

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 April 19, 2021.

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

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to The Star Ledger, The Independent and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 7, 2021.

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

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, Assistant Administrator Jim VanNest, Chief Financial Officer Colleen Lapp and Township Clerk Heidi Brunt.

PLEDGE OF ALLEGIANCE

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

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

CERTIFICATE OF APPRECIATION/PROCLAMATIONS

Distinguished Citizen of the Year Presentation Honoring Abe Littenberg

Mayor Anthony Perry invited Abe Littenberg to the front of the room to present him with the Distinguished Citizen of the Year Award.

Proclamation Recognizing National Library Week (April 4-10, 2021) in the Township of Middletown (For the Record)

WHEREAS: Today’s libraries are less about what they have on the shelves and more about what they can do with and for their communities, whether it’s through virtual services or in-person visits; and

WHEREAS: Libraries have long served as trusted and treasured institutions for people of all ages, interests and backgrounds. They are at the heart of their cities, towns, schools and campuses; and

WHEREAS: Libraries offer members of the community opportunities to explore new passions through technology, programs and services; and

WHEREAS: Libraries and librarians help patrons find tools and resources to help improve the quality of their life; and

WHEREAS: Libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy. They strive to develop and maintain programs and collections that are as diverse as the populations they serve; and

WHEREAS: Libraries and librarians work to create an equitable society by providing free access to accurate information to all people; and

WHEREAS: In times of crisis, libraries play a critical role in continuing to support their communities when they need it the most; and

WHEREAS: Libraries, librarians, library workers and supporters across America are celebrating National Library Week. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim it National Library Week in the Township of Middletown from April 4-10, 2021. During this time, we encourage community members to visit the Middletown Township Public Library's website, mtpl.org, and social media channels to check out their diverse programming and special events, such as its upcoming Centennial Anniversary activities.

Proclamation Recognizing April 2021 as National Volunteer Month in the Township of Middletown

WHEREAS: Middletown Township is well known for its spectacular volunteer spirit. A large measure of Middletown's strength, beauty, and unique character is derived from the outstanding contributions made by thousands of residents who volunteer and play a vital role in many organizations and groups; and

WHEREAS: Residents who volunteer their time provide assistance which cannot be measured in terms of dollars. When people reach out to help one another, their support and positive actions multiply in value; and

WHEREAS: Residents also donate a significant amount of time in helping the Township of Middletown through their service on nearly two dozen Township boards, committees and commissions; and

WHEREAS: Volunteers throughout the Township of Middletown donate their time to a wide variety of programs such as the arts and recreation, youth athletic leagues, and programs that continue to help residents recover from devastating storms; and

WHEREAS: Volunteers provide vital emergency services through the all-volunteer Emergency Medical Service Department, Fire Department, Police Auxiliary and Emergency Management; and

WHEREAS: The Mayor and Township Committee extend their deepest gratitude to the fine men and women who generously donate their time to the community. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim April 2021 as National Volunteer Month in the Township of Middletown. We encourage everyone to recognize, support and commend these special volunteers

Proclamation Recognizing National Small Business Week (May 2-8, 2021) in the Township of Middletown

WHEREAS: America's progress has been driven by pioneers who think big, take risks and work hard; and

WHEREAS: From the storefront shops that anchor Main Street to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

WHEREAS: Small-business owners and Main Street businesses have energy and a passion for what they do; and

WHEREAS: When we support small business, jobs are created and local communities preserve their unique culture; and

WHEREAS: Because this country's 30 million small businesses create nearly two out of three net new jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and

WHEREAS: The President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and

WHEREAS: Middletown supports and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim **May 2 through May 8, 2021** as National Small Business Week in the Township of Middletown.

Proclamation Recognizing Municipal Clerks Week (May 2-8, 2021) in the Township of Middletown (For the Record)

WHEREAS: The Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and

WHEREAS: The Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS: The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and

WHEREAS: Municipal clerks have pledged to be ever-mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS: The Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS: Municipal clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS: It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk. Now

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do recognize the week of May 2 through May 8, 2021 as Municipal Clerks Week, and further extend appreciation to our Township Clerk Heidi R. Brunt, Deputy Township Clerk Kaaren Sena, and the Township Clerk's Office staff for the vital services they perform and their exemplary dedication to our community.

Proclamation Recognizing May 9-15, 2021 as Police Week in the Township of Middletown (For the Record)

WHEREAS: The Congress and President of the United States have designated the week of May 9 through May 15, 2021 as National Police Week; and

WHEREAS: The members of the Middletown Township Police Department play an essential role in safeguarding the rights and freedoms of the Township of Middletown; and

WHEREAS: All citizens should know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency. It is also important that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS: The men and women of the Middletown Township Police Department unceasingly provide a vital public service. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, proclaim May 9 through May 15, 2021 as Police Week in the Township of Middletown. We call upon all citizens and patriotic, civic, and educational organizations to observe this week by commemorating law enforcement officers, past and present. By their faithful and loyal devotion to their responsibilities, these individuals have rendered a dedicated service to their communities and have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Proclamation Recognizing May 2021, as Mental Health Awareness Month in the Township of Middletown (For the Record)

WHEREAS: Mental Health Awareness Month was founded in 1949 by the Mental Health America organization; and

WHEREAS: May of each year is recognized nationally as Mental Health Awareness Month; and

WHEREAS: 1 in 5 people will experience a mental illness during their lifetime; and

WHEREAS: 46 percent of Americans will meet the criteria for a diagnosable mental health condition sometime in their life; and

WHEREAS: The high levels of stigma associated with mental illness and mental health make it difficult for individuals struggling to seek treatment; and

WHEREAS: Middletown Township is dedicated to educating and mobilizing people about the need for mental health care and awareness. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim May 2021, and each May going forward, as Mental Health Awareness Month in the Township of Middletown in order to help raise awareness and reduce stigma around mental health care.

Proclamation Recognizing May 2021 as Older Americans Month in the Township of Middletown (For the Record)

WHEREAS: Middletown Township includes older Americans who enrich our community through their diverse life experiences; and

WHEREAS: We are committed to strengthening our community by supporting older adults, their families and caregivers; and

WHEREAS: Middletown recognizes their many valuable contributions to society and the importance of bringing together all generations and engaging in activities that promote physical, mental and emotional well-being; and

WHEREAS: Middletown encourages and celebrates the countless contributions that older adults make to our community. Their time, experience, and talents benefit family, peers, and neighbors every day. School, organizations and individuals of all ages are also making their marks by supporting and enriching the lives of our seniors; and

WHEREAS: We will continue to promote home and community-based services that support independent living, involve older adults in community events and activities, as well as provide opportunities for them to work, volunteer, learn, lead and mentor. Now,

THEREFORE: I, Mayor Tony Perry and the Middletown Township Committee, do hereby proclaim May 2021 as **Older Americans Month** in the Township of Middletown. We urge every resident to take time during this month to acknowledge older adults and the people who serve them as influential and vital members of our community.

PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3306 - Ordinance Amending Chapter 465 Of The Code of the Township of Middletown to Address Parking and Traffic Regulations Near Ideal Beach

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, Settembrino, Snell, Mayor Perry

Nays: None

Abstention: None

Absent: None

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

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3307 - Ordinance Implementing Voter-Approved Increase to The Annual Collection Rate of the Middletown Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund

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, Settembrino, Snell, Mayor Perry

Nays: None

Abstention: None

Absent: None

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

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3308 - Ordinance Amending Section 240-18 Governing Fee Schedule for Towing Operators in The Township of Middletown

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, Settembrino, Snell, Mayor Perry
Nays: None
Abstention: None
Absent: None

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

Township Clerk Heidi Brunt read the following ordinance by title:

Ordinance 2021-3309 - 2021 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, Settembrino, Snell, Mayor Perry
Nays: None
Abstention: None
Absent: None

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

CONSENT AGENDA

Township Clerk Heidi Brunt requested a motion to adopt a consent agenda including Resolutions 21-124 through 21-135 and Bingo and Raffle Applications.

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

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

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

Resolution 21-124 – Resolution Approving Change Order to Contract with Nickerson Corporation for The Purchase & Installation of an Interior Bleacher System for The Croydon Hall Gymnasium

WHEREAS, pursuant to Resolution 20-225, the Township of Middletown (“Middletown”) entered into a contract with the Nickerson Corporation for the Purchase & Installation of an Interior Bleacher System for the Croydon Hall Gymnasium; and

WHEREAS, the Vendor has requested the approval of a Change Order, to allow for the reduction in size of the 7-Tier Bleacher System by 3-Tiers to provide a 4-Tier Bleacher System, which is necessary to complete the project, resulting in a \$14,100 reduction to the contract price, and a revised total contract price of \$32,375.00, as set forth in the document attached hereto and incorporated by reference; and

WHEREAS, the Township Engineer has recommended approval of this change order.

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 a Change Order to its contract with the Nickerson Corporation for the Interior Bleacher System for the Croydon Hall Gymnasium, consistent with the foregoing.

Resolution 21-125 - Resolution Authorizing Award of Contract Vendors(S) With National Cooperative Contracts for Zebra Printers and Accessories for the Middletown Police Department

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

1. In accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139” and N.J.S.A.52:34-6.2 the regulations promulgated there under, the following purchase without competitive bids from vendor(s) with a National Cooperative Contract is hereby approved:

ITEM # 1

VENDOR

**SHI INTERNATIONAL CORP.
290 DAVIDSON AVENUE
SOMERSET, NJ 08873**

**OMNIA PARTNERS NATIONAL CO-OP
CONTRACT # 2018011-02**

MEMBER # 1145562

AMOUNT \$62,478.00

DESCRIPTION

**ZEBRA PRINTERS (E-CITATION PRINTERS) AND ACCESSORIES FOR THE
MIDDLETOWN POLICE DEPARMENT**

2. In accordance with N.J.A.C. 17:44-2.2 “The vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.”

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

C-04-55-918-227-003 - \$14,518.00

1-01-25-240-100-202 - \$47,960.00

2. A certified copy of this resolution shall be provided by the

Office of the Township Clerk to each of the following:

- A) Purchasing Agent
- B) Comptroller
- C) Police Chief
- D) Vendor

Resolution 21-126 - Resolution Authorizing the Extension of the Contract for Traffic Line Striping & Lettering

WHEREAS, The Township of Middletown awarded a contract for Traffic Line Striping to Traffic Lines, 5100 Asbury Road, Farmingdale, NJ 07727 on May 8, 2019 to provide said services for a twenty-four (24) month period with an option for two (2) additional twelve (12) month extensions agreeable by both the vendor and the Township of Middletown; and

WHEREAS, the Director of Public Works has determined that extending the contract would be in the best interest of the Township of Middletown and would like to execute said option for an additional twelve (12) months with no increase from the original contract amount of \$50,420.00 for 2021-2022 contract year.

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

1. It hereby awards an extension of the existing contract for an additional twelve (12) months to Traffic Lines, 5100 Asbury Road, Farmingdale, NJ 07727 for a total of \$50,420.00.

BE IT FURTHER RESOLVED, this contract was awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5 et seq.

WHEREAS, the Chief Financial Officer certifies that funds are currently available and are designated to line item appropriation of the temporary budget No. 1-01-26-290-100. A copy of the said certification is attached hereto and made part of hereof and the funds to be expended herein are assigned to line item no. 261. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the certification of availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

2. 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, Director of Public Works
- D) Vendor

Resolution 21-127 - Resolution Approving Acceptance of Credit Card Payments for General Fees and Awarding Contract Extension for Same

WHEREAS, pursuant to N.J.S.A. 40A:5-43 et seq. and N.J.A.C. 5:30-9.1 et seq., the Township of Middletown (“Middletown”) is authorized to accept credit card payments for most obligations payable to the municipality; and

WHEREAS, in order to realize efficiencies, Middletown seeks to procure a credit card processing company to accept payments for general fees established by ordinance that are payable to the Township using credit cards, debit cards, and/or electronic funds transfers; and

WHEREAS, Middletown currently retains Official Payments, 3550 Engineering Drive, Suite 400, Norcross, GA 30092, to provide such services, and seeks to extend the engagement with same for one calendar year; and

WHEREAS, under the proposed arrangement, Middletown seeks to have all transaction fees payable by the payor through a surcharge or convenience fee that shall be imposed, as permitted by N.J.A.C. 5:30-9.9; and

WHEREAS, Middletown has reviewed and determined that the total estimated value of the proposed arrangement is less than the bid threshold, and therefore this extension for this concession-based service may be awarded by informal quotation, as provided in N.J.A.C. 5:34-9.4(f) and (g).

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. The foregoing recitals are incorporated as if set forth at length herein.
2. The Township Committee hereby authorizes the acceptance of credit card, debit card, and/or electronic funds transfer payments for general fees established by ordinance that are payable to the Township and its departments, as determined by the Township Administrator.
3. The Township Committee hereby approves the award of a contract extension to Official Payments to provide such services, consistent with the foregoing.
4. The foregoing contract award shall be for a term of 12 months and shall be subject to the requirements contained in N.J.S.A. 40A:5-43 et seq. and N.J.A.C. 5:30-9.1 et seq.
5. The Township Committee hereby authorizes the imposition of surcharges and/or convenience fees upon the payor for credit card, debit card, and/or electronic funds transfer payments in the amounts set forth in the current contract with Official Payments.
6. The Mayor and Township Administrator are hereby authorized and directed to execute any and all agreements as necessary to effectuate the foregoing, subject to the review and approval of the Township Attorney.

Resolution 21-128 - Resolution Authorizing Deputy Mayor to Solemnize Marriages

WHEREAS, pursuant to N.J.S.A. 37:1-13a, the Deputy Mayor may be authorized to solemnize marriages when authorized by the Mayor or Chairman of the Township Committee; and

WHEREAS, the Mayor who serves as Chairman of the Township Committee wishes to permit the Deputy Mayor to solemnize marriages.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that pursuant to N.J.S.A. 37:1-13a, the Deputy Mayor is hereby authorized to solemnize marriages between such persons as may lawfully enter into a matrimonial relationship under New Jersey law.

Resolution 21-129 -Resolution Authorizing Certification for The Tonnage Grant Application to The New Jersey Department of Environmental Protection

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Middletown Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of Middletown Township that Middletown Township hereby certifies the Township has complied with requirements in NJAC 7:26A-11 standards for municipalities.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution 21-130 - Resolution Rejecting All Proposals for Marketing of Anti-Freeze, Used Motor Oil, Electronics, Expanded Polystyrene, Plastic Film, Rigid Plastic, And Scrap Metal Collected from The Township of Middletown's Recycling Convenience Centers

WHEREAS, the Township of Middletown ("Township") operates two recycling convenience centers, located at 52 Kanen Lane and the Church Street Train Station Parking Lot, respectively; and

WHEREAS, the Township sought one or more vendors to market certain recyclable materials collected from the Township's recycling convenience centers under new contracts, with a three-year initial term and the option to renew for two additional one-year renewal terms, each exercisable in the Township's sole discretion; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(s)) does not require competitive bidding for these contracts they were nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) through a Request for Proposals dated January 28, 2021, with an addendum published on February 26, 2021 (the "RFP"); and

WHEREAS, the Township received six submissions in response to the RFP, five of which were non-responsive for a variety of non-discretionary reasons; and

WHEREAS, specifically, the failure to submit a Consent of Surety, a Statement of Corporate Ownership, or an Addendum Acknowledgment is a fatal defect that renders a proposal non-responsive pursuant to N.J.S.A. 40A:11-23.2; and

WHEREAS, the Township received one responsive submission in connection with Expanded Polystyrene, Plastic Film, Rigid Plastic, and Scrap Metal, however, the proposed pricing terms were excessive; and

WHEREAS, the Township received no proposals for the marketing of cooking oil, textiles, and tires; and

WHEREAS, the Township currently transports plastic film directly to market at zero cost and the Township's governing body desires to continue doing so rather than pay a vendor to market plastic film; and

WHEREAS, after review and analysis of the submissions in response to the RFP, the Township's recycling consultant DeFeo Associates recommends rejecting the responsive proposals for excessive pricing and issuing separate, substantially revised requests for proposals and/or soliciting separate quotations for the marketing of anti-freeze, used motor oil, cooking oil,

textiles, tires, electronics, expanded polystyrene, rigid plastic, and scrap metal due to the nature of the markets for the various materials and the specialized marketing services supplied by vendors in the industry; and

WHEREAS, N.J.S.A. 40A:11-13.2(a) authorizes the Township to “reject all bids” when the “lowest bid substantially exceeds the cost estimates for the goods or services,” when the “contracting unit wants to substantially revise the specifications for the goods and services,” or when the “governing body of the contracting unit decides to abandon the project for provision or performance of the goods or 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 rejects all submissions submitted for the marketing of anti-freeze, used motor oil, electronics, expanded polystyrene, plastic film, rigid plastic, and scrap metal collected from the Township’s recycling convenience centers, consistent with the foregoing.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Middletown that the Township will issue a new, substantially revised Request for Proposals for the marketing of rigid plastic collected from the Township’s recycling convenience centers.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Middletown that the Township will issue a new, substantially revised Request for Proposals for the marketing of scrap metal collected from the Township’s recycling convenience centers.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Middletown that the Township will solicit separate, substantially revised quotations for the marketing of each of cooking oil, textiles, tires, anti-freeze, used motor oil, electronics, and expanded polystyrene collected from the Township’s recycling convenience centers.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Middletown that the Township will abandon the project for procurement of marketing services in connection with plastic film and continue transporting plastic film directly to market at zero cost.

Resolution 21-131 - Resolution Awarding Contract for Marketing of Corrugated Cardboard, Commingled Material, Mixed Paper, Single Stream Recycling, And Lead Acid Batteries Collected from The Township of Middletown’s Recycling Convenience Centers

WHEREAS, the Township of Middletown (“Township”) operates two recycling convenience centers, located at 52 Kanes Lane and the Church Street Train Station Parking Lot, respectively; and

WHEREAS, the Township sought one or more vendors to market certain recyclable materials collected from the Township’s recycling convenience centers under new contracts, with a three-year initial term and the option to renew for two additional one-year renewal terms, each exercisable in the Township’s sole discretion; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(s)) does not require competitive bidding for these contracts they were nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) through a Request for Proposals dated January 28, 2021, with an addendum published on February 26, 2021 (the “RFP”); and

WHEREAS, Mazza Recycling Services, Ltd. submitted a complete and responsive proposal in response to the RFP (the “Proposal”) and has agreed to provide marketing services for corrugated cardboard, commingled material, mixed paper, single stream recycling, and lead acid batteries collected from the Township’s recycling convenience centers at the rates specified in its Proposal; and

WHEREAS, the failure to submit a Consent of Surety is a fatal defect that rendered another submission non-responsive pursuant to N.J.S.A. 40A:11-23.2; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the Township Department of Public Works & Engineering Services recommends the award of contract to Mazza Recycling Services, Ltd. based on the analysis of proposals performed by DeFeo Associates.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Mazza Recycling Services, Ltd., 3230A Shafto Road, Tinton Falls, New Jersey is hereby awarded a contract to market corrugated cardboard, commingled material, mixed paper, single stream recycling, and lead acid batteries collected from the Township’s recycling convenience centers on the terms and conditions set forth in the RFP and the Proposal, with transportation of the recyclable materials being provided by the Township.

BE IT FURTHER RESOLVED that the Township Clerk shall forward a certified copy of this resolution to:

Mazza Recycling Services, Ltd.
Attn: Dominick J. Mazza, Jr.
3230A Shafto Road
Tinton Falls, New Jersey 07753

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

Resolution 21-132 - Resolution Accepting Bids and Authorizing the Execution of Contracts for Sale of Real Estate and All Actions Necessary for The Disposition of Real Estate in Furtherance of Ordinance No. 2021-3302

WHEREAS, the Local Lands and Buildings Law (N.J.S.A. 40A:12-13), authorizes the sale by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public purposes; and

WHEREAS, pursuant to Ordinance No. 2021-3302, the Township of Middletown (the "**Township**") has previously approved the sale of four properties no longer needed for public purposes, specifically, the following blocks and lots located on the Official Tax Map of the Township:

- Block 11, lot 20 (257 Port Monmouth Road);
- Block 11, lot 23 (66 Atlantic Avenue);
- Block 722, lot 8 (Middletown Avenue);
- Block 837, lot 30 (132 Browns Dock Road); and

WHEREAS, the Township retained Max Spann Real Estate & Auction Co., a licensed real estate brokerage and certified auctioneer with substantial experience in conducting municipal property auctions pursuant to the requirements of N.J.S.A. 40A:12-13 to conduct a real estate auction on April 14, 2021; and

WHEREAS, a virtual open public auction was held on April 14, 2021 at 11:00 a.m.; and

WHEREAS, pursuant to Ordinance No. 2021-3302, and in accordance with N.J.S.A. 40A:12-13, the Township has the option to either accept the highest qualifying bids received, or to withdraw the offers of sale and reject any and all bids received; and

WHEREAS, in accordance with N.J.S.A. 40A:12-13, the Township wishes to accept the following qualified high bids and enter contracts for the sale of the below listed properties in the amounts specified, as follows:

- | | |
|---|---------------|
| Block 11, lot 20 (257 Port Monmouth Road) | \$90,000; |
| Block 11, lot 23 (66 Atlantic Avenue) | \$180,000; |
| Block 722, lot 8 (Middletown Avenue) | \$60,000; and |
| Block 837, lot 30 (132 Browns Dock Road) | \$182,500. |

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 accepts the following qualified high bids totaling \$512,500:

Block 11, lot 20 (257 Port Monmouth Road)	\$90,000;
Block 11, lot 23 (66 Atlantic Avenue)	\$180,000;
Block 722, lot 8 (Middletown Avenue)	\$60,000; and
Block 837, lot 30 (132 Browns Dock Road)	\$182,500.

BE IT FURTHER RESOLVED that the Mayor, Township Clerk, and Township Attorney are hereby authorized and directed to take all necessary actions to execute contracts of sale with the successful bidders and to transfer title to each, including, but not limited to, the execution and delivery of any deeds, closing statements and other documents customarily associated with the sale of real property.

BE IT FURTHER RESOLVED that this Resolution shall become effectively immediately.

Resolution 21-133 – Resolution Authorizing the Payment of Bills for April 19, 2021

The Township Committee hereby approves a resolution for the payment of bills for April 19, 2021 in the amount of \$8,830,548.91.

Resolution 21-134 – Resolution for a 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 2021 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 2021 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$35,674,622.50 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 - 2021 Temporary Budget Worksheet		
Account Number	Description	Amount
1-01-20-100-100-200	A/E O/E	25,000.00
1-01-20-155-100-200	Legal - O/E	50,000.00
1-01-23-210-100-200	General Liab. Insurance O/E	158,000.00
1-01-23-215-100-200	Workers Compensation O/E	60,000.00
1-01-23-220-100-200	Insurance O/E	450,000.00
1-01-25-445-100-273	Fire Hydrant Services	140,000.00
1-01-26-290-103-238	DPW Parks - Beach Maintenance - O/E	35,000.00
1-01-26-290-104-200	DPW Administration & Engineering-O/E	1,000.00
1-01-26-305-100-200	Solid Waste & Recycling - O/E	400,000.00
1-01-26-315-100-200	DPW Fleet Maintenance - O/E	40,000.00
1-01-30-410-221-208	Prior Year Bill - 2019 Red Bank Veterinary Hospital	363.35
1-01-31-460-200-200	Utilities - Fuel O/E	40,000.00
1-01-42-101-205-233	Interlocal - CRS Project Management Software	6,200.00
	TOTAL	\$1,405,563.35

2. That said emergency temporary appropriations will be provided for in the 2021 budget under the appropriate titles.

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

Resolution 21-135 - Resolution Cancelling Taxes On Properties to Be Utilized by The Township of Middletown for Affordable Housing

WHEREAS, the Township of Middletown (“Middletown”) previously acquired title to Block 4, Lot 20 (commonly known as 27-29 Ideal Avenue) and is under contract to acquire Block 502, Lots 1 and 7 (commonly known as 37-45 Leonardville Road) (collectively, the “Properties”) for the provision of affordable housing; and

WHEREAS, Middletown wishes to cancel any balances in taxes on the Properties through December 31, 2021, unless and until either of the Properties are conveyed by Middletown to a third party during this period, in which case that property shall no longer be exempt pursuant to this resolution.

NOW, THEREFORE, BE RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to cancel tax balances on the Properties, consistent with the foregoing.

BINGO AND RAFFLE APPLICATIONS

The Premier Theatre Company	21-19
Gambacorto Foundation	21-20
St. Catherine's Church	21-21
Jersey Shore Partnership	21-22
East Keansburg Fire Co.	21-23
East Keansburg Fire Co.	21-24
East Keansburg Fire Co.	21-25
East Keansburg Fire Co.	21-26
Christian Brothers Academy Alumni Assoc.	21-27
River Plaza Hose Co. #1	20-55A
River Plaza Hose Co. #1	20-56A
River Plaza Hose Co. #1	21-28
River Plaza Hose Co. #1	21-29
American Legion Post #338	21-30
East Keansburg Fire Co.	21-31
Ladies Ancient Order of Hibernians St. Bridget Division 4	21-32
Premier Theatre Company	21-33
PTA Nut Swamp Elementary	21-34
Family Resource Associates	21-35
Family Resource Associates	21-36
St. Leo the Great School PTA	21-37
St. Leo the Great School PTA	21-38
St. Leo the Great School PTA	21-39

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, congratulated to Abe Littenberg for the award. He also thanked IBCA for hosting a community event/meeting. He commended the Fire Department for a drill that took place at the Belford Ferry terminal. He announced the brick initiative for the 9/11 Memorial fundraising.

Committeeman Settembrino, congratulations to Abe Littenberg he is a great asset to the Township and on the Economic Development Committee

Committeewoman Snell, congratulated Abe Littenberg. She stated she is thrilled the children will be in school May 10th full time. She announced the brick fundraiser for 9/11 memorial.

Committeeman Hibell, stated he will discuss the proposed Oceanic Bridge reconstruction with legislative officials. He commended the Fire Department for the great drill, great work and understanding.

Mayor Perry, congratulated Abe Littenberg and stated he is a great asset to the Township. He announced official set up of the Ordinance Implementing Voter-Approved Increase to The Annual Collection Rate of the Middletown Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund Open Space Trust Fund. He also congratulated IBCA officers on their meeting with elected officials. He announced Mental Health Awareness month. He is hopeful now with Covid 19 vaccines the public health restrictions will subside. He thanked the Middletown Township Fire Department members for doing the drill at the Belford Ferry terminal.

PUBLIC COMMENTS:

Howie, resident of Ideal Beach, commented on the new regulations for parking restrictions. He thanked the Township Committee for their efforts.

Tara Fleming, thanked the Township Committee and asked a question on the rejecting of the Award of Contract.

Township Attorney Brian Nelson, explained the rejection of the bids and the marketing process.

ADJOURNMENT

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 7:44 p.m.

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

Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,

Heidi Brunt
Township Clerk

Approved:

Anthony S. Perry, Mayor