

*If you have any questions regarding
this agenda please contact the
Township Clerk at 732-615-2014*

**Township of Middletown
Town Hall-Main Meeting Room
One Kings Highway
Middletown, NJ 07748**

AUGUST 20, 2018 REGULAR MEETING

MEETING OPENS AT 7:00 P.M. - MEETING STATEMENT:

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 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 ENTERDATE.

EXECUTIVE SESSION AT 7:00 PM

1. Resolution Authorizing Executive Session

MEETING OPENS AT 8:00 P.M. - MEETING STATEMENT:

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 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 18, 2018.

ROLL CALL

Committeeman Hibell _____ Committeeman Perry _____
Committeeman Snell _____ Deputy Mayor Fiore _____
Mayor Settembrino _____

PLEDGE OF ALLEGIANCE

Moment of silence to honor the troops serving worldwide defending our Constitutions, Freedoms, and Way of Life.

CERTIFICATE OF APPRECIATION/PROCLAMATION

2. Proclamation Recognizing September 22, 2018 as Middletown Day in the Township of Middletown
3. Proclamation Declaring September 11, 2018 at Patriot Day and a National Day of Service and Remembrance in the Township of Middletown
4. Proclamation Recognizing September 2018 as Childhood Cancer Awareness in the Township of Middletown
5. Proclamation Declaring September 2018 as Turn the Town Teal in the Township of Middletown in Recognition of Ovarian Cancer Awareness
6. Proclamation Recognizing September 2018 as National Recovery Month in the Township of Middletown
7. Proclamation Recognizing September 2018 as National Preparedness Month in the Township of Middletown

APPROVAL OF MINUTES

8. January 23, 2018; March 5, 2018; March 19, 2018; April 2, 2018; April 16, 2018, April 16, 2018; May 7, 2018

AUGUST 20, 2018 REGULAR MEETING

PUBLIC HEARING OF PROPOSED ORDINANCES

- [9.](#) 2018-3232 Ordinance Adopting Circus Liquors Redevelopment Plan for The Delineated Area of Block 825, Lots 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 70, 72, 73, 74, 75, 76, 77, 78, 79 And 81 And Block 870, Lots 1 And 2

INTRODUCTION OF PROPOSED ORDINANCES

10. 2018-3233 Bond Ordinance Amending Bond Ordinance Number 2018-3227 Finally Adopted By The Township Committee Of The Township Of Middletown, New Jersey On July 16, 2018
11. 2018-3234 Ordinance Authorizing An Easement Swap Involving Block 1048.01, Lot 20; Block 1048.02, Lots 31 And 32; And Block 1048.01, Lots 11-14
12. 2018-3235 Ordinance Authorizing An Easement Swap Involving Block 807, Lot 1.01 On The Tax Maps Of The Township Of Middletown (1200 Highway 35)
13. 2018-3236 Ordinance Adopting Amended Municipal Complex Redevelopment Plan For Block 815, Lots 1.01, 6 And 7 On The Official Tax Map Of The Township Of Middletown
14. 2018-3237 Ordinance Establishing Death Benefits for Volunteer First Responders

CONSENT AGENDA

- [15.](#) 18-194 Resolution Authorizing The Submission Of An Application To The New Jersey Department Of Transportation's Safe Routes To School Program 2018
- [16.](#) 18-195 Resolution Authorizing Appointments to the Planning Board
- [17.](#) 18-196 Resolution Authorizing Appointment to the Middletown Library Board of Trustees
- [18.](#) 18-197 Resolution Authorizing Deputy Mayor To Solemnize Marriages
- [19.](#) 18-198 Resolution Accepting Deeds of Conservation Easement
- [20.](#) 18-199 Resolution Authorizing Award Of Contract For Thompson Avenue Improvements Contract # 18-01
- [21.](#) 18-200 A Resolution Of The Township Committee Of The Township Of Middletown, County Of Monmouth, State Of New Jersey Authorizing The Sale Of Town-Owned Personal Property Which Exceeds The Fair Market Value Of \$5,400.00 In Accordance With N.J.S.A. 40a:11-36
22. 18-201 Resolution Authorizing National Park Service Agreement Renewal for Building Department Plan Reviews of Fort Hancock
- [23.](#) 18-202 Resolution Establishing The Department Of Recreation Temporary Change Fund For Middletown Day Only
- [24.](#) 18-203 Resolution Extending Grace Period For Payment Of 3rd Quarter 2018 Taxes
- [25.](#) 18-204 Resolution Authorizing a Chapter 159 Budget Item for the "FY 2019 Municipal Alliance DEDR Grant for 2018/2019"
26. 18-205 Resolution Authorizing Payment of Bills for August 20, 2018

TOWNSHIP COMMITTEE ACTING AS THE ABC ISSUING AUTHORITY

- [27.](#) 18-206 Resolution Authorizing Renewal of Liquor License 1331-44 Christine Tramitz (estate) and Robert DeFilippo
- [28.](#) 18-207 Resolution Authorizing Renewal of Liquor License 1331-33 for La Bella Vita Corp.

TOWNSHIP COMMITTEE COMMENTS

PUBLIC COMMENTS

EXECUTIVE SESSION

AUGUST 20, 2018 REGULAR MEETING

ADJOURNMENT

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the Township Committee may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Township Attorney and Administrator that the Township Committee go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that the Committee shall go into executive session to discuss the following items:

1) Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)

None

2) Personnel Matters – N.J.S.A. 10:4-12(b)(8)

None

3) Contract Negotiations – N.J.S.A. 10:4-12(b)(4) or (b)(7)

Town Hall Redevelopment (ATOD September 2018)

4) Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)

Minding Middletown v. Middletown, et al. (October 2018)
In Re Affordable Housing Dec Action (October 2018)



PROCLAMATION

OFFICE OF THE MAYOR



- WHEREAS:** Middletown Township is a 42-square mile community that some 67,000 neighbors call home; and
- WHEREAS:** Middletown Township is a unique collection of neighborhoods, each with its own geographic flavor and historic personality. Together, we form a dynamic community with a strong volunteer spirit; and
- WHEREAS:** Middletown Township began to hold an annual fall festival over a decade ago to offer residents the opportunity to meet friends and neighbors from Middletown Village, Leonardo, River Plaza, Lincroft and everywhere in-between; and
- WHEREAS:** **Middletown Day 2018** will be held rain or shine on Saturday, September 22, 2018 from 11:00AM to 5:00PM on the Great Lawn at Croydon Hall; and
- WHEREAS:** **Middletown Day 2018**, which is sponsored by local businesses, groups and individuals, promises to be a spectacular family fun day. Highlights of the day include a Business and Community Showcase, a food court, local music, a petting zoo and hayride. Now,
- THEREFORE:** I, Mayor Kevin M Settembrino and the Middletown Township Committee, do hereby proclaim September 22, 2018 as **Middletown Day** in Middletown Township. We encourage all of our residents to come celebrate everything that makes Middletown so special.

*Given, under my hand and the Great Seal of the Township of Middletown,
this twentieth day of August in the year two thousand eighteen*

Mayor Kevin M Settembrino



PROCLAMATION

Office of the Mayor



Patriot Day and National Day of Service and Remembrance September 11, 2018

- WHEREAS:** On September 11, 2001, the United States was attacked by terrorists, killing thousands of innocent citizens in New York, Washington, D.C., and Pennsylvania; and
- WHEREAS:** On this 17th anniversary of that terrible day, we pay tribute to the 37 Middletown residents who were senselessly killed in the World Trade Center attack. Their deaths have left indelible holes in the fabric of our tight-knit community; and
- WHEREAS:** In the aftermath of these horrific attacks, thousands of Americans displayed the highest levels of bravery and selflessness, risking or sacrificing their own lives to save their fellow citizens; and
- WHEREAS:** We pay homage to the emergency responders and ordinary citizens who performed extraordinary acts of courage and valor during our nation's most dire moment of need; and
- WHEREAS:** The tragic events of September 11, 2001 have unified our nation against the forces of hatred and oppression and reaffirmed our dedication to the fundamental American ideals of freedom and liberty; and
- WHEREAS:** A remembrance ceremony will be held at the Middletown World Trade Center Memorial Gardens on Tuesday, September 11, 2018 at 7:30 p.m. As we gather at the Gardens, we are once again demonstrating the resiliency, determination, compassion, strength, and patriotism that define us as Americans. Now,
- THEREFORE:** I, Mayor Kevin M Settembrino and the Middletown Township Committee, so hereby proclaim September 11, 2018 as Patriot Day and the National Day of Service and Remembrance in the Township of Middletown. We urge all citizens to honor those who lost their lives seventeen years ago to reflect upon America's proud tradition of freedom and bravery and to renew our commitment to serving our community, state, and our nation.

*Given, under my hand and the Great Seal of the Township of Middletown, this
twentieth day of August in the year two thousand eighteen*

Mayor Kevin M Settembrino



PROCLAMATION

OFFICE OF THE MAYOR



Childhood Cancer Awareness Month
September 2018



WHEREAS: September of each year is recognized as Childhood Cancer Awareness Month throughout the nation; and

WHEREAS: Every school day 42 children will be diagnosed with cancer; and

WHEREAS: More than 40,000 children undergo treatment for cancer each year; and

WHEREAS: In the past 25 years, the FDA has initially approved only three new drugs for any childhood cancer; and

WHEREAS: Less than four percent of the Federal government's total funding for cancer research is dedicated to childhood cancers, and only about four percent of the funds raised for the National Cancer Institute go directly to pediatric cancer research; and

WHEREAS: Middletown Township is dedicated to educating and mobilizing people about the critical need for funding for pediatric cancer research. Now,

THEREFORE: I, Mayor Kevin M Settembrino and the Middletown Township Committee, do hereby proclaim September 2018, and each September going forward, as Childhood Cancer Awareness Month in Middletown Township in order to help raise awareness of pediatric cancer and its victims.

*Given, under my hand and the Great Seal of the Township of Middletown,
this twentieth day of August in the year two thousand eighteen*

Mayor Kevin M Settembrino



PROCLAMATION



OFFICE OF THE MAYOR

**Turn the Towns Teal
September 2018**



WHEREAS: Ovarian cancer is called the “silent disease” because its symptoms are often vague or subtle; and

WHEREAS: Ovarian cancer is the fifth leading cause of cancer death among women and the leading cause of gynecologic cancer death in the United States. Each year more than 22,000 women are diagnosed with the disease and approximately 14,000 die from it; and

WHEREAS: If detected in its early stages, survival from ovarian cancers is 90-95 percent. Yet the five-year survival rate for the disease is only 27 percent, because it is so difficult to detect early; and

WHEREAS: September has been designated as National Ovarian Cancer Awareness Month; and

WHEREAS: Turn the Towns Teal is a campaign to create awareness of ovarian cancer and its symptoms. This campaign was the inspiration of Gail MacNeil of Chatham, NJ and goes forward in her name and her honor; and

WHEREAS: Biodegradable ribbons will be tied on trees and poles throughout Middletown to raise awareness about the disease. Free symptom and information cards will be also placed at local businesses. Now,

THEREFORE: I, Mayor Kevin M Settembrino and the Middletown Township Committee, do hereby proclaim that September 2018 is Ovarian Cancer Awareness Month in Middletown Township. Be it further proclaimed that the governing body supports the Turn the Towns Teal Awareness Campaign.

Mayor Kevin M Settembrino



PROCLAMATION

OFFICE OF THE MAYOR

National Alcohol and Drug Addiction Recovery Month September 2018

- WHEREAS:** *National Recovery Month (Recovery Month)* is a national observance held every September to educate Americans that substance use treatment and mental health services can enable those with a mental and/or substance use disorder to live a healthy and rewarding life; and
- WHEREAS:** *Recovery Month* celebrates the gains made by those in recovery, just as we celebrate health improvements made by those who are managing other health conditions such as hypertension, diabetes, asthma, and heart disease. The observance reinforces the positive message that behavioral health is essential to overall health, prevention works, treatment is effective, and people can and do recover. Millions of Americans lives have been transformed through recovery; and
- WHEREAS:** Each September, tens of thousands of prevention, treatment, and recovery programs and facilities celebrate *National Recovery Month*. They speak about the gains made by those in recovery and share their success stories with their neighbors, friends, and colleagues. In doing so, everyone helps to increase awareness and furthers a greater understanding about the diseases of mental and substance use disorders; and
- WHEREAS:** Now in its 29th year, *Recovery Month* highlights the achievements of individuals who have reclaimed their lives in long-term recovery and honors the treatment and recovery service providers who make recovery possible. *Recovery Month* also promotes the message that recovery in all of its forms is possible and encourages citizens to take action to help expand and improve the availability of effective prevention, treatment, and recovery services for those in need; and
- WHEREAS:** The theme for *Recovery Month 2018* is *Join the Voices for Recovery: Invest in Health, Home, Purpose, and Community*, which explores how integrated care, a strong community, sense of purpose, and leadership contributes to effective treatments that sustain the recovery of persons with mental and substance use disorder; and
- WHEREAS:** To help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, The Township of Middletown, The Middletown Municipal Alliance for the Prevention of Substance Abuse, and Crossroads at the Lincroft Annex invite all residents of Middletown, New Jersey to participate in *National Recovery Month*. Now,
- THEREFORE:** I, Mayor Kevin M Settembrino and the Middletown Township Committee, do hereby proclaim the month of September 2018 as *National Recovery Month* in Middletown Township. We call upon the people of Middletown to observe this month with appropriate programs, activities, and ceremonies to support this year's *Join the Voices for Recovery: Invest in Health, Home, Purpose, and Community* theme. Residents, neighbors, friends and networking associates of Middletown are invited to the Alliance Community Rally at Middletown Day on September 22, 2018.

*Given, under my hand and the Great Seal of the Township of Middletown,
this twentieth day of August in the year two thousand eighteen*



PROCLAMATION

OFFICE OF THE MAYOR

National Preparedness Month September 2018

- WHEREAS:** For more than a decade, the Federal Emergency Management Agency has proclaimed September as **National Preparedness Month** as part of an effort to encourage personal preparedness for emergencies; and
- WHEREAS:** As we pay tribute to the attacks of September 11th and help those impacted by hurricanes, we are reminded of the importance of the need for disaster preparedness; and
- WHEREAS:** The US Department of Homeland Security, local officials and other Federal, State, and County offices as well as the private sector are working to deter, prevent and respond to all types of emergencies, including human-made threats and natural disasters; and
- WHEREAS:** These activities, along with programs like Citizen Corps and others contribute to a level of community unity and preparedness that is critical to securing our community, county, state, and nation; and
- WHEREAS:** Middletown Township and the Office of Emergency Management encourage our residents to take personal responsibility to become informed and prepared to be self-sufficient until assistance can arrive. Preparedness includes maintaining a preparedness kit, having an emergency plan, and making a commitment to practice that plan with their family periodically. Now,
- THEREFORE:** I, Mayor Kevin M Settembrino and the Middletown Township Committee, do hereby recognize September 2018 as **National Preparedness Month** in Middletown Township. We encourage all citizens to educate themselves about preparedness as a way to improve community resilience during emergencies.

*Given, under my hand and the Great Seal of the Township of Middletown,
this twentieth day of August in the year two thousand eighteen*

Mayor Kevin M Settembrino

ORDINANCE NO. 2018-3232

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**ORDINANCE ADOPTING CIRCUS LIQUORS REDEVELOPMENT
PLAN FOR THE DELINEATED AREA OF BLOCK 825, LOTS 53, 54,
55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 70, 72, 73, 74, 75,
76, 77, 78, 79 AND 81 AND BLOCK 870, LOTS 1 AND 2**

WHEREAS, the Township of Middletown in the County of Monmouth, State of New Jersey (“the Township”) is authorized pursuant to N.J.S.A. 40A:12A-5 to determine that a delineated area in the Township is an area in need of redevelopment; and

WHEREAS, in order to make that determination, the Township Committee must first authorize its Planning Board to undertake a preliminary investigation to determine whether the delineated area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, pursuant to Resolution No. 17-205 adopted on July 17, 2017 and Resolution No. 17-239 adopted on September 18, 2017, the Township Committee authorized and requested that the Planning Board undertake a preliminary investigation (“the Investigation”) to determine whether Block 825, Lots 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 72, 73, 74, 75, 76, 77, 78, 79, 80 and 81; Block 825, Lot 70; Block 605, Lot 64; Block 638, Lot 31.01; Block 825, Lot 58; Block 870, Lots 1 and 2; and Block 871, Lots 3 and 7.02 (“the Area of Investigation”) constitutes an “area in need of redevelopment” for non-condemnation purposes according to the criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, consistent with the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board specified and gave notice that on December 6, 2017, a hearing would be held for the purpose of hearing all persons who are interested in or would be affected by a determination that the properties in the Area of Investigation are an “area in need of redevelopment” as that term is defined in Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”); and

WHEREAS, DMR Architects (“DMR”) prepared a “Report of Preliminary Investigation for Determination of an Area in Need of Redevelopment” (the “Investigation Report”) for the Area of Investigation that was publicly presented after adequate notice before the Planning Board on December 6, 2017; and

WHEREAS, the Investigation Report determined that Block 825, Lots 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 70, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81, Block 870, Lots 1 and 2, and Block 871, Lot 7.02 evidenced conditions and characteristics that qualify for designation as an “area in need of redevelopment” because

they collectively satisfy the applicable criteria of the LRHL under N.J.S.A. 40A:12A-5 and -3; and

WHEREAS, the Planning Board hearing was opened to the public on December 6, 2017 for the purpose of hearing all persons who are interested in or would be affected by a determination that all or a part of the Area of Investigation is a redevelopment area; and

WHEREAS, on December 6, 2017, the Planning Board received direct testimony from Fran Reiner, L.L.A., P.P. of DMR, and Mr. Reiner provided an eye witness account of the conditions that he observed during his exhaustive investigation of the properties within the Area of Investigation, which confirmed the description of the conditions and his findings contained in the Investigation Report; and

WHEREAS, after completing its hearing and investigation of this matter on December 6, 2017, the Planning Board recommended that the Township Committee designate the above-cited portions of the Area of Investigation as an area in need of redevelopment for non-condemnation purposes due to the substantial evidence that these parcels within the Area of Investigation meet the criteria enumerated in the Investigation Report pursuant to N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, pursuant to Resolution 17-294, on December 18, 2017, the Township Committee adopted a resolution concurring with the Planning Board's findings and designated the above-cited portions of the Area of Investigation as an "area in need of redevelopment" pursuant to the LRHL; and

WHEREAS, at the direction of the Township Committee, DMR has prepared a Redevelopment Plan entitled "Circus Liquors Redevelopment Plan" dated July 2018; and

WHEREAS, the Township Committee wishes to adopt the Circus Liquors Redevelopment Plan for a portion of the Area of Investigation designated in need of redevelopment consisting of Block 825, Lots 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 70, 72, 73, 74, 75, 76, 77, 78, 79, and 81; and Block 870, Lots 1 and 2; and

WHEREAS, N.J.S.A. 40A:12A-7 requires the adoption of redevelopment plans by ordinance with the Planning Board reviewing the plan for consistency with the Master Plan of the Township prior to final adoption, which referral has taken place, and a report being returned from the Planning Board as to such consistency with the Master Plan.

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

SECTION 1. Circus Liquors Redevelopment Plan. The Circus Liquors Redevelopment Plan prepared by DMR and attached hereto as Exhibit A and by

reference made a part hereof is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-1 et seq., and shall constitute an overlay zone to be applied solely to the Redevelopment Plan Area and be enacted as an amendment to the Township's Zoning Map.

SECTION 2. Severability. If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 3. Repealer. All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date. This ordinance shall take effect after final adoption and approval pursuant to law.

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION’S
SAFE ROUTES TO SCHOOL PROGRAM 2018**

WHEREAS, the Township of Middletown desires to further the safety of children on their way to and from local schools by obtaining a grant from the New Jersey Department of Transportation (NJDOT) through the 2018 Safe Routes to School (SRTS) Program Grant; and,

WHEREAS, SRTS is a program of the United States Department of Transportation Federal Highway Administration (FHWA) which provides funds to governmental entities so they may substantially improve the ability of primary and middle school students to walk and bicycle to school safely; and,

WHEREAS, the Township of Middletown, in coordination with the Middletown Township Board of Education, has worked diligently to implement projects that improve the accessibility, safety, use and maintenance of the areas surrounding schools within the community; and,

WHEREAS, the Township of Middletown has designated plans specifically designed to address and eliminate current issues related to pedestrian safety surrounding the River Plaza Elementary School within the Township’s community; and,

WHEREAS, the Township of Middletown proposes within its aforementioned plans, the installation of a permanent barrier, in the form of a fence, along Hubbard Avenue between the roadway and the sidewalk around River Plaza Elementary School (to be known as the Project Area); and,

WHEREAS, this project activity involves land that is owned by the County of Monmouth, and the County of Monmouth will document a clear commitment to maintain this area (curb-to-curb maintenance) as it always has and support this application by the Township of Middletown. The Township of Middletown will document a clear commitment to maintain the Project Area’s sidewalks as it always has. This document will also make clear the boundaries of ownership between the County of Monmouth and the Township of Middletown; and,

WHEREAS, responsibilities for administering the proposed project in accord with federal and state guidelines (to be known as the Responsible Charge) will be Ted Maloney, full-time Department of Public Works Director and Township Engineer, and,

NOW THEREFORE BE IT RESOLVED that the Mayor and Township Council of the Township of Middletown, State of New Jersey formally authorize submission of the electronic grant application identified as **SRS-2018-Hubbard Avenue Pedestrian Improveme-00040** to the New Jersey Department of Transportation for funding under the Safe Routes to Schools Program on behalf of the Township of Middletown.

RESOLUTION 18-195
APPOINTMENTS TO PLANNING BOARD

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 members of the Middletown Planning Board pursuant to the "Code of the Township of Middletown" for terms as set forth below:

HOWIE BREY
Mayors Designee

SEAT I
Unexpired Term
Expiring 12/31/2018

KEVIN COLANGELO
CLASS IV

SEAT VI
Unexpired Term
Expiring 12/31/2021

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

RESOLUTION 18-196

APPOINTMENTS TO MIDDLETOWN LIBRARY BOARD

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 or reappointed as members of the Middletown Library Board pursuant to the "Code of the Township of Middletown" for terms as set forth below:

SUSAN KYRILLOS

SEAT VII

Unexpired Term

Expiring 12/31/2019

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. Library Board

RESOLUTION NO. 18-197

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**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 NO. 18-198

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

RESOLUTION ACCEPTING DEEDS OF CONSERVATION EASEMENT

WHEREAS, on February 7, 2018, the Robert W. Paulus Trust (the "Trust") received a minor subdivision approval with variances for the property formerly designated as Block 707, Lot 1 on the tax map of the Township of Middletown, and commonly known as 348 Hillside Avenue; and

WHEREAS, as a condition of approval, the Trust was required to submit to the Township forms of conservation easements for critical areas (steep slopes) on Lots 1, 2, and 3 of the approved subdivision; and

WHEREAS, the deeds have been reviewed and approved by the Township Engineer and Township Attorney as to form.

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 Trust's deeds of conservation easement attached hereto and made part hereof as Exhibit A are hereby agreed to and accepted by the Township.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized and directed to execute the deeds of conservation easement attached hereto and made part hereof as Exhibit A.

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR
THOMPSON AVENUE IMPROVEMENTS
CONTRACT # 18-01**

WHEREAS, bids were received on Wednesday, August 1, 2018.

WHEREAS, three (3) bids were picked up by vendors, and two (2)

responsive bids were received as follows:

<u>VENDOR</u>	<u>AMOUNT</u>
1. BLACK ROCK ENTERPRISES, LLC 1316 ENGLISHTOWN ROAD OLD BRIDGE, NJ 08857	\$323,193.30
2. LUCAS CONSTRUCTION GROUP 173 AMBOY ROAD MORGANVILLE, N.J. 07751	\$379,156.90

Bids were advertised as per N.J. State Statutes and affidavit of publication is filed in the Office of the Township Clerk.

**BLACK ROCK ENTERPRISES, LLC, 1316 ENGLISHTOWN ROAD, OLD
BRIDGE, NJ 08857** shall Furnish and Deliver the following as per Bid Proposal, Specifications & Covenants thereof dated **August 1, 2018** said bidder being the Lowest Responsive Bidder.

<u>DESCRIPTION</u>	<u>VENDOR</u>
THOMPSON AVENUE IMPROVEMENTS CONTRACT NO. 18-01	BLACK ROCK ENTERPRISES, LLC 1316 ENGLISHTOWN ROAD LD BRIDGE, NJ 08857

WHEREAS, said bids were reviewed by the Purchasing Agent and William S. Chapin, Consulting Engineer, T&M Associates and it is their recommendation

that the contract be awarded to BLACK ROCK ENTERPRISES, LLC in the amount of: \$323,193.30.

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 the contract for the 2018 Thompson Avenue Improvements Contract No. 18-01 to Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857 in the amount of \$323,193.30.

BE IT FURTHER RESOLVED, this contract is 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 award should be made subject to concurrence for each road by NJDOT and the approval of the Office of Wage and Hour Compliance.

WHEREAS, the Director of Finance of the Township of Middletown has certified that adequate funds 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 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 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.

C-04-55-915-141-005 - \$97,759.00
C-04-55-917-188-003 - \$225,434.30

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) Director of Finance
- C) William S. Chapin, T&M Associates
- D) Ted Maloney, Township
- E) Brian Nelson, Township Attorney
- F) All of the above bidders

CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown hereby certify the foregoing to be a true copy of a resolution adopted by the Township Committee at their meeting held on _____ 2018.

Witness my hand and seal of the Township Clerk of Middletown this ____ day of _____ 2018.

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION 18-200

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZING THE SALE OF TOWN-OWNED PERSONAL
PROPERTY WHICH EXCEEDS THE FAIR MARKET VALUE OF \$5,400.00
IN ACCORDANCE WITH N.J.S.A. 40A:11-36**

WHEREAS, in accordance with N.J.S.A. 40A:11-36 it is the desire of the governing body to authorize the sale of Township-Owned personal property not needed for public use:

WHEREAS, N.J.S.A. 40A:11-36 further provides that said sale shall be an on-line sale to the highest bidder if the property to be sold therein has an estimated fair value in excess of \$5,400.00 and is neither livestock nor perishable goods; and

WHEREAS, N.J.S.A. 40A:14-157 provides that the governing body may authorize the sale by an on-line auction of certain tangible personal property in the possession of the Police Department, provided that said property was found and recovered by a member of the Police Department acting in the line of duty; that said property owner's whereabouts is unknown and unascertainable or that said property owner refuses receipt thereof; and that those items of said property which are motor vehicles were held for six months; and

WHEREAS, the Township of Middletown has determined that certain tangible personal property has been recovered by members of its Police Department acting in the line of duty, and which property meets the statutory standards of N.J.S.A. 40A:14-157.

WHEREAS, the Township of Middletown will conduct its on-line auction beginning Tuesday, September 11, 2018 and ending on Tuesday, September 25,

2018.

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Middletown intends to utilize the online auction services of Auction Liquidation Services located at www.usgovbid.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9.

WHEREAS, the terms and conditions of the agreement entered into with the vendor are available on the vendor's website and available in the office of the Township Clerk.

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

- 1. That the Township of Middletown's Director of Public Works is authorized and directed to collect all personal property owned by Middletown Township which is no longer needed for public use and all property held by the Police Department under the circumstances described above.**
- 2. Sell the surplus personal property as indicated on Schedule A, on an online auction website entitled www.usgovbid.com to the highest bidder, which shall be advertised and directed in accordance with applicable State law.**
- 3. That all proceeds, less any reasonable and necessary expenses, from said sale shall be paid into the General Municipal Treasury.**
- 4. That a public notice shall be placed in the Two River Times setting forth the**

date and time of the on-line auction together with a description of the items to be sold.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between Auction Liquidation Services and the Township of Middletown are available at www.usgovbid.com and in the Middletown Clerk's office, and be it further

RESOLVED, that a certified copy of the within resolution be forwarded by the Middletown Clerk to the following:

- A) Purchasing Agent
- B) Comptroller
- C) Ted Maloney, Director of Public Works
- D) Craig Weber, Chief of Police

CERTIFICATION

I Heidi R. Brunt, Township Clerk of the Township of Middletown hereby Certify the foregoing to be a true copy of a resolution adopted by the Township Committee at their meeting held on _____ 2018.

Witness my hand and seal of the Township Clerk of Middletown this _____ day of _____ 2018.

**HEIDI R. BRUNT
TOWNSHIP CLERK**

SCHEDULE "A"

YEAR	DESCRIPTION		VIN#
2000	Ford	Van E250	1FBSS31L5YHA25572
2000	Dodge	Grand Caravan	2B4GP25XYR864337
2000	Internat'l	Roll Off	HTGLADT5YH328918
2002	Chevy	Pick-Up 2500	1GCHK24U12E306233
2002	Chevy	Pick Up 2500	1GCHK24U92E196158
2006	Ford	E-450 Jitney/Bus	1FDXE45P66DB26244
2006	Chevy	Equinox SUV	2CNDL23F366041027
2006	Ford	Taurus	1FAFP53UD6A175696
2006	Ford	Crown Vic	2FAFP71V28X162658
2008	Ford	Crown Vic	2FAFP71V48X162645
2008	Ford	Crown Vic	2FAFP71V38X162653
2008	Ford	Crown Vic	2FAFP71V68X162646
2008	Ford	Crown Vic	2FAFP71V28X162658
2008	Ford	Crown Vic	2FAFP71V08X162660
2010	Ford	Crown Vic	2FABP7BV1AX128987
2010	Ford	Crown Vic	2FABP7BV3AX128988
2010	Ford	Crown Vic	2FABP7BV5AX128989

Other items included but not limited to:

Riding Mowers, Parts for Backpack Blowers, Parts for 10.5 HP Small Engines, Tires for Tractors and Front End Loaders, a 40 yard Roll Off Dumpster, several 8, 6, 4 and 2 yard Rear Load Dumpsters, Parts for Towable Sign Boards, Various toners as well as other items of personal property.

Successful Bidders must remove equipment from Existing Locations.

By order of the Mayor and Township Committee of the Township of the Middletown

RESOLUTION 18-202
TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH

**RESOLUTION ESTABLISHING THE DEPARTMENT OF RECREATION TEMPORARY
CHANGE FUND FOR MIDDLETOWN DAY ONLY**

WHEREAS, there is a need to establish a temporary change fund for the Department of Recreation to provide change for Middletown Day only;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown, County of Monmouth hereby authorizes the establishment of a temporary change fund in the amount of \$1,000.00 for the Department of Recreation for Middletown Day only.

CERTIFICATION

I, Heidi Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held August 20, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 20th day of August 2018.

HEIDI BRUNT
TOWNSHIP CLERK

RESOLUTION NO. 18-203

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION EXTENDING GRACE PERIOD
FOR PAYMENT OF 3RD QUARTER 2018 TAXES**

WHEREAS, N.J.S.A. 54:4-64 provides that third quarter tax bills were to be mailed at least 47 days prior to the due date of August 1, 2018; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey that the interest charged as per Resolution No. 18-62, shall be waived if payment of third quarter tax bills is received by August 22, 2018. Any payments not made within this time shall be charged interest from the State set due date of August 1, 2018.

Resolution No. 18-204
Chapter 159
“FY 2019 Municipal Alliance DEDR Grant for 2018/2019”

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 \$30,000.00 grant from the Monmouth County Board of Alcohol and Drug Abuse Services for the Substance Abuse Prevention Education Programs and wishes to amend its 2018 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 \$7,500.00, and

WHEREAS, sufficient funding for this match is available in the 2018 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 2018 budget in the sum of \$30,000.00 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:

Monmouth County Board of Alcohol and Drug Abuse Services

“Substance Abuse Prevention Education Programs”

BE IT FURTHER RESOLVED that a sum of \$30,000.00 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.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
Mayor Settembrino				
A. Fiore				
R. Hibell				
A. Perry				
P. Snell				

CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held August 20, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 20th day of August, 2018.

HEIDI R. BRUNT, TOWNSHIP CLERK

RESOLUTION No. 18-206

Resolution of The Township Committee Of The Township Of Middletown, County Of Monmouth,
State Of New Jersey Authorizing Renewal Of
Plenary Retail Consumption License 1331-44-007-002

WHEREAS, applications have been made to the Middletown Township Committee for
PLENARY RETAIL CONSUMPTION LICENSES for the year beginning July 1, 2018 and ending
June 30, 2019 accompanied by a statutory fee of \$1,658.00.

<u>NUMBER</u>	<u>LICENSEE</u>	<u>TRADE NAME</u>
1331-44-007-002	CHRISTINE TRAMITZ AND ROBERT DEFILIPPO	Inactive

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.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
Mayor Settembrino				
A. Fiore				
R. Hibell				
A. Perry				
P. Snell				

CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the
foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their
meeting held August 20, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 20th day of August, 2018.

HEIDI R BRUNT, TOWNSHIP CLERK

RESOLUTION No. 18-207

Resolution of The Township Committee Of The Township Of Middletown, County Of Monmouth,
State Of New Jersey Authorizing Renewal Of
Plenary Retail Consumption License 1331-33-013-010

WHEREAS, applications have been made to the Middletown Township Committee for
PLENARY RETAIL CONSUMPTION LICENSES for the year beginning July 1, 2018 and ending
June 30, 2019 accompanied by a statutory fee of \$2,280.00.

<u>NUMBER</u>	<u>LICENSEE</u>	<u>TRADE NAME</u>
1331-33-013-010	La Bella Vita Corporation	Inactive

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.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
Mayor Settembrino				
A. Fiore				
R. Hibell				
A. Perry				
P. Snell				

CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the
foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their
meeting held August 20, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 20th day of August, 2018.

HEIDI R BRUNT, TOWNSHIP CLERK