

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 June 21, 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  
Absent: Settembrino, Mayor Perry

Also present were Township Administrator Anthony Mercantante, Township Attorney Mike Supko 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.

**ADMINISTRATION OF OATH OF OFFICE**

Deputy Mayor Hibell swore in John Walsifer who was promoted to Sergeant.

**PUBLIC HEARING**

Green Acres Stewardship Grant – Poricy Park Watershed Improvement Project

Director of Recreation Janet Dellett went through a Power Point presentation for the grant program and the various improvements to the platforms through the bodies of water. She discussed the budget of the improvements. The total for the project is \$143,500.

There were no comments from the public regarding this grant.

**PUBLIC HEARING OF PROPOSED ORDINANCES**

Township Clerk Heidi Brunt read the following ordinance by title:

**Ordinance 2021-3311 - An Ordinance Establishing Section 137-24 Et Seq. Entitled "Permitting The Managed Care of Free-Roaming Cats" To The Code of the Township of Middletown**

Deputy Mayor Hibell opened the meeting for public comments.

Kimberly Carafiello, 39 Ideal Avenue, stated she was pleased to see the Township is moving forward. She offered assistance for a more perfected ordinance. She discussed her experience with TNR. She discussed the resources being offered by the Township. She inquired about fines if not followed.

Don Watson, 1 Collinson Place, commented the Committee should go back and re-do the ordinance. He stated no one will want to follow the rules. He requested the ordinance be tabled.

Michelle Collins, resident, asked if this is the program with Monmouth Country SPCA?

Committeeman Clark commented having this passed in the current state will help get in a position to help the situation.

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

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

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

**INTRODUCTION OF PROPOSED ORDINANCES**

Township Clerk Heidi Brunt read the following Ordinance by title:

**Ordinance 2021-3312 – An Ordinance Amending Chapter 540 Of The Code of the Township of Middletown Prohibiting the Operation of Any Class of Cannabis Business Within the Jurisdiction of the Township of Middletown**

It was moved by Deputy Mayor Hibell and seconded by Committeewoman Snell to pass this ordinance on first reading.

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

Township Clerk Heidi Brunt stated motion carried to pass this ordinance on first reading with a public hearing to be held on July 19,2021.

**CONSENT AGENDA**

Township Clerk Heidi Brunt requested a motion to adopt a consent agenda including Resolutions 21-166 through 21-177 and Bingo and Raffle Applications.

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

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

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

**Resolution 21-166 - Resolution Authorizing Bonds Aggregating the Principal Sum Not to Exceed \$10,338,613 Authorized by Nine Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various General Improvements in The Township of Middletown, County of Monmouth, New Jersey into One Consolidated Issue of Bonds and Providing for The Form, Maturities and Other Details of Said Consolidated Issue.**

June 21, 2021

**WHEREAS**, the Township Committee of the Township of Middletown, in the County of Monmouth, New Jersey (the “Township”), has heretofore adopted nine bond ordinances authorizing bonds to finance part of the cost of various general improvements in said Township; and

**WHEREAS**, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount not to exceed \$10,338,613 and it is deemed advisable and in the best interests of the Township, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said nine ordinances into one consolidated issue in the aggregate principal amount not to exceed \$10,338,613 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; **NOW, THEREFORE**,

**BE IT RESOLVED BY TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) that:

There shall be issued bonds of the Township in the following principal amounts pursuant to the following bond ordinances:

A. An amount not to exceed \$124,783 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2007-2931):

“BOND ORDINANCE PROVIDING APPROPRIATION OF \$3,800,000 FOR THE DREDGING OF SHADOW LAKE BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,800,000 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 20 years.

B. An amount not to exceed \$29,070 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3262):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$30,600 FOR THE ACQUISITION OF A VIDEO PIPE INSPECTION CAMERA FOR THE DEPARTMENT OF PUBLIC WORKS BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$29,070 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 5 years.

C. An amount not to exceed \$339,150 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3263):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$357,000 FOR THE ACQUISITION OF EASEMENTS FOR THE PORT MONMOUTH FLOOD CONTROL PROJECT BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$339,150 IN BONDS OR NOTES OF THE

TOWNSHIP FOR FINANCING PART OF THE  
APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 40 years.

D. An amount not to exceed \$169,575 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3264):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$178,500 FOR IMPROVEMENTS TO GRAND TOUR ROAD BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$169,575 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 20 years.

E. An amount not to exceed \$377,910 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3265):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$397,800 FOR VARIOUS IMPROVEMENTS BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$377,910 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 15 years.

F. An amount not to exceed \$113,050 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3275):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$119,000 FOR VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$113,050 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 5 years.

G. An amount not to exceed \$1,095,350 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3276):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,153,000 FOR VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,095,350 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 16.56 years.

H. An amount not to exceed \$3,201,975 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3290):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$3,671,500 FOR VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,201,975 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 15.68 years.

I. An amount not to exceed \$4,887,750 bonds, being bonds authorized by an ordinance entitled: (Ord. No. 2019-3277):

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$5,145,000 FOR IMPROVEMENTS TO NORMANDY PARK TURF FIELDS BY AND FOR THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$4,887,750 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness is 15 years.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount not to exceed \$10,338,613 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in Subsections A to H shall be designated “General Improvement Bonds, Series 2021” and shall be numbered with the prefix G from one (1) consecutively upward. The bonds referred to in Subsection I shall be designated “Open Space Bonds, Series 2021” and shall be numbered with the prefix O from one (1) consecutively upward. The bonds of said consolidated issue shall be

dated the date of delivery of the Bonds and will be issued in fully registered form. The Bonds of said issue (i) shall be dated the date of delivery of the Bonds, (ii) shall mature in the years 2022 through 2038, or such other years as may be determined by the Chief Financial Officer, (iii) shall bear interest at the interest rates per annum as determined by the Chief Financial Officer, (iv) shall be sold at such price or prices as determined by the Chief Financial Officer, and (v) may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer, as shall be set forth in the proposal for the purchase of the Bonds acceptance of which is authorized pursuant to Section 5 hereof. The Bonds shall be numbered one consecutively upward, and will be issued in fully registered form.

Section 3. The Bonds shall be payable as to interest at the corporate trust office of U.S. Bank National Association, Iselin, New Jersey, (or other trustee bank selected by the hereinafter defined Authority) payable on the February 15 and August 15 prior to each March 1 and September 1, commencing March 1, 2022, in an amount equal to the interest accruing to each such March 1 and September 1, and payable as to principal at the corporate trust office of U.S. Bank National Association, payable on the 15th day of the month immediately preceding the due date therefor. Interest on the Bonds shall be calculated on the basis of a 360-day year or nine 30-day calendar months.

Section 4. The Bonds shall be signed by the Mayor or Deputy Mayor and the Township Chief Financial Officer (each an "Authorized Officer"), by their manual or facsimile signatures, and the corporate seal of the Township shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Township.

Section 5. The Bonds are hereby sold and awarded to the Monmouth County Improvement Authority (the "Authority") by an Authorized Officer at a price determined by the Authorized Officer pursuant to the terms of a Bond Purchase Agreement between the Township and the Authority (the "Bond Purchase Agreement"). The Mayor, Deputy Mayor and Chief Financial Officer are hereby authorized on behalf of the Township to execute the Bond Purchase Agreement by and between the Township and the Monmouth County Improvement Authority and the Continuing Disclosure Agreement by and between the Township and U.S. Bank National Association, if necessary.

Section 6. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

No. 2021 G-\_, O-

**UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF MONMOUTH**

**TOWNSHIP OF MIDDLETOWN  
GENERAL IMPROVEMENT BONDS, SERIES 2021**

DATE OF  
ORIGINAL  
ISSUE: July \_\_, 2021

TOWNSHIP OF MIDDLETOWN in the County of Monmouth, New Jersey, hereby acknowledges itself indebted and for value received promises to pay to

**THE MONMOUTH COUNTY IMPROVEMENT  
AUTHORITY (the "Authority")  
c/o U.S. BANK NATIONAL ASSOCIATION  
(the "Trustee")**

the principal sums on the dates and in the amounts set forth on Schedule A attached hereto and made a part hereof and to pay interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on Schedule A attached hereto and made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the February 15 and August 15 prior to each March 1 and September 1, commencing March 1, 2022, in an amount equal to the interest accruing to each such March 1 and September 1. This bond as to principal will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the Trustee. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This bond shall be prepayable as set forth in Section 1303 of the bond resolution adopted by the Authority on May 6, 2021 (as the same may be supplemented and amended, the "Bond Resolution").

Both principal of and interest on this bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

The Bonds are subject to redemption prior to their stated maturities.



This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of New Jersey, and is one of the Bonds referred to in a resolution of the Township of Middletown adopted on June 21, 2021 and entitled “Resolution Authorizing Bonds Aggregating The Principal Sum Not To Exceed \$10,338,613 Authorized By Nine Bond Ordinances Heretofore Adopted To Finance Part Of The Cost Of Various General Improvements In The Township Of Middletown, County Of Monmouth, New Jersey Into One Consolidated Issue Of Bonds And Providing For The Form, Maturities And Other Details Of Said Consolidated Issue,” and the bond ordinance referred to therein, in all respects duly approved and published as required by law.

The full faith and credit of the Township of Middletown are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Township of Middletown, is within every debt and other limit prescribed by such Constitution or statutes.

The Township of Middletown agrees to pay (i) all costs and expenses (including legal fees) in connection with the administration and enforcement of this bond, which includes but is not limited to costs in connection with the enforcement of the County Guaranty (as defined in the Bond Resolution) and (ii) its share of the amounts payable pursuant to Section 9(vi)(B) of the Bond Purchase Agreement between the Township of Middletown and the Authority.

**IN WITNESS WHEREOF**, the TOWNSHIP OF MIDDLETOWN, in the County of Monmouth, New Jersey has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor or Deputy Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Township Clerk, and this bond to be dated the DATE OF ORIGINAL ISSUE as specified above.

TOWNSHIP OF MIDDLETOWN

By: \_\_\_\_\_  
Tony Perry, Mayor

ATTEST:

\_\_\_\_\_  
Heidi R. Brunt,  
Township Clerk

By: \_\_\_\_\_  
Colleen Lapp,  
Chief Financial Officer

(Assignment Provision on Back of Bond)

ASSIGNMENT

FOR VALUE RECEIVED \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ (Please Print or Type Name and Address of Assignee) the within bond and irrevocably appoints \_\_\_\_\_ as Attorney to transfer this bond on the registration books of the \_\_\_\_\_ with full power of substitution and revocation.

---

NOTICE

The signature of this assignment must correspond with the name as it appears on the face of the within bond in every particular.

Dated:

Signature of Guarantee:

---

SCHEDULE A

TOWNSHIP OF MIDDLETOWN

GENERAL IMPROVEMENT BONDS, SERIES 2021

OR

OPEN SPACE BONDS, SERIES 2021

Schedule of Principal and Interest Payments

Section 7. The Township Chief Financial Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of Gibbons P.C. (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the Township Clerk to certify to the truth and correctness of such copy of opinion by executing on each of said Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of said Bonds by the CUSIP Global Services, which is managed on behalf of the American Bankers Association by S&P Global Market Intelligence, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

Section 8. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the Authority and the payment of the purchase price thereof in accordance with the Bond Purchase Agreement, the Township Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to said purchaser (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (b) an accompanying opinion of Gibbons P.C. as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 9. The proceeds of the Bonds shall be applied in the amounts and for the purposes provided in Section 1 hereof, and to pay and fund any bond anticipation notes theretofore issued for such purpose and then outstanding.

Section 10. The Mayor or Deputy Mayor and Township Chief Financial Officer are hereby authorized and directed, as is the Township Clerk, to execute all documents and certificates, necessary for the sale and delivery of said Bonds.

Section 11. This resolution shall take effect immediately.

**Resolution 21-167 - Resolution Authorizing the Contract for The Roof Replacement Project at The Middletown Public Library Through the Educational Services Commission of New Jersey Cooperative Pricing System**

**WHEREAS**, The Township of Middletown is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey Cooperative Pricing System, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10, and

**WHEREAS**, the Local Public Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids, and

**WHEREAS**, the Township is in need of Replacing the Roof at the Middletown Public Library for the Township of Middletown, and

**WHEREAS**, the Educational Services Commission of New Jersey Cooperative Pricing System has awarded a contract to Weatherproofing Technologies, Inc. 3735 Green Road, Beachwood, Ohio 44122 for Roof Replacement (Contract# ESCNJ/AEPA-21D) in the amount of \$540,027.04, and

**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 appropriations of the official budget no. see below-. A copy of the said certification is attached hereto and made 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.

1-01-55-902-000-006 - \$540,027.04

**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 a contract to Weatherproofing Technologies, Inc. 3735 Green Road, Beachwood, Ohio 44122 for the Roof Replacement Project at the Middletown Public Library in the amount of \$540,027.04.

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) Heather Andolsen, Director of Middletown Library
- D) Vendor

**Resolution 21-168 - Resolution Authorizing a Chapter 159 Additional Item of Funding in the 2021 Budget – 2021 Click It or Ticket Grant**

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

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

**WHEREAS**, the Township of Middletown has received a \$6,000.00 grant from the NJ Dept. of Law and Public Safety, Division of Highway Traffic Safety and wishes to amend its 2021 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 2021 budget in the sum of \$6,000.00 which is now available as revenue under Special Item of Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

NJ Dept. of Law and Public Safety, Division of Highway Safety  
“Click It or Ticket”

**BE IT FURTHER RESOLVED** that a sum of \$6,000.00 is hereby appropriated under the caption of General Appropriations – Operations Excluded from “CAPS”:

NJ Dept. of Law and Public Safety, Division of Highway Safety  
“Click It or Ticket”

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

**Resolution 21-169 - Resolution Authorizing a Chapter 159 Additional Item of Funding in the 2021 Budget – “FY 2021 Clean Communities Program” Grant**

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

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

**WHEREAS**, the Township of Middletown has received a \$153,512.37 grant from the NJ Dept. of Environmental Protection Clean Communities Program and wishes to amend its 2021 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 2021 budget in the sum of \$153,512.37 which is now available as revenue under Special Item of Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

NJ Dept. of Environmental Protection  
“Clean Communities Program”

**BE IT FURTHER RESOLVED** that a sum of \$153,512.37 is hereby appropriated under the caption of General Appropriations – Operations Excluded from “CAPS”:

NJ Dept. of Environmental Protection  
“Clean Communities Program”

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

**Resolution 21-170 - Chapter 159 “FY 2021 Municipal Alliance DEDR Grant for 2021/2022”**

**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 \$27,800.00 grant from the Monmouth County Board of Alcohol and Drug Abuse Services for the Substance Abuse Prevention Education Programs and wishes to amend its 2021 budget to include this amount as revenue, and

**WHEREAS**, a condition of receiving the grant is that the Township of Middletown must provide a match of \$6,950.00, and

**WHEREAS**, sufficient funding for this match is available in the 2021 budget line item, Match for Indeterminate Grants.

**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 2021 budget in the sum of \$27,800.00 which is now available as revenue under Special Item of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Monmouth County Board of Alcohol and Drug Abuse Services  
“Substance Abuse Prevention Education Programs”

**BE IT FURTHER RESOLVED** that a sum of \$27,800.00 be and the same is hereby appropriated under the caption of General Appropriations Operations Excluded from “CAPS”:

Monmouth County Board of Alcohol and Drug Abuse Services

“Substance Abuse Prevention Education Programs”

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

**Resolution 21-171 - Appointment of Special Law Enforcement Officer - 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 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 of 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 Officer – Class II in the Middletown Township Police Department for the calendar year of 2021.

Special Law Enforcement Officer II –  
Katelyn Johnson

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 21-172 - Resolution No. 21- Green Acres Enabling Resolution for Multi-Park Improvements Project**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (the “**State**”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Township of Middletown (the “**Township**”) has previously obtained a loan of \$276,937.50 and a grant of \$92,312.50 from the State to fund the following project(s):

#1332-17-029 Multi-Park Improvements; and

**WHEREAS**, the State and the Township intend to increase Green Acres funding for an additional loan of \$255,000 and a grant of \$85,000 from the State to fund the above-referenced project; and

**WHEREAS**, the Township is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-referenced project.

**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 Mayor is hereby authorized and directed to execute an Amendment of Agreement with the State for the project known as #1332-17-029 Multi-Park Improvements substantially in the form attached hereto and made part hereof.
2. The Township has its matching share of the project, if a match is required.
3. In the event the State’s funds are less than the total project cost specified above, the Township has the balance of funding necessary to complete the project.
4. The Township agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately upon adoption.



**Resolution 21-173 - Green Acres Enabling Resolution for Poricy Park Watershed Improvement Project**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (the “**State**”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Township of Middletown (the “**Township**”) desires to further the public interest by obtaining funding in the amount of \$143,500 from the State to fund the following project(s): Poricy Park Watershed Improvement Project a total cost of \$287,000 and

**WHEREAS**, the Township resolves that the Township Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the Township is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

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

- 6. The Mayor is hereby authorized and directed to execute an Agreement with the State for the project known as Poricy Park Watershed Improvement Project.
- 7. The Township has its matching share of the project, if a match is required.
- 8. In the event the State’s funds are less than the total project cost specified above, the Township has the balance of funding necessary to complete the project.
- 9. The Township agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
- 10. This resolution shall take effect immediately upon adoption.

**Resolution 21-174 - Resolution Approving Contract Extensions with Contractors for Snow Removal & Weather Related Services**

**WHEREAS**, pursuant to Resolution 19-252 (the “Resolution”), on October 21, 2019 the Township Committee of the Township of Middletown awarded contracts for weather related emergency services (the “Contracts”) to Flynn Tree Service, East Coast Enterprise Electric LLC, Frank Sutton Trucking LLC, Branin’s Construction, Red Bank Recycling, and Bennett’s Property and Design Works; and

**WHEREAS**, the Resolution provided that the Contracts shall run for a negotiated 24-month period and at the discretion of the Township of Middletown, the Director of Public Works would like to extending the contract for a period of twelve (12) months subject to the availability of funds; and

**WHEREAS**, the Township’s 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 rates not to exceed \$310,000.00 for the 2021-2022 contract extension year; 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 the contracts for weather related emergency services with the above-listed vendors are hereby extended through the 2021-2022 season, consistent with the foregoing. Funds for the 2021-2022 extension year are available and are designated to line item appropriations:

1-01-26-290-101-280

Availability of funds for the remaining balance of the contract is contingent upon the necessary funds being appropriated by the governing body in the 2022 Municipal Budget, inclusive of amount appropriated in the temporary budget as required by N.J.A.C. 5:34-5.3 (a).

**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.

**BE IT FURTHER RESOLVED**, this contract is open-ended pursuant to N.J.A.C. 5:30-11.10 (a) with no firm quantities being guaranteed. Funds will be certified and encumbered by individual purchase order prior to each request for service.

1. 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) Director of Public Works
- D) Vendors

**Resolution 21-175 - Resolution of the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey Rejecting all Bids received for Poricy Park Annex ADA Improvements at Poricy Park**

**WHEREAS**, the Township of Middletown authorized the receipt of bids for Poricy Park Annex ADA Improvements at Poricy Park; and

**WHEREAS**, six (6) bids were distributed, and two (2) bid was received on June 11, 2021; and

**WHEREAS**, said bids were reviewed by Ted Maloney, Township Engineer and the Purchasing Agent for the Township of Middletown and it has been determined that all bids received failed to be within the cost estimates of the Township; and

**WHEREAS**, the Township of Middletown wants to substantially revise the Specification to remove items that have increased the cost of the project; and

**WHEREAS**, New Jersey Local Public Contracts Law 40A 11-13.2 states said rejection is just cause to reject all bids received for the Poricy Park Annex ADA Improvements at Poricy Park 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 Poricy Park Annex ADA Improvements at Poricy Park.

**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 Poricy Park Annex ADA Improvements at Poricy Park 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 Poricy Park Annex ADA Improvements at Poricy Park. 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) Ted Maloney, Township Engineer
- C) Janet Dellett, Dir. of Recreation
- D) All rejected bidders as follows:

**1. Paley Construction Co.  
105A Fleming Street  
Piscataway, NJ 08854**

**2. EMY Solutions, LLC  
19 Summerfield Blvd.  
Dayton, NJ 08810**

**Resolution 21-176 - Resolution Authorizing the Submission of a Substantially Amended CDBG Annual Action Plan of the FY2020-2024 Consolidated Plan (Program Year 2020)**

**WHEREAS**, Title I of the Housing and Community Development Act of 1974 as amended provides for a program of Community Development Block Grants (CDBG); and

**WHEREAS**, the Township of Middletown is an Entitlement Community as defined under said Act and is entitled to financial assistance; and

**WHEREAS**, federal regulations at 24 CFR Part 91 require that the Township prepare and submit an Annual Action Plan as a prerequisite to receipt of entitlement Community Development Block Grant funds; and

**WHEREAS**, the Township intends to substantially amend the CDBG Annual Action Plan of the FY2020-2024 Consolidated Plan, Program Year 2020; and

**WHEREAS**, the Department of Housing and Urban Development (HUD) encourages grantees to use CDBG funds to undertake the priorities and specific objectives for housing and community development outlined in the Township's annual action plans; and

**WHEREAS**, consistent with the priorities and objectives outlined in the adopted FY2020-2024 Consolidated Plan, the Township of Middletown anticipates the transfer of \$215,435 in funds currently allocated to the Home Rehabilitation Program of the Township's CDBG Program to one new, eligible activity, as follows:

<u>Changes to CDBG-Funded Activities:</u>	<u>Prior Allocation</u>	<u>Funding Change</u>	<u>% Change in Allocation</u>
Existing Activity: Middletown Township Home Rehab Program	\$215,435	-\$215,435	-100%
New Activity: Middletown Township ADA Accessibility Improvements at Township Parks and Buildings	\$0.00	+\$215,435	New Activity

; and

**WHEREAS**, the reprogramming of these funds is in accordance with existing U.S. Department of Housing and Urban Development and Community Development policies; and

**WHEREAS**, the CDBG Program requires certain certifications to be submitted along with and as part of said plan; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown, in the County of Monmouth, New Jersey that the Mayor be and is authorized and directed to submit the Township of Middletown’s substantial amendment to the CDBG Annual Action Plan of the FY2020-2024 Consolidated Plan, Program Year 2020 to the US Department of Housing and Urban Development, including all understandings and certifications contained therein, to act as the authorized representative of the Township of Middletown, and to provide such additional information as may be required.

**BE IT FURTHER RESOLVED** that the Department of Community Development staff are hereby authorized and directed to respond to all citizen’s comments received during the required 30-day comment period and make such revisions or modifications to the Plan as may be necessary or appropriate based on such comments.

**BE IT FURTHER RESOLVED** that the Mayor and other authorized appropriate and responsible officials 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 the US Department of Housing and Urban Development.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be sent to the US Department of Housing and Urban Development.

**Resolution 21-177 – Resolution Authorizing the Payment of Bills for June 21, 2021**

The Township Committee hereby approves a resolution for the payment of bills for June 21, 2021 in the amount of \$21,258,281.93.

**BINGO AND RAFFLE APPLICATIONS**

Leonardo Grade School	21-49
Children’s Psychiatric Center Foundation	21-51
Children’s Psychiatric Center Foundation	21-52
The Premier Theatre Company	21-53
The Premier Theatre Company	21-54
St. Mary’s R.C. Church	21-55
St. Mary’s R.C. Church	21-56
St. Mary’s R.C. Church	21-57

**FIREFIGHTER APPLICATIONS**

Tyrone J. Shields – Old Village Fire Company

**TOWNSHIP COMMITTEE ACTING AS THE ABC ISSUING AUTHORITY**

Township Clerk Heidi Brunt requested a motion to adopt resolution 21-178 for the renewal of Liquor Licenses for 2021-2022.

It was moved by Committeeman Hibell and seconded by Committeewoman Snell to adopt Resolution 21-178.

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

Township Clerk Brunt stated motion carried to adopt Resolution 21-178.

**Resolution 21-178 - Resolution Authorizing the Renewal of Liquor Licenses for the 2021-2022 Licensing Term**

**WHEREAS**, applications have been made to the Middletown Township Committee for Liquor Licenses in the Township of Middletown for the licensing year beginning July 1, 2021 and ending June 30, 2022 accompanied by an assigned fee per Chapter 240-1A of the Code of the Township of Middletown.

- |                    |  |
|--------------------|--|
| 1. 1331-31-035-001 | Licensee: - Establishment: AMERICAN LEGION MEMORIAL POST 338 |
| 2. 1331-31-036-001 | Licensee: - Establishment: BAYSHORE COLOMBIAN CLUB           |
| 3. 1331-31-037-001 | Licensee: - Establishment: BEACON HILL COUNTRY CLUB INC      |
| 4. 1331-31-038-002 | Licensee: - Establishment: MIDDLETOWN ELKS 2179              |
| 5. 1331-31-039-002 | Licensee: - Establishment: NAVESINK COUNTRY CLUB INC         |
| 6. 1331-31-040-001 | Licensee: - Establishment: MIDDLETOWN TWP POST 2179 VFW      |

7. 1331-31-044-001 Licensee: NEW JERSEY JUNIOR TITANS HOCKEY CLUB INC -  
Establishment: NEW JERSEY JUNIOR TITANS HOCKEY CLUB
8. 1331-32-003-008 Licensee: TED LB INC - Establishment: JUNCTION BAR & LIQUORS
9. 1331-32-004-003 Licensee: Establishment: JACQUES RECEPTION CENTER
10. 1331-32-005-004 Licensee: CIRCUS LIQUORS INC - Establishment: CIRCUS WINES BEER &  
SPIRITS
11. 1331-33-002-005 Licensee: DEVINO GROUP LLC - Establishment: PORTSIDE BAR &  
LIQUORS
12. 1331-33-010-009 Licensee: TANG AMY L - Establishment: CROWN PALACE
13. 1331-33-011-005 Licensee: APPLE FOOD SERVICE OF MIDDLETOWN LLC - Establishment:  
APPLEBEES NEIGHBORHOOD GRILL & BAR
14. 1331-33-013-010 Licensee: LA BELLA VITA CORPORATION
15. 1331-33-014-006 Licensee: Markmart LLC Establishment: GATEWAY BAR & LIQUORS
16. 1331-33-015-007 Licensee: CICCONE CYNTHIA - Establishment: OLDE VILLAGE PUB &  
LIQUORS
17. 1331-33-017-004 Licensee: MIDDLETOWN HARMONY LOUNGE LLC Establishment:  
HARMONY LOUNGE
18. 1331-33-018-006 Licensee: STAVOLA THOMAS W
19. 1331-33-021-008 Licensee: MJ's MIDDLETOWN Establishment: MJ'S PIZZA BAR & GRILL
20. 1331-33-022-005 Licensee: LINCROFT TAVERN LLC - Establishment: NONE
21. 1331-33-023-006 Licensee: JERSEY SHORE RESTAURANT ASSOCIATES INC - Establishment:  
WAHOOS TACOS & MORE
22. 1331-33-024-006 Licensee: GVFB LLC - Establishment: GABRIELLA's ITALIAN STEAKHOUSE
23. 1331-33-025-013 Licensee: Fratelli Inc.
24. 1331-33-026-004 Licensee: Standard Hedge LLC
25. 1331-33-027-016 Licensee: - Establishment: CARRABBAS ITALIAN GRILL
26. 1331-33-029-008 Licensee: - Establishment: HOUSE OF CHONG MIDDLETOWN
27. 1331-33-030-012 Licensee: JOHN G ORRICO- Establishment: ABC POCKET LICENSE
28. 1331-33-034-003 Licensee: Outback Steakhouse of Florida- Establishment: OUTBACK  
STEAKHOUSE
29. 1331-33-041-006 Licensee: GRAND CRU- Establishment: RESTAURANT NICHOLAS
30. 1331-36-042-002 Licensee: - Establishment: COURTYARD BY MARRIOTT
31. 1331-43-006-005 Licensee: KATHCO CORPORATION INC
32. 1331-44-007-002 Licensee: - Christine Tramitz and Robert DeFilippo Establishment: ABC  
POCKET LICENSE
33. 1331-44-008-011 Licensee: SAKER ENTRIPRISES MANAGEMENT COMPANY, INC
34. 1331-44-012-004 Licensee: WHOLE FOODS MARKET GROUP INC - Establishment: WHOLE  
FOODS MARKET
35. 1331-44-019-009 Licensee: JALARAAM INC. - Establishment: LINCROFT WINE & LIQUOR
36. 1331-44-028-006 Licensee: - Establishment: PORT MONMOUTH LIQUORS
37. 1331-44-031-004 Licensee: KESHINA INC. - Establishment: TREZZA LIQUORS
38. 1331-44-033-011 Licensee: PENINSULA LIQUORS LLC - Establishment: CIRCUS WINES BEER

AND SPIRITS

39. 1331-44-043-003 Licensee: - Establishment: BOTTLE KING DISCOUNT WINES & SPIRITS

**WHEREAS**, the premises where the licenses are sought have been duly inspected by the Office of the Chief of Police of the Township of Middletown, and it appearing that the applications are in due form and that all legal formalities have been met.

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

**TOWNSHIP COMMITTEE COMMENTS:**

Committeeman Clarke, thanked Recreation Director Janet Dellett for presenting the grant project for Poricy Park. He congratulated fireman Jack (Insert Last Name) for 50 years of service, and he mentioned the loss of Fire Department Adam Ferrest who passed away on June 16, 2021.

Committeewoman Snell, commented she attended the Flag Day ceremony and it was a great experience and it reminds us of all who fought and died for the American people. She announced the ongoing fundraiser for the 20<sup>th</sup> Anniversary 9/11 Memorial Ceremony.

Deputy Mayor Hibell, commented that he celebrated with the Eagle Scouts. He congratulated John Walsifer on his promotion. He gave a shout out to the Junction Boutique. He commended Recreation Director Janet Dellett on the Poricy Park improvements.

**PUBLIC COMMENTS:**

Jim Moran, Pickle Ball Ambassador. He discussed the strong boxes and that one was vandalized for the third time. Would like to install a security camera. Township Administrator Anthony Mercantante would like to get back to him with more information. Mr. Moran also requested more permanent Pickle Ball Courts.

Rocky Rios, Harmony Avenue, asked if there will be a LGBT pride celebration.

Mithro Bussler, requested the Deputy Mayor read the proclamation.

Heather McKeown, 19 East Road, Member of the Monmouth Conservation Foundation and thanked the Township Committee.

Don Watson, 1 Collinson Drive, expressed concern for the TNR ordinance approval. He requested the responsibilities of the Poricy Park Conservancy were. He agreed Poricy Park is in need of improvements.



**ADJOURNMENT**

It was moved by Deputy Mayor Hibell, seconded by Committeewoman Snell and carried to adjourn at 7:55 p.m.

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

Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,

---

Heidi Brunt  
Township Clerk

Approved:

---

Anthony S. Perry, Mayor