win and he looks forward to serving with them. He thanked everyone for coming out tonight and for their comments. We hear what you are saying. He wished everyone a Happy Thanksgiving.

Regular Meeting

Mayor Perry, congratulated Committeeman Clarke and Committeewoman Kratz on the election day win. He announced the tree lighting will be December 3rd from 5:00-7:00 p.m. at the Arts Center.

PUBLIC COMMENTS:

Susan, Resident of the Kings Landing, discussed the Tap Into Middletown article regarding the paving program to enhance the safety and life of the roadway.

Will, Resident Crestview Drive, he is one of the 1,700 nurses on strike from Robert Wood Johnson for over 100 days. He asked the Township Committee and community to support Bill A4536.

Leanne Coppela, Middletown Resident, she is also one of the 1,700 nurses on strike since August 4th. She stated she has worked in the pediatric emergency room for two years and most shifts are understaffed and should not be. She also asked the Township Committee and community to support Bill A4536.

Resident, Decker Dr., she said has been a nurse for 17 years and has seen staffing get a lot worse and is affecting all nurses and patients. She encouraged the Township Committee and community to support Bill A4536. She wished everyone a Happy Thanksgiving.

Melanie Elmiger, resident Green Tree Terrace, inquired if Code Enforcement can investigate the complaints regarding garbage on the Acme Road. She stated this is a property owner issue. There is illegal dumping that she has reported many times without resolution.

Regular Meeting

ADJOURNMENT

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 8:58 pm.

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

Township Clerk Heidi Pieluc stated the motion carried to adjourn.

Respectfully submitted,

Heidi R Pieluc
Township Clerk

Approved:

Anthony S. Perry, Mayor