

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 July 22, 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, 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

Township Clerk Heidi Pieluc invited New Jersey Blind Citizens Association Executive Director Sarah Thoma, Board of Trustees President Pilar Curvy, and Board of Trustees Member George Ramos-Curvy to join Mayor Perry at the front of the room. Mayor Perry explained some of the resources available for visually impaired residents. He also mentioned how the Association reinvented itself during and after Covid 19.

Presentation Recognizing July 10, 2024, as Camp Happiness Day in the Township of Middletown

WHEREAS: The New Jersey Blind Men’s Club was created in 1910 by four courageous blind men in the Newark area with the intent to provide support, education, and socialization activities for the blind and visually impaired, allowing them to lead happy and productive lives while promoting acceptance to the public; and

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WHEREAS: In 1929, these forward-thinking men created an innovative camp-like experience in Leonardo which became known as Camp Happiness. They named the camp this since it was the first time these individuals were not defined by their blindness and were able to venture out on their own in a safe environment, learn independent living skills, and participate in social activities such as swimming, boating, and fishing; and

WHEREAS: In 1930, Middletown Township celebrated this creative program with a parade, fanfare, and a proclamation recognizing July 10, 1930 as “Camp Happiness Day”; and

WHEREAS: In 1987, the organization officially changed its name to the New Jersey Blind Citizens Association, Inc. (NJBCA) as it began accepting women and promoting inclusivity; and

WHEREAS: Now in its 114th year of providing free services, the NJBCA still serves as a statewide resource and referral center for the blind and visually impaired, as well as their families and caregivers. On its 95th anniversary, Camp Happiness continues in the spirit of its founders by offering free educational forums and creative programming in the arts, music, sculpting, painting, health and wellness, day trips to parks, restaurants, concerts, and other places of interest, as well as peer support groups; and

WHEREAS: The program also provides members the opportunity to contribute to their community by sharing their life experiences, which has resulted in greater inclusivity and the breaking down of barriers and bias associated with blindness. Among other programs, members are currently participating in the Beach Accessibility Study with Monmouth University and are working with the Colts Neck Lions Club on the development of the Braille Trails that are being created by the Monmouth County Parks System. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim July 10, 2024 as **Camp Happiness Day** in the Township of Middletown and encourage the community to support the NJBCA. We are truly honored to have such an inspiring, impactful organization based in Middletown.

Proclamation Recognizing August 6, 2024, as National Night Out in the Township of Middletown

WHEREAS: The National Association of Town Watch sponsors an annual police-community building campaign entitled National Night Out; and

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WHEREAS: National Night Out provides an opportunity for Middletown to join 38 million neighbors across thousands of communities from all 50 states, U.S. territories, and military bases worldwide to promote neighborhood safety and unity; and

WHEREAS: Middletown Township Police Department (MTPD) will hold its 7th annual National Night Out on Tuesday, August 6th at Middletown High School North. The event will bring residents together for live music, food, police equipment displays, K-9 demonstrations, fingerprinting, an impaired driving simulator, inflatables, and more to help foster the relationship between our community and police officers; and

WHEREAS: It is important for all neighborhoods in Middletown to join forces with the MTPD and work together to help keep our town one of the safest places to live in the country. We all need to be aware of the effectiveness of crime and drug prevention and be mindful of what is going on in our neighborhoods. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim August 6, 2024, as **National Night Out** in Middletown. We call upon all our residents to support the activities planned to help build our local police-community partnerships as well as fight for a safer nation.

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:

June 24, 2024, Regular 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.

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PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2024-3422 – Ordinance Repealing and Replacing Ordinance No. 2024-3418 Amending and Restating Ordinance No. 2023-3371 Solely as To The Established Fair Market Value For Property Identified As Block 1045, Lot 2 (Nut Swamp Road), Block 1045, Lot 3 (1114 Nut Swamp Road), And Block 1045, Lot 4 (Dwight Road) Within The Township Of Middletown

Public Hearing was carried to the August 19, 2024, meeting.

INTRODUCTION OF PROPOSED ORDINANCES

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2024-3423 – Ordinance Amending § 465-95 Of the Code of The Township of Middletown Prohibiting Parking at All Times Along the South Side of Prospect Avenue from Central Avenue

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 August 19, 2024.

CONSENT AGENDA

Deputy Township Clerk Kaaren Sena requested a motion to adopt a consent agenda including Resolutions 24-199 through 24-217 and Firefighter Application.

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

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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 24-199 - Resolution Authorizing Shared Service Agreement Between the Township of Middletown and The County of Monmouth Concerning Community Rating System Project Management Software

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., authorizes local units of this State to enter into a contract with any other local unit(s) for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the County of Monmouth has acquired a license to utilize the Community Rating System (“CRS”) Project Management Software, including its relevant software products, services and websites (collectively known as “CRS Software”) which provides for a municipal platform, elevation certificate storage and file management, and a CRS resident platform; and

WHEREAS, the Township of Middletown (the “Township”) and the County of Monmouth desire to enter into a shared services agreement whereby Monmouth County will provide the Township with a sublicense to utilize the CRS software for a term of two (2) years running from March 7, 2024 to March 6, 2026 (the “Agreement”); and

WHEREAS, the Township shall pay Monmouth County a total of \$3,750 in exchange for a sublicense for the CRS Software for the term of the Agreement; and

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

1. The Recitals set forth above are incorporated herein by reference.
2. The Mayor and Clerk of the Township are hereby authorized and directed to enter in the Agreement with Monmouth County with respect to the sublicense for the CRS Software pursuant to the terms and conditions set forth in the Agreement and Resolution. A copy of the Agreement shall be open for public inspection at the Offices of the Township immediately after passage of this Resolution.
3. The terms of the Agreement shall take effect upon the adoption of appropriate Resolutions and execution of the Agreement by the parties thereto.

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Resolution 24-200 - Resolution Releasing the Performance Guarantee for NJ Junior Titans Hockey Club

WHEREAS, T&M Associates, as set forth in their letter of July 3, 2024, have recommended that the performance guarantee in the form of a Surety Bond in the amount of \$200,850.84 and a cash deposit No. T-03-56-861-567-018 in the amount of \$22,316.76 be released with no requirement for a maintenance bond at this time, as the improvements are on private property; and

WHEREAS, the Township Committee agrees with said recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Middletown Township Committee that the Performance Guarantee be released.

A certified copy of this resolution shall be provided by the Office of the Township Clerk to the following:

- a. T&M Associates
- b. Planning
- c. The New Jersey Titans Hockey Club
214 Harmony Road
Middletown, NJ 07748

Resolution 24-201 - Resolution Authorizing Approval to Submit a Grant Application and Execute a Grant Contract with The New Jersey Department of Transportation for The Township of Middletown for The Campbell Avenue Improvements Project.

WHEREAS, the Township of Middletown is seeking to fund the completion of improvements to Campbell Avenue by obtaining a grant from the New Jersey Department of Transportation (NJDOT) through the Municipal Aid grant program, and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Middletown formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as *MA-2025-Campbell Avenue Improvements Project-00249* to the New Jersey Department of Transportation on behalf of the Township of Middletown.

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BE IT FURTHER RESOLVED that that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Middletown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution 24-202 - Resolution Authorizing the Township Of Middletown To Enter Into A Cooperative Pricing Agreement With The Monmouth-Ocean Educational Services Commission, #289MOESC

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

WHEREAS, the Monmouth-Ocean Educational Services Commission (ID #289MOESC), 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 24-203 - Resolution Authorizing The Township Of Middletown To Enter Into A Cooperative Pricing Agreement With The Camden County Educational Services Commission, #66CCEPS

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

WHEREAS, the Camden County Educational Services Commission (ID #66CCEPS), 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.

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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 24-204 - Resolution Authorizing Award of Contract to A Vendor with A National Cooperative Contract for Sports Lighting Equipment

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 LLC., an authorized dealer for Sports Lighting Equipment, can provide the Township the Control-Link System in the amount of \$132,756.00 per quote dated 6/13/24; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$132,756.00 is available for this purpose in account/line-item number(s) T-03-56-802-120-007. 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 Musco Sports Lighting, LLC., under Sourcewell Contract #041123-MSL be utilized to provide Control Link Sports Lighting system in the amount of \$132,756.00.

Resolution 24-205 - Resolution Authorizing Resurfacing of Basketball Courts At (11) Eleven Park Locations Through the Educational Services Commission Of New Jersey

WHEREAS, the Township may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Educational Services Commission of New Jersey Cooperative Purchasing System (Co-Op #65MCESCCPS) pursuant to the provision of N.J.S.A. 40A:11-11: and

WHEREAS, **Att Sports Inc., 115 B Cross Keys Road, Berlin NJ 08009** has been awarded the ESCNJ Contract 23/24-47 for Athletic Surfaces – Tracks and Courts and

WHEREAS, under Contract 23/24-47, **Att Sports Inc.**, can provide Resurfacing of Basketball Courts at (11) eleven Middletown Park locations as noted in their quote dated 6/19/24; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of **\$974,835.00** are available for this purpose in account/line-item number(s) T-03-56-802-120-007. 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, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with **Att Sports Inc.** for Basketball Court resurfacing at (11) Middletown Park locations in the amount of **\$974,835.00**.

Resolution 24-206 – Resolution Authorizing the Purchase of One (1) 2024 Ford Transit Cargo Awd Van Through the Educational Services Commission Of New Jersey

WHEREAS, the Township may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Educational Services Commission of New Jersey Cooperative Purchasing System (Co-Op #65MCESCCPS) pursuant to the provision of N.J.S.A. 40A:11-11: and

WHEREAS, **All American Ford of Paramus, 375 Route 17 South, Paramus, NJ 07652** has been awarded the ESCNJ Contract 23/24-11 for **CARS, CROSSOVERS, CLASS 1-3 PICKUP TRUCKS/CHASSIS, SUVS AND VANS** and

WHEREAS, under Contract 23/24-11, **All American Ford of Paramus**, can provide (1) one 2024 Ford Transit Cargo AWD Van as noted in their quote dated 06/13/2024; 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 **\$52,320.53** are available for this purpose in account/line-item number(s) C-04-55-922-355-002. 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 **All American Ford of Paramus** for the delivery of **(1) one 2024 Ford Transit Cargo AWD Van** in the amount of **\$52,320.53**.

Resolution 207 - 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 #2024-Bid-11 – On Call Plumbing Repair, Service, and Maintenance in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, three proposals were received and publicly opened on June 25, at 11:00 a.m.; and

WHEREAS, the low bidder, McCloskey Mechanical Contractors, Inc., was disqualified due to an error on their proposal form; and

WHEREAS, the Township Engineer has recommended that the award of contract #2024-Bid-11 be awarded to, Binsky & Snyder LLC, 281 Centennial Ave., Piscataway, NJ 08854 with a total not to exceed \$200,000.00 for the initial contract period; and

WHEREAS, the initial contract term shall begin, July 30, 2024 and end July 29, 2026; with an option for two (2) one (1) year extensions; and

WHEREAS, the appropriations to be charged are budget line item number(s) 4-01-26-310-100-201, 4-01-26-310-100-259, and 4-01-26-290-102-308 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 #2024-Bid-11 – On Call Plumbing Repair, Service, and Maintenance be awarded to Binsky & Snyder LLC, 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 24-208 - Resolution Rejecting All Bids Received for the 2024 Roadway Program – Phase 1

WHEREAS, the Township of Middletown authorized the receipt of bids for The 2024 Roadway Program – Phase 1; and

WHEREAS, five (5) bids were received and publicly opened on July 10, 2024; and

WHEREAS, said bids were reviewed by Ted Maloney, Director of Public Works and the Township Attorney for the Township of Middletown and it has been determined that the Township of Middletown wants to substantially revise the bid specifications; and

WHEREAS, New Jersey Local Public Contracts Law 40A 11-13.2 (d) states said rejection is just cause to reject all bids received for the 2024 Roadway program- Phase 1 and to re-bid; and

WHEREAS, it is the desire of the Township Committee to reject all bids and to authorize the receipt of new bids for the 2024 Roadway Program – Phase 1.

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

That the Township Committee does hereby reject all bids received for the 2024 Roadway Program – Phase 1 for the Township of Middletown for the reasons set forth in this resolution.

That the Township Committee does hereby authorize the receipt of new bids for the 2024 Roadway Program – Phase 1. The Township Purchasing Agent shall determine the time, date and place for the receipt of bids.

That 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) Ted Maloney, Dir. of Public Works
- D) All rejected bidders as follows:

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1. D'Avellino Construction Inc.
62 Court Street
Freehold, NJ 07728
2. Jads Construction Co. of NJ Inc. .
P.O. BOX 513
South River, NJ 08882
3. Mecco Inc.
Street
Clarksburg, NJ 08510
4. S.Brothers Inc.
P.O. 317
South River, NJ 08882
5. Seacoast Construction Inc.
15 Addington Court
East Brunswick, NJ 08816

Resolution 24-209 - Resolution Authorizing the Award of a Contract for Auction Services

WHEREAS, the Township advertised for and received bids for contract #2024-Bid-17 – Auction Services in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, three proposals were received and publicly opened on July 9th 2024, at 10:00 a.m.; and

WHEREAS, the Director of Purchasing has recommended that the award of contract #2024-Bid-17 be awarded to Auction Liquidation Services, 300 Commerce Dr., Tinton Falls, NJ 07753 with commission rates as follows:

- Commission rate charged to the Township for each auction: 0%
- Commission rate charged to the winning bidder for each auction: 8.5%

WHEREAS, the contract term shall begin, July 23rd, 2024, and end July 22nd, 2026; with the option of one (1) two (2) year extension.

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THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that the award for contract #2024-Bid-17 – Auction Services be awarded to Auction Liquidation Services, pursuant to the terms of their bid at the above rates, and that the appropriate officials are hereby authorized to execute the contract with the contractor.

Resolution 24-210 - Resolution Authorizing a Chapter 159 Additional Item of Funding in the 2024 Budget – Shared Service Agreement Between Township of Middletown and the Borough of Keyport – Municipal Court

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 a shared service agreement to receive \$73,500 from the Borough of Keyport and wishes to amend its 2024 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 2024 budget in the sum of \$73,500 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:
Shared Service Agreement
Borough of Keyport – Municipal Court

BE IT FURTHER RESOLVED that a sum of \$73,500 is hereby appropriated under the caption of General Appropriations – Operations Excluded from “CAPS”:
Shared Service Agreement
Borough of Keyport – Municipal Court

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 24-211 – Resolution Extending Grace Period for Payment Of 3rd Quarter 2024 Taxes

WHEREAS, N.J.S.A. 54:4-64 provides that third quarter tax bills were to be mailed at least 47 days prior to the due date of August 1, 2024; and

WHEREAS, because of delays outside of the Township’s control, the bills could not be mailed prior to this deadline; and

WHEREAS, N.J.S.A. 54:4-66.3d provides that when third quarter tax bills cannot be mailed by June 14, taxes shall not be subject to interest until at least 25 days after the tax bills are mailed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the interest charged as per Resolution No. 24-41, shall be waived if payment of third quarter tax bills is received by August 26, 2024. Any payments not made within this time shall be charged interest from the State set due date of August 1, 2024.

Resolution 24-212 - Resolution Designating Port Monmouth Residential Developer,

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WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“**LRHL**”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the governing body serves as an instrumentality and agency of the Township of Middletown (the “**Township**”) pursuant to the LRHL for the purpose of implementing redevelopment plans and carrying out redevelopment projects within the Township (the “**Redevelopment Entity**”); and

WHEREAS, N.J.S.A. 40A:12A-8 authorizes the Township to enter into contracts or agreements for the planning, construction or undertaking of any development project or redevelopment work in an area in need of redevelopment; and

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WHEREAS, on July 20, 2015, pursuant to Resolution No. 15-205, the Township

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WHEREAS, on October 19, 2015, pursuant to Resolution No. 15-272, amending Resolution No. 15-205, the Township expanded the delineated study area to include the

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properties identified as Block 306, Lots 122, 123, 124, 125, 128 and 129; and Block 306.01, Lots 14, 15 and 16 (together, with the Initial Area of Investigation, the “**Area of Investigation**”); and

WHEREAS, on December 2, 2015, the Planning Board held a properly noticed public hearing at which the planner presented the findings of his preliminary investigation

WHEREAS, on February 1, 2016, pursuant to Resolution No. 16-84, the Township determined that the Redevelopment Area is an area in need of redevelopment for non-condemnation purposes under the LRHL; and

WHEREAS, on May 15, 2017, pursuant to Ordinance No. 2017-3197, the Township adopted the Port Belford Redevelopment Plan dated May 2017 and amended on September 18, 2023, pursuant to Ordinance No. 2023-3387 (together with any other amendments, the “**Redevelopment Plan**”) covering the Redevelopment Area; and

WHEREAS, on July 1, 2019, the Township issued a Request for Qualifications (“**RFQ**”) to procure the services of a private redeveloper to develop all or a portion of the Redevelopment Area in conformance with the Redevelopment Plan; and

WHEREAS, on August 19, 2019, by Resolution No. 19-217, the Township selected Woodmont Properties, Canoe Brook Development, Nexus Properties, and AJD Construction as the qualified redeveloper for the Redevelopment Area including the Property; and

WHEREAS, on April 19, 2023, Woodmont Properties and Canoe Brook Development submitted conceptual plans to the Township for the redevelopment of the Redevelopment Area; and

WHEREAS, Woodmont Properties and Canoe Brook Development formed a special purpose entity called Port Monmouth Residential Developer, LLC to serve as redeveloper of the Project (the “**Redeveloper**”); and

WHEREAS, consistent with the Redevelopment Plan, the Redeveloper intends to redevelop a certain portion of the Property into a ferry terminal arrival plaza, approximately 10 residential apartment units including a 15% set-aside for affordable housing units, approximately 10,000 square feet of retail space, farmers market, restaurant pads, amphitheater, structured parking, an interpretative center, and other uses permitted in the Redevelopment Plan (the “**Project**”); and

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WHEREAS, on June 5, 2023, by Resolution No. 23-175, the Township conditionally designated the Redeveloper as the redeveloper of the Project; and

WHEREAS, the Township recognizes the credentials, experience and financial capability of the Redeveloper to design and construct the Project; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9, the Township desires to enter into a Redevelopment Agreement with the Redeveloper, which shall further define and memorialize the respective obligations of the parties regarding proceeding with the redevelopment of the Property in a manner consistent with the Redevelopment Plan.

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 foregoing recitals are hereby incorporated as if set forth at length.
2. The terms and conditions contained in the Redevelopment Agreement by and between the Township and the Redeveloper are hereby accepted and approved.
3. The Mayor is hereby authorized and directed to execute the Redevelopment Agreement, substantially in the form attached hereto and made part hereof, immediately upon adoption of this Resolution.
4. Upon the adoption of this Resolution and the Redeveloper’s execution of the Redevelopment Agreement, the Redeveloper shall be deemed
5. This Resolution shall become effective immediately pursuant to law.

Resolution 24-213 - Appointment Of Special Law Enforcement Officers - Class II

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

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for all purposes under the LRHL.

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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 2024.

Special Law Enforcement Officers Class II – Wilson Cartagena; Michelle Quinonez-Sanchez; Patrick Smit; Shaun Sullivan

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 24-214 - Resolution Authorizing Payment of Compensated Absence Benefits for Retirement of Edward Ryan

WHEREAS, Edward Ryan has been employed by the Township of Middletown (the “Township”) since June 24, 1997; and

WHEREAS, effective June 30, 2024, Edward Ryan retired with approximately 27 years of service to the Township; and

WHEREAS, upon retirement as an Assistant Construction Official, Edward Ryan is entitled to compensated absence benefits in accordance with the Township’s contracts governing certain white-collar employees, therefore, entitling him to \$74,257.80 upon his retirement; and

WHEREAS, in accordance with N.J.S.A. 40A:9-165, the governing body must authorize all benefit related compensation for current management employees; and

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WHEREAS, the Chief Financial Officer certifies that sufficient documentation exists as to the amount of the accumulated compensated absence benefits Edward Ryan is entitled to and that funds are available to pay the amount due.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby authorizes the payment of \$74,257.80 to Edward Ryan for accumulated compensated absence benefits made upon his retirement.

Resolution 24-215 – Resolution Authorizing the Payment of Bills for July 22, 2024

The Township Committee hereby authorizes the payment of bills for July 22, 2024 in the amount of \$12,018,311.85.

Resolution 24-216 - Resolution Authorizing the Purchase of Athletic Equipment and Supplies – Bison Adjustable and Fixed Basketball Systems. Through The Educational Services Commission Of New Jersey

WHEREAS, the Township may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Educational Services Commission of New Jersey Cooperative Purchasing System (Co-Op #65MCECCPS) pursuant to the provision of N.J.S.A. 40A:11-11; and

WHEREAS, Ben Shaeffer Recreation, Inc., P.O. Box 844, Lake Hopatcong NJ 07849, has been awarded the ESCNJ Contract ESCNJ 21/22-10 (expiration 5/8/25) for Athletic Equipment and Supplies; and

WHEREAS, under Contract 65MCECCPS, **Ben Shaeffer Recreation, Inc** can provide Bison Basketball Systems as noted in their proposal 5091 dated 7/19/24; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of **\$133,629.61** are available for this purpose in account/line-item number **T-03-56-802-120-007**. 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, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with **Ben Shaeffer Recreation, Inc** for the delivery of Bison Basketball Systems in the amount of **\$133,629.61**.

Regular Meeting

Resolution 24-217 - Resolution Authorizing Shared Services Agreement with The Borough of Oceanport for Records Management Services

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

WHEREAS, the Township of Middletown (“**Middletown**”) and the Borough of Oceanport (“**Oceanport**”) wish to enter into a Shared Services Agreement for the provision of Records Management Services.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby authorizes and directs the Mayor to enter into a new Shared Services Agreement with Oceanport for Records Management Services pursuant to the terms and conditions and schedule of fees contained therein.

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

FIREFIGHTER APPLICATION

John Martinson, Old Village Fire Company

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, None

Committeeman Settembrino, None

Committeewoman Kratz, None

Deputy Mayor Hibell, is looking forward to the grand opening of Red Bank Veterinary Hospital.

Regular Meeting

Mayor Perry, looking forward to the events being planned for the 250th Semiquincentennial celebration. He also announced the Camp Fire Stories at the Middletown Arts Center on August 18th.

PUBLIC COMMENTS:

Susan Dinnocenzo, 312 Maple Drive, spoke regarding resolution 24-212, she said she received a letter on June 25 from Eco Evaluation regarding a public hearing, she inquired if this was the forum for that public hearing? Township Administrator Anthony Mercantante responded that it was not. She thanked the committee for their time and expressed her concerns about redevelopment and its impact on the environment.

Richard Isaakson, President Belford Seafood Co-Op, stated that the studies of redevelopment are confusing people. He believes these redevelopments are for the Township to make money.

Mayor Perry discussed high density housing approved by the Governor and discussed the state process. He stated he continues to fight unfunded state mandated programs.

James Genovese, resident of Leonardo, discussed the microburst that occurred last month and the number of large branches it caused that are not easy for the residents to carry away on their own. He requested the Township provide a special pick up for the debris or at least compromise. He objects to the amount of overtime paid for road shutdowns.

Sheryl Genovese, Leonardo, explained that they do bring debris that needs to be disposed of but the amount of taxes they pay should be enough to pick up debris from storms.

Barry O'Neal, 24 Burlington Avenue, objects to the township not picking up debris from severe storms and stated that rumors are spreading regarding fines.

Mark Soporowski, 38 Powell Avenue, commented on the storm debris that clog storm drains. He also commented on Hillside Park stating it has not been mowed since June. He said if workers are not going to cut the grass in the parks use them to pick up storm debris.

Brian Schindler, 319 Monmouth Avenue, commented that he too has a large amount of debris outside his home.

James Genovese, Leonardo resident spoke again stating he would volunteer to help workers pick up the debris a community coming together and working together.

Regular Meeting

Tony Borelli, Chapel Hill Road, commented that he recently had a house fire, he proposed posting on the Middletown Facebook page people will volunteer to help when you post.

Susan Dinnocenzo, 312 Maple Drive, said that after hearing concerns of the residents growing the town should not happen because we cannot handle what we have.

Richard Isaakson, President Belford Sea Food Co-Op, said the town should be able to send a couple of trucks after a serious storm.

Regular Meeting

ADJOURNMENT

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 8:20 pm.

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

Deputy Township Clerk Kaaren Sena stated the motion carried to adjourn.

Respectfully submitted,

Heidi R Pieluc
Township Clerk

Approved:

Anthony S. Perry, Mayor