

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 March 4, 2024.

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 11, 2024.

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

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

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.

ADMINISTRATION OF OATH OF OFFICE

Presentation Recognizing March 2024 as Women's History Month in the Township of Middletown

Township Clerk Heidi Pieluc invited Judge Susan Schroeder Clark along with County Commissioner Sue Kiley and Committeewoman Kratz to join Mayor Perry at the front of the room.

Mayor Perry read the oath of office to Judge Susan Schroeder Clark and congratulated Middletown's first woman Municipal Judge appointed during Women's History Month.

CERTIFICATE OF APPRECIATION/PROCLAMATIONS

Presentation Recognizing Middletown High School South Female Wrestling State Champion Thea Rowland

Township Clerk Heidi Brunt invited Middletown High School South State Female Wrestling Champion Thea Rowland along with Coaches Erik Cook, Brian Winz and Matthew Rosner

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and members of the Middletown Township Board of Education to join Mayor Perry at the front of the room.

Mayor Perry congratulated Thea on winning the state championship. He mentioned that she beat last year's champion, and this was the first win for a Middletown school since 1994.

PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2024-3406 - Ordinance Amending 2023-3384 2023/2024 Salary Ordinance

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 2024-3407 - Ordinance Amending § 12-15 Of the Code of The Township of Middletown Creating Two Additional Seats on The Veterans Affairs Committee

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

None

CONSENT AGENDA

Township Clerk Heidi Pieluc requested a motion to adopt a consent agenda including Resolutions 24-101 through 24-109.

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 Pieluc stated the motion carried to adopt the consent agenda.

Resolution 24-101 – Resolution Authorizing Appointment of Special Law Enforcement Officers

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 I, II, II, and Special Crossing Guards in the Middletown Township Police Department for the calendar year of 2024.

Special Law Enforcement Officer(s) Class I – Stanley Oseback
Special Law Enforcement Officer(s) Class III – Robert Falconetti

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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 24-102 - Resolution Authorizing Cancellation of Grant Balance

WHEREAS, there exists a Grant Reserve on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the appropriation balance from the balance sheet;

Grant	Year	Cancel Appropriation Amount
Chapter 159 American Rescue Plan Act	2021	59,215.00
Total		\$ 59,215.00

NOW, THEREFORE, BE IT RESOLVED Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the appropriation balance be cancelled and that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution 24-103 - Resolution Authorizing Appointment to Middletown Veterans Affairs Committee

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

WHEREAS, The Township Committee saw a need to expand the Middletown Veterans Affairs Committee and allow for two additional seats; and

THEREFORE BE IT RESOLVED, by adopting Ordinance 2024-3407 Ordinance Amending § 12-15 Of The Code Of The Township Of Middletown Creating Two Additional Seats On The Veterans Affairs Committee:

1. The following individual be and is hereby appointed as a member of the Middletown Veterans Affairs Committee pursuant to the “Code of the Township of Middletown” for term specified below:

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RICHARD FURLONG

SEAT VI

Expiring 12/31/2026

CHARLES WUTH

SEAT VII

Expiring 12/31/2026

2. The Township Clerk shall send a certified copy to each of the following:
 - a. Each appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
 - b. Middletown Veterans Affairs Committee

Resolution 24-104 - Resolution Authorizing Change Order No. 1 For Basketball and Tennis Courts At Tindall Park

WHEREAS, the Township Committee contracted with Colliers Engineering for Design Services at Tindall Park Tennis and Basketball Court in the amount of 76,500.00; and

WHEREAS, the contractor and Township have encountered unforeseen circumstances requiring the change order as proposed; and

WHEREAS, the Township requires additional estimated quantities as listed on Change Order No. 1 increasing the contract by \$14,950.00, making the total amount of the contract to date \$91,450.00 and;

WHEREAS, the amount of the change orders requested is a net increase of \$14,950.00, which represents in total less than the aggregate maximum increase of 20% allowed by N.J.A.C 5:34-11-3(a)(9); and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$14,950.00 is available for this purpose in account/line-item number(s) T-03-56-802-120-004. 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 \$14,950.00, be authorized and executed by the appropriate officials.

Resolution 24-105 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Township of Middletown Micro- Surfacing at Western Reach and Loch Arbor Way

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, **Asphalt** Paving Systems, P.O. Box 530, Hammonton, NJ 08037, has been awarded New Jersey State Contract No. 17-GNSV-00181; and

WHEREAS, under Contract 17-GNSV-00181, Asphalt Paving Systems, can provide labor and materials for the Micro-surfacing at Western Reach and Loch Arbor Way; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$286,505.14 is available for this purpose in account/line-item number(s) C-04-55-923-398-009. 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 Asphalt Paving Systems for the Micro-surfacing at Western Reach and Loch Arbor Way in the amount of \$286,505.14.

Resolution 24-106 - Resolution Authorizing the Award of a Contract for East Road Roadway Improvements – Phase 11

WHEREAS, the Township advertised for and received bids for the East Road Roadway Improvements – Phase 11 in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, nine bids were received and publicly opened on February 23, 2024, at 10:00 a.m.; and

WHEREAS, the Township Engineer has recommended that the award of the contract for East Road Roadway Improvements Phase 11 be awarded to **Meco Inc., P.O. Box 536, Clarksburg, NJ 08510** the lowest bidder with a total price for the bid of **\$553,923.50**; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of **\$553,923.50** are available for this purpose in account/line-item number(s) **C-04-55-923-383-001 and C-04-55-923-398-007**. 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 the award for East Road Roadway Improvements – Phase 11 be awarded to Mecco Inc., pursuant to the terms of their bid at the above prices, and that the appropriate officials be and are hereby authorized to execute the contract with the contractor.

Resolution 24-107 - Resolution Awarding a Professional Services Contract for Real Estate Appraisal Services for The Port Monmouth, New Jersey Flood Risk Management Program Contract #4 And Contract #5

WHEREAS, under Public Law No. 113-2, the Disaster Relief Appropriation Act of 2013, Chapter 4, the United States Army Corps of Engineers (“**USACE**”) conducted an investigation and identified areas located in the Township of Middletown (the “**Township**”) that were subject to significant coastal storm damage and tide-induced flooding; and

WHEREAS, pursuant to that investigation, the USACE implemented the Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey Flood Risk Management Program (the “Program”) which provides for hurricane and storm damage reduction and calls for certain improvements; and

WHEREAS, on October 21, 2019, pursuant to Resolution No. 19-254, and based on the recommendation of the New Jersey Department of Environmental Protection and Township Engineer, the Township retained the services of J. McHale & Associates, Inc. to provide real estate appraisal services related to the implementation of the Program, including but not limited to representing the Township in matters such as real estate appraisals and calculation of just compensation for the same related to real property acquisitions; and

WHEREAS, there exists an ongoing need for the Township to retain the services of J. McHale & Associates, Inc. to continue providing real estate appraisal services related to the implementation of the Program, including but not limited to representing the Township in Condemnation Commissioners’ hearings and at trials related to real property acquisitions; and

WHEREAS, J. McHale & Associates, Inc. remains qualified and has agreed to provide real estate appraisal services for a price not to exceed \$138,000 for Contracts #4 and #5 of the Program, subject to the Certification of availability of funds being provided by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the real estate appraisal firm of J. McHale & Associates, Inc. is hereby awarded a professional service contract to continue serving as Real Estate Appraiser for ongoing the Raritan Bay and Sandy Hook Bay, Port Monmouth, New Jersey Flood Risk Management Program for a price not to exceed \$138,000 for Contracts #4 and #5 of the Program.

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

Resolution 24-108 - Resolution For Temporary Emergency Appropriation

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2024 temporary budget for the aforesaid purposes, and

WHEREAS, NJS 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total temporary emergency resolutions adopted in the Year 2024 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$24,878,016.49 for the Current Fund, and

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all members of the Township Committee of the Township of Middletown, New Jersey affirmatively concurring) that in accordance with the provisions of NJS 40A:4-20:

1. An emergency temporary appropriation shall be and the same is hereby made for the following purposes:

Attachment 1 - 2024 Temporary Budget Worksheet		3/4/2024 Meeting
Account Number	Description	
4-01-20-120-100-200	Township Clerk O/E	20,000.00
4-01-25-260-100-200	First Aid O/E	18,294.78
4-01-26-290-102-200	DPW Parks O/E	140,000.00
4-01-26-305-100-200	Solid Waste & Recycling O/E	300,000.00
4-01-26-310-100-200	DPW Maintenance of Public Property O/E	40,000.00
4-01-26-315-100-200	DPW Fleet Maintenance O/E	60,000.00
4-01-31-447-100-275	Utilities - Heating Oil - PBG	3,000.00
4-01-31-460-200-200	Utilities - Fuel O/E	100,000.00
4-01-41-700-102-541	Police CBA SLEO III	86,676.00
4-01-42-101-200-280	Interlocal Agreement - Howell QPA	39,000.00
	TOTAL	\$806,970.78

2. That said emergency temporary appropriations will be provided for in the 2024 budget under the appropriate titles.

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3. That one certified copy of this resolution will be filed with the Director of Local Government Services.

Resolution 24-109 – Resolution Authorizing the Payment of Bills for March 4, 2024

The Township Committee hereby approves a resolution authorizing the payment of bills for March 4, 2024, in the amount of \$3,121,009.54.

TOWNSHIP COMMITTEE ACTING AS THE ABC ISSUING AUTHORITY

Township Clerk Heidi Pieluc requested a motion to pass Resolution 24-110

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to adopt resolution 24-110.

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

Resolution 24-110 – Resolution Authorizing the Renewal of Liquor Licenses with Ch 12.39 Special Ruling for the 2022-23, 2023-24 Licensing Terms 1331-33-026-004

WHEREAS, applications have been made to the Middletown Township Committee for Liquor License 1331-33-026-004 Standard Hedge, LLC in the Township of Middletown for the licensing terms Ch 12.39 Special Ruling for the 2022-23 and 2023-24 and accompanied by the assigned fees per Chapter 240-1 A of the Code of the Township of Middletown.

WHEREAS, the premises where the licenses are sought have been duly inspected by the Office of the Chief of Police of the Township of Middletown, have received, the necessary special rulings for renewal from the Director of the NJ ABC, and it appearing that the applications are in due form and that all legal formalities have been met.

License Number	Licensee	Status
1331-33-026-004	Standard Hedge	Inactive

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BE IT FURTHER RESOLVED that the Township Clerk issue the necessary licenses pursuant to this resolution and that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey, provided that in each case payment of \$200.00 filing fee by the licensee has been made to the Division of Alcoholic Beverage Control in accordance with P.L. 1970, Chapter 77.

DISCUSSION ITEMS – PUBLIC HEARING

FY 2024 Annual Action Plan for the Community Development Block Grant (CDBG) Program

Township Administrator Anthony Mercantante spoke about the grant.

Mayor Perry opened the meeting for public comments.

Don Watson, 1 Collinson Drive, questioned what the CDBG encompasses? Mayor Perry responded the funds are used for assisting those with certain needs for housing.

Hearing no further comments from the public and no comments from the Township Committee it was moved by Mayor Perry and seconded by Deputy Mayor Hibell to close public hearing.

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

Township Clerk Heidi Pieluc stated the motion carried to close the public hearing.

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, Congratulated Judge Clark said he has heard great things about her. He also congratulated Thea on her State Championship win, the first since 1974.

Committeeman Settembrino, Congratulated Judge Clark and Thea Rowland.

Committeewoman Kratz, congratulated Judge Clark and Thea Rowland. She stated this was a truly fun evening and she is blessed to serve women.

Deputy Mayor Hibell, wished Judge Clark the best.

Mayor Perry, congratulated Judge Clark on this momentous occasion and also commended Judge Berube for overseeing an everchanging court and AOC and he also thanked Judge

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Monaghan. He again congratulated Thea a true winner glad we could coordinate and get you here for the meeting tonight.

PUBLIC COMMENTS:

None

ADJOURNMENT

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

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

Township Clerk Heidi Pieluc stated motion carried to adjourn.

Respectfully submitted,

Heidi R Pieluc
Township Clerk

Approved:

Anthony S. Perry, Mayor