

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 December 18, 2023.

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

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to The Asbury Park Press, The Middletown Sun and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 05, 2023.

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

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

PLEDGE OF ALLEGIANCE

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

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

ADMINISTRATION OF THE OATH OF OFFICE

Promotion to Lieutenant – James Prosinski

Township Clerk Heidi Pieluc invited James Prosinski and his family to join Mayor Perry and Chief Weber at the front of the room. Chief Weber spoke about Lt. Prosinski's accomplishments since joining the force over 33 years ago. Mayor Perry administered the oath of office to Lieutenant James Prosinski.

Entry Level Police Officers; Peter Bracken, Bryan Flannigan, Christopher Glietz, Adrianna Lanfranco, Peter McGovern, Darren Schwedes, Justin Skelly

Township Clerk Heidi Pieluc invited each officer and their family to join Mayor Perry and Chief Weber at the front of the room. Chief Weber welcomed each of the officers and Mayor Perry administered the oath of office.

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CERTIFICATE OF APPREICATION/PROCLAMATIONS

**Middletown Township Police Department Life Saving & Valor Awards Presentation;
Officer Erick VanSchaack, Officer Nicholas Manochio and Sergeant Erica Weeks**

Township Clerk Heidi Pieluc invited Officer Erick VanSchaack, Officer Nicholas Manochio and Sergeant Erica Weeks to join Mayor Perry and Chief Weber at the front of the room.

Chief Weber spoke about the heroic efforts these officers displayed at a call where two victims were being stabbed repeatedly, resulting in the subjects being arrested and lifesaving first aid was administered to the victims. Sergeant Weeks utilized tourniquets and provided both physical and emotional assistance to the victims. Mayor Perry presented the officers with the Life Saving and Valor awards.

**Middletown Township Police Department Life Saving & Valor Awards Presentation
Officer Tony Perito**

Township Clerk Heidi Pieluc invited Officer Perito and his family to join Chief Weber and Mayor Perry at the front of the room.

Chief Weber spoke about Officer Perito risking his life while off duty with his family at an out of State rest stop. Officer Perito intervened in a robbery in progress and a struggle ensued with Officer Perito and the suspects who then fled the scene. The information Officer Perito provided the State Troopers resulted in the suspects being apprehended during a traffic stop.

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:

November 20, 2023 Regular Meeting, December 4, 2023 Workshop 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 2023-3400 – Ordinance Authorizing All Way Stop at Wilson Avenue & Main Street in Port Monmouth, Including No Left Turn Restrictions from Wilson Avenue (Northbound) And Suffolk Avenue, And A No Right Turn Restriction from Main Street (Eastbound)

Mayor Perry opened the meeting for public comments.

Hearing no comments from the public it was moved by Mayor Perry and seconded by Deputy Mayor Hibell to close public hearing and carried to adopt this ordinance on second and final reading.

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

Township Clerk Heidi Pieluc stated the motion carried to pass this ordinance.

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3401 – Ordinance Reappointing the Township of Middletown’s Certified Tax Collector Debra Marchetti with Tenure

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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Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3402 – Ordinance Amending Ordinance No. 2021-3313 To Revise The Deed Of Dedication And Perpetual Flood Protection Levee Easement Area And Temporary Work Area Easement Area On Block 265, Lot 60.01, Block 268, Lots 27-28, Block 276, Lots 47 & 77.021, And Rights Of Way On Woodstock Avenue, Campbell Avenue, Broadway, And Main Street And Authorizing The Granting Of A Deed Of Dedication And Perpetual Flood Protection Levee Easement On Block 276, Lot 77.022, On Portions Of Township-Owned Property Pursuant To The Raritan Bay And Sandy Hook Bay, Hurricane And Storm Damage Reduction Project, Port Monmouth, New Jersey, Phase II (Contract 4)

Mayor Perry opened the meeting for public comments.

Hearing no comments from the public it was moved by Mayor Perry and seconded by Deputy Mayor Hibell to close public hearing and carried to adopt this ordinance on second and final reading.

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

Township Clerk Heidi Pieluc stated the motion carried to pass this ordinance.

Township Clerk Heidi Pieluc read the following ordinance by title:

Ordinance 2023-3403 – Ordinance Authorizing Entry of Purchase and Sale Agreement with The Monmouth Conservation Foundation for The Acquisition of Block 202, Lot 10 (120 Thompson Avenue) For Open Space Preservation Purposes

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

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Township Clerk Heidi Pieluc stated the motion carried to pass this ordinance.

PUBLIC HEARING

Prequalification Regulation Hearing – Murray Farm House Restoration

Township Administrator Anthony Mercantante spoke about the scope of the project and that the Township will be seeking bids from pre-qualified bidders for the restoration of the Murry Farmhouse project.

Mayor Perry opened the meeting for public comments.

Hearing no 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.

CONSENT AGENDA

Township Clerk Heidi Pieluc requested a motion to adopt a consent agenda including Resolutions 23-300 through 23-316

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:

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

Resolution 23-300 - Resolution Authorizing Award of Contract to A Vendor with A National Cooperative Contract For (1) One 2025 Kenworth T880 Tandem Axle Chassis

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 #060920-KTC Gabrielli Truck Sales, an authorized dealer for Kenworth T880 Tandem Axle Chassis, can provide the Township with one (1) new 2025 Kenworth T880 Tandem Axle Chassis in the amount of \$257,421.31 per their quote dated November 20, 2023; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$257,421.31 are available for this purpose in account/line-item number(s) C-04-55-923-396-002 . 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 that Gabrielli Truck Sales, under Sourcewell Contract #060920-KTC be utilized to provide one (1) new 2025 Kenworth T8880 Tandem Axle Chassis in the amount of \$257,421.31.

Resolution 23-301 - Resolution Authorizing Award of Contract to Vendor with A State Contract for The Purchase of One (1) 2024 Jeep Compass Latitude 4WD SUV

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, Hertrich Fleet Services Inc, 1427 Bay Road, Milford, DE 19963 has been awarded New Jersey State Contract No. 21-FLEET-01387; and

WHEREAS, under Contract 21-FLEET-01387, Hertrich Fleet Services Inc., can provide one (1) 2024 Jeep Compass Latitude 4wd; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$31,465.00 is available for this purpose in account/line-item number 3-01-44-915-200-800. 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 Hertrich Fleet Services, Inc for the delivery of one (1) 2024 Jeep Compass Latitude 4WD SUV in the amount of \$31,465.00.

Resolution 23-302 - Resolution Authorizing Cancellation of Capital Appropriation Balances

WHEREAS, a General Capital Improvement appropriation balance remains dedicated for a project now completed; and

WHEREAS, it is necessary to formally cancel said unexpended debt authorization; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, if appropriate, and unused debt authorizations may be cancelled;

NOW THEREFORE BE IT RESOLVED By the Township Committee of the Township of Middletown, of the County of Monmouth, that the following unexpended and dedicated balance of General Capital Appropriation by cancelled:

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Ordinance	Date Authorized	Project Description	Amount Cancelled Funded
2009-2993	11/16/2009	Storm/Flood Water Drainage Imp	\$ 27.00
2014-3111	10/20/2014	Various Capital Improvements	37,620.40
2015-3141	6/1/2015	Various Capital Improvements	94,009.37
2016-3178	7/18/2016	Various Capital Improvements	160,568.51
2017-3188	2/6/2017	Various Capital Improvements	190,488.79
2018-3220	5/21/2018	Preliminary Expenses-Municipal Complex	249,525.00
2018-3227	7/16/2018,9/4/2018	Various Capital Improvements	29,147.52
2018-3229	7/16/2018	Acquisition of Property	8,725.08
2019-3262	8/19/2019	Acq. of a Video Pipe Inspection Camera	500.10
2019-3264	8/19/2019	Improvements to Grand Tour Road	56,740.21
2019-3268	10/21/2019	Acq. of a Sports Utility Vehicle	4.17
2019-3275	12/2/2019	Various Capital Improvements	9,336.95
		TOTAL	836,693.10

BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution 23-303 - Resolution Authorizing Cancellation of Unexpended Balances For 2023 To Be Credited to Surplus

WHEREAS, the following Current Fund 2023 budget appropriations balances remain unexpended:

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus;

Account Number	Description	Amount
Current Fund		
3-01-30-410-226-208	Prior Yr Bill- 2020 Najarin	4.25
3-01-35-470-200-208	Contingencies	20,000.00
3-01-37-480-200-221	Insurance - Judgements/Settlements	95,939.72
3-01-40-899-470-208	Match for Indeterminate Grants	35,000.00
3-01-45-920-200-326	Debt Service - Bond Principal	7,100.00
3-01-45-920-200-328	Debt Service - Note Principal	250,000.00
3-01-45-930-200-327	Debt Service - Bond Interest	31,419.64
3-01-45-930-200-329	Debt Service - Note Interest	100,000.00
3-01-45-960-200-330	Debt Service - Capital Lease Town Hall	69,291.48
TOTAL		\$608,755.09

NOW THEREFORE BE IT RESOLVED, by the Township Committee, that the following unexpended balances be cancelled and that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution 23-304 - Resolution Authorizing Cancellation of Grant Balances

WHEREAS, there exists Grant Receivables and Grant Reserves on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the receivable balance and their offsetting appropriation balance from the balance sheet;

Grant	Year	Cancel Appropriation Amount	Cancel Receivable Amount
PSEG Sustainable Jersey Grant	2020	54.16	
Chapter 159 ANJEC OS Steward Project	2020	100.15	100.15
Senior Citizen Grant	2022	5,507.76	5,969.00
Chapter 159 Bayshore DWI Saturation Grant	2022	280.00	280.00
Bayshore Distracted Driving Grant	2023	20.00	160.00
Total		\$ 5,962.07	\$ 6,509.15

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NOW, THEREFORE, BE IT RESOLVED Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the following grant receivable and appropriation balance be cancelled:

Resolution 23-305 - Resolution Authorizing Cancellation of Certain Outstanding Accounts Payable Items to Be Credited to Surplus

WHEREAS the following Accounts Payable Items remain unexpended:

WHEREAS it is necessary to formally cancel said items so that the following unexpended amounts may be credited to Surplus;

PO Number	Vendor	Amount
21-04020	Industrial Safety Products	\$259.80
21-00337	Sodon Electric	\$5,000.00
	TOTAL	\$5,259.80

NOW THEREFORE BE IT RESOLVED, by the Township Committee, that the unexpended amounts be cancelled and that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution 23-306 - Resolution Authorizing the Purchase of Special Emergency Notes Issued from The Township of Middletown Current Fund and Purchased by The Township of Middletown Trust Fund in The Amount Of \$175,000.00

WHEREAS, the Township of Middletown (“the Township”) passed Resolution 23-254 authorizing a Special Emergency in the amount \$175,000.00 in order to cover costs associated with the Master Plan; and

WHEREAS, N.J.S.A. 40A:4-53 (d) provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth or one-third of the amount authorized pursuant to the law; and

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WHEREAS, pursuant to Resolution 23-254 the Township’s Chief Financial Officer, Colleen Lapp, wishes to sell notes from the Township’s Current Fund to fund the said Special Emergency Appropriations; and

WHEREAS, the Chief Financial Officer wishes to purchase said notes from the Township’s Current Fund as an investment using cash from the Township’s Trust Fund; and

WHEREAS, the Chief Financial Officer has reviewed this proposed transaction with the Division of Local Government Services, which has stated that it is permitted under the aforesaid statutory provision contingent upon the passage of a resolution by the governing body authorizing the same; and

WHEREAS, this transaction will result in a cost savings to the Township at this time by avoiding costs of issuance and interest while maintaining sufficient surplus until such time as these funds are appropriated in accordance with statute.

NOW, THEREFOR BE IT RESOLVED, that the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey hereby authorizes and directs the Chief Finance Officer, Colleen Lapp, to purchase notes, issued from the Township’s Current Fund, from The Township’s Capital Fund as authorized by law.

Resolution 23-307 - Resolution Authorizing a Chapter 159 Additional Item of Funding in the 2023 Budget – “2023-2024 Child Passenger Safety Seat Program”

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Middletown has received a \$19,600.00 grant from The State of New Jersey for the Child Passenger Safety grant and wishes to amend its 2023 budget to include this amount as revenue, and

NOW THEREFORE BE IT RESOLVED that the Township Committee of Middletown Township, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2023 budget in the sum of \$19,600.00 which is now available as revenue from:

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State of New Jersey
“Child Passenger Safety Seat Program”

BE IT FURTHER RESOLVED that a sum of \$19,600.00 be and the same is hereby appropriated under the caption of:

General Appropriations
Operations Excluded from the 3.5 % CAPS
The State of New Jersey

Child Passenger Safety Seat Program

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

Resolution 23-308 - Resolution Authorizing the Transfer of Appropriations In The Local Budget Of The Township Of Middletown For The Year 2023

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

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

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

2.

	CURRENT FUND	FROM	TO
Account Number	Account Name	Amount	Amount
3-01-25-240-100-100	Police S&W	\$30,000.00	
3-01-25-240-100-200	Police O/E		\$30,000.00
	TOTAL	\$30,000.00	\$30,000.00

3. The Township Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Township Auditor, a certified copy of this resolution.

4. This resolution shall take effect immediately.

5. A copy of this resolution shall be filed forthwith with the Director of New Jersey, Division of Local Government Services.

Resolution 23-309 - Appointment Of Special Law Enforcement Officers - Class I

WHEREAS, the Township Administrator and Chief of Police have previously recommended that the structure of the Police Department be adjusted to include allowing the appointment of certain Special Law Enforcement Officers (Class I and Class II); and Special Crossing Guards.

WHEREAS, § 44-7B of the Code of the Township of Middletown (1996) was amended and supplemented by Ordinance No. 2015-3136; and

WHEREAS, the Chief of Police has complied with the provisions of N.J.S.A.40A:14-146.1 regarding the appointment of Special Law Enforcement Officers and Special Crossing Guards, represents that the applicants named below meet all the requirements set forth by statute and recommends the appointment.

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

1. That the following individuals are hereby appointed as Special Law Enforcement Officers – Class II, and Special Crossing Guards in the Middletown Township Police Department for the calendar year of 2023.

Special Law Enforcement Officers Class I – Sebastian Martin, Wyatt Kacen, Brandon Saghafi, Kenneth Fernandez

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
- a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
 - b. Police Department

Resolution 23-310 - Approving Ocean-Monmouth Multi-Jurisdictional Program for Public Information

WHEREAS, as an active participant in FEMA’s Community Rating System (CRS) program, the Township of Middletown has determined that it is necessary to participate in the New Jersey Coastal Coalition’s Public Information Group, consisting of municipal officials and community stakeholders, to assist in evaluating existing public information disseminated by the Township, other Municipalities and regional stakeholders regarding

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floodplain management, and to develop new public information needs; and

WHEREAS, the Ocean-Monmouth Multi-Jurisdictional Program for Public Information (PPI) will coordinate all of the flood-related public information in the community and the surrounding areas, both public and private; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township of Middletown appoints Stacy Krause as the Public Member of the PPI and Charles Ehret and Marco Fernandes as Private Members of the PPI.
3. The Township of Middletown hereby formally supports participation in the Ocean-Monmouth Multi-Jurisdictional PPI to meet the goals of the National Flood Insurance Program's Community Rating System.
4. The Township of Middletown hereby formally adopts the Ocean-Monmouth Multi-Jurisdictional PPI, dated December 2023 prepared by the New Jersey Coastal Coalition.
5. The Township of Middletown hereby agrees to perform the Flood Insurance Promotion outreach and maintain information on the municipal website as outlined in the MJPI.
6. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable to carry out the intent and purpose of this Resolution.

Resolution 23-311 - Resolution Authorizing Execution of the Monmouth County Office on Aging 2024 Grant Agreement 13-014 for Senior Services

WHEREAS, the Monmouth County Board of Chosen Freeholders has authorized Grants in the amount of \$33,500.00 during the year 2024 for the funding of certain programs at the Middletown Senior Center as detailed in a Letter of Intent; and

WHEREAS, the receipt of the grant requires a resolution accepting this funding and authorizing the execution of the 2024 Grant Agreement with the County of Monmouth providing for the use of the funds in accordance with the terms of the grant; and

WHEREAS, this authorization will provide funding for certain health, fitness, education and transportation programs providing benefits to senior citizens utilizing the Senior Center and is appropriate for execution.

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NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that the Township of Middletown accepts the Grants in the amount of \$33,500.00 for the purpose as set forth in the Letter of Intent from the Monmouth County Office on Aging and the Mayor, Chief Financial Officer, and Township Clerk are authorized to execute the 2024 Grant Agreement with the County required for such funding and grants.

Resolution 23-312 - Cancellation of Community Development Mortgages

BE IT RESOLVED by the Township Committee of the Township of Middletown that the mortgages of the Township securing the Community Development and Neighborhood Preservation Program loan/grants in connection with the following properties be and hereby are authorized to be canceled because these mortgages have been repaid, expired or otherwise satisfied.

<u>Block</u>	<u>Lot</u>	<u>Borrower</u>	<u>Address</u>	<u>Amount</u>
446	11	Mary Rita Idyk	782 Leonardville Road	14,350.00

BE IT FURTHER RESOLVED that the Mayor and other authorized appropriate and responsible officials including the Township Administrator, the Director of Planning, the Community Development Director, or Township Attorney be and they are hereby authorized and directed to execute on behalf of the Township of Middletown such certifications and other documentation as may be required by the Monmouth County Clerk.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided by the Office of the Township Clerk to the following:

- A. Community Development

Resolution 23-313 – Resolution Releasing the Performance Guarantee For 180 Turning Lives Around Subdivision (Block 605, Lot 59)

WHEREAS, T&M Associates, as set forth in their letter of December 12, 2023, have recommended that the performance guarantee in the form of a Letter of Credit No.147 in the amount of \$333,855.54 and a cash deposit in the amount of \$37,095.06 be released subject to the posting of a maintenance guarantee in the amount of \$46,368.83; 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.

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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. Amanda Finn, Executive and Development Assistant
180 Turning Lives Around, Inc.
1 Bethany Road, Building 3, Suite 42,
Hazlet, NJ 07730

Resolution 23-314 - Resolution Authorizing Sale of Surplus Property Consisting of Used Body Worn Cameras and Accessories to The Township of Hazlet

WHEREAS, the Township of Middletown (the “**Township**”) is in possession of 40 used body worn cameras, which are no longer needed for public use as the Township has procured new devices; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36(6), if the estimated fair value of surplus property does not exceed the applicable bid threshold in any one sale, the Township may dispose of the property without advertising for bids and to other government entities; and

WHEREAS, the Township of Hazlet (“**Hazlet**”) would like to acquire the Township’s used body worn cameras and associated accessories as set forth in **Exhibit A** for the sum of \$5,000; and

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 sale of its used body worn cameras and accessories as set forth in **Exhibit A** to Hazlet for the sum of \$5,000.

BE IT FURTHER RESOLVED that the surplus property being sold shall be sold in “as is” condition without express or implied warranties from the Township.

BE IT FURTHER RESOLVED that the Township Administrator and Chief of Police are hereby authorized and directed to take any and all actions necessary to effectuate the foregoing sale.

Resolution 23-315 - Resolution Adopting Updated Personnel Policies and Procedures Manual

WHEREAS, it is the policy of the Township of Middletown (the “**Township**”) to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township has determined that there is a need for personnel policies and procedures to be updated to ensure that employees and prospective employees are treated in a manner consistent with these evolving laws and regulations.

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

1. The Township hereby adopted the updated and amended Personnel Policies and Procedures Manual (the “**Personnel Manual**”) attached hereto as **Exhibit A**.
2. The Personnel Manual shall apply to all Township officials, appointees, employees, volunteers and independent contractors.
3. In the event there is a conflict between the Personnel Manual and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall govern.
4. This Personnel Manual is intended to provide guidelines covering public service by Township employees and is not a contract.
5. The provisions of the Personnel Manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township.
6. To the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as “employment at will.”

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Resolution 23-316 – Resolution Authorizing the Payment of Bills for December 18, 2023

The Township Committee hereby approves a resolution authorizing the payment of bills for December 18, 2023, in the amount of \$5,518,117.39

TOWNSHIP COMMITTEE ACTING AS THE ABC ISSUING AUTHORITY

Township Clerk Heidi Pieluc requested a motion to pass Resolution 23-317

It was moved by Mayor Perry and seconded by Deputy Mayor Hibell to adopt resolution 23-317.

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

Resolution 23-317 – Resolution Authorizing a Person-to-Person Transfer for Plenary Retail Consumption License 1331-33-001-004 - John Hoyle Esq - Administrator of the Estate of Carl Bachstadt to Bushwick Management, LLC

WHEREAS, Bushwick Management, LLC, submitted an application for a Person-to-Person transfer on October 12, 2023, of license 1331-33-001-004 currently licensed to John Hoyle Esq - Administrator of the Estate of Carl Bachstadt and is inactive; and

WHEREAS, the application has been deemed complete and the Township of Middletown has no objection to the Person to Person transfer; and

WHEREAS, the License has been properly renewed for the current license term, and the applicant/licensee is qualified to be licensed according to the requirements of Title 33 of the New Jersey Statutes as well as local ordinances consistent with Title 33 and the applicant/licensee has disclosed the necessary requirements for this application.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that the Township Committee, acting as the local A.B.C. Board approves the Person-to-Person transfer of Plenary Retail Consumption License #1331-33-001-004 to Bushwick Management, LLC location 2-8 Bray Avenue, Middletown, NJ 07748.

BE IT FURTHER RESOLVED that a certified copy of the Resolution and Application be provided by the Office of the Township Clerk to each of the following: NJ

Regular Meeting

State Division of the Alcohol Beverage Control, Middletown Township Police Department, and Bushwick Management, LLC.

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Clarke, congratulated all the new Police Officers and their family, we appreciate your service. He also congratulated the officers receiving lifesaving valor awards. He wished everyone a Merry Christmas and Happy New Year.

Committeeman Settembrino, congratulated the new officers and the officers receiving lifesaving valor awards. It is an honor to live in our town and serve on this governing body. He wished everyone a Merry Christmas and Happy New Year.

Committeewoman Kratz, congratulated all the officers here this evening. We are proud of all of you. She announced that Middletown Helps Its Own helped 340 families this year. She wished everyone a Merry Christmas and Happy New Year.

Deputy Mayor Hibell, commented that the purchase of the property on Route 36 that was a hot topic worked out very well for us. He congratulated the Police Officers. He wished everyone a Merry Christmas and Happy New Year.

Mayor Perry, announced this is the last meeting of the year. He thanked the public and the staff and said it is an honor and privilege to work with you. He also announced the Annual Reorganization Meeting is Sunday January 7, 2024 at 11:00 a.m.

PUBLIC COMMENTS:

Will, Resident Crestview Drive, he is a nurse at Robert Wood Johnson and explained the strike and bill S304 and that they are heading back to work and he is grateful to his colleagues.

Regular Meeting

ADJOURNMENT

It was moved by Mayor Perry, seconded by Deputy Mayor Hibell and carried to adjourn at 8:25 pm.

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 adjourn.

Respectfully submitted,

Heidi R Pieluc
Township Clerk

Approved:

Anthony S. Perry, Mayor