



Township of Middletown, County of Monmouth, NJ

Town Hall, One Kings Highway, Middletown, NJ 07748

Townclerk@middletownnj.org or 732-615-2014

JANUARY 23, 2018 REGULAR MEETING

1. 7:00 P.M. EXECUTIVE SESSION

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 18, 2018.

ROLL CALL:

Committeeman Fiore _____ Committeeman Perry _____
Committeeman Scharfenbrger _____ Deputy Mayor Settembrino _____
Mayor Murray _____

a. Executive Session Resolution*

Documents:

[01-23-18 EXECUTIVE SESSION RESOLUTION.PDF](#)

2. 8:00 P.M. PUBLIC MEETING OPENS

a. PLEDGE OF ALLEGIANCE

Moment of Silence to Honor the Troops Serving World Wide Defending our Freedoms, Constitutions, and Way of Life

3. CERTIFICATE OF APPRECIATION/PROCLAMATION

a. Life Saving Award Presentation To Anthony Citarella*

b. Life Saving Award Presentation To Officer Nicholas Manochio*

4. INTRODUCTION OF PROPOSED ORDINANCES

a. 2018-3214 Salary Ordinance 2018*

5. APPROVAL OF MINUTES

a. December 4, 2017 Executive Session*

b. December 4, 2017 Workshop Meeting*

6. CONSENT AGENDA

- a. 18-66 Resolution Authorizing Renewal Of Agreement For Deer Carcass Removal Services*

Documents:

[01-23-18 18-66 RESOLUTION AUTHORIZING CONTRACT FOR DEER CARCASS REMOVAL.PDF](#)

- b. 18-67 Resolution Authorizing Renewal Of Agreement With Monmouth County SPCA For Housing Stray Animals*

Documents:

[01-23-18 18-67 RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MONMOUTH COUNTY SPCA FOR HOUSING STRAY ANIMALS.PDF](#)

- c. 18-68 Resolution Authorizing Shared Service Contract For Use Of A Lead Analyzer*

Documents:

[01-23-18 18-68 RESOLUTION AUTHORIZING SUPPLEMENTARY SHARED SERVICE AGREEMENT WITH MCRH FOR LEAD ANALYZER.PDF](#)

- d. 18-69 Resolution Authorizing Shared Services Contract With Hazlet Providing Animal Control Services*

Documents:

[01-23-18 18-69 RESOLUTION AUTHORIZING SHARED SERVICE CONTRACT WITH HAZLET PROVIDING ANIMAL CONTROL SERVICES.PDF](#)

- e. 18-70 Resolution Authorizing Execution Of The 2018 Food Shopping Agreement With The County Of Monmouth (SCAT)*

Documents:

[01-23-18 18-70 RESOLUTION AUTHORIZING EXECUTION OF FOOD SHOPPING AGREEMENT \(SCAT\).PDF](#)

- f. 18-71 Resolution Authorizing The Award Of Contract To Vendors With State Contracts For Tablets, License Plate Readers, Car Radios And Portable Radios*

Documents:

[01-23-18 18-71 RESOLUTION AWARDING BID FOR POLICE RADIO EQUIPMENT.PDF](#)

- g. 18-72 Resolution Rejecting Bids For The Alterations Of The Animal Shelter*

Documents:

[01-23-18 18-72 RESOLUTION AUTHORIZING REJECTION OF BIDS FOR ALTERATIONS TO THE ANIMAL SHELTER.PDF](#)

- h. 18-73 Resolution Authorizing Execution Of 2018 Equitable Sharing Agreement With The USDOJ*

Resolution to execute equitable sharing agreement with US DOJ for forfeiture of

assets from criminal investigations.

Documents:

[01-23-18 18-73 RESOLUTION AUTHORIZING EXECUTION OF EQUITABLE SHARING AGREEMENT WITH USDOJ.PDF](#)

- i. 18-74 Resolution For Temporary Emergency Appropriation*

Documents:

[01-23-18 18-74 RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATION.PDF](#)

- j. 18-75 Resolution Authorizing Emergency Management Performance Grant – Emergency Management Agency Assistance (EMAA) Subaward Program*

Documents:

[01-23-18 18-75 RESOLUTION AUTHORIZING GRANT APPLICATION FOR EMERGENCY MANAGE PERFORMANCE GRANT - EMAA.PDF](#)

- k. 18-76 Resolution Authorizing Award Of Excess Liability Coverage*
Authorizes our healthcare excess coverage with Symetra Insurance

Documents:

[01-23-18 18-76 RESOLUTION AUTHORIZING EXCESS LIABILITY COVERAGE POLICY.PDF](#)

- l. 18-77 Resolution Authorizing New Deferred Compensation Plan*

Documents:

[01-23-18 18-77 RESOLUTION AUTHORIZING NEW DEFERRED COMP PLAN.PDF](#)

- m. 18-78 Resolution For Redevelopment Investigation Part Of Block 1088 Lots 1 And 3 And Block 1086 Lots 29 And 30*

Documents:

[01-23-18 18-78 RESOLUTION FOR REDEVELOPMENT INVESTIGATION PART OF BLOCK 1088, LOTS 1 AND 3 AND BLOCK 1086 LOTS 29 AND 30.PDF](#)

- n. 18-79 Resolution Authorizing Right Of Way Agreement For Stevenson Park*

Documents:

[01-23-18 18-79 RESOLUTION AUTHORIZING RIGHT OF WAY AGREEMENT FOR STEVENSON PARK.PDF](#)

7. TOWNSHIP COMMITTEE ACTING AS ABC ISSUING AUTHORITY

8. COMMENTS

- TOWNSHIP COMMITTEE COMMENTS
- PUBLIC COMMENTS
- EXECUTIVE SESSION
- ADJOURNMENT

*****Items on the Township Committee Agenda are subject to change at any time prior and during this meeting.***

**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 February 2018)

PBA Contract (ATOD March 2018)

Solid Waste & Recycling Consultant Contract (ATOD February 2018)

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

None

RESOLUTION NO. 18-66

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING RENEWAL OF DEER CARCASS
REMOVAL AGREEMENT WITH KELLY WINTHROP LLC**

WHEREAS, in 2006, the State of New Jersey ceased providing deer carcass removal services on local roadways and the New Jersey Council on Local Mandates held that while local governments do not need to provide such services, neither does the State; and

WHEREAS, the County of Monmouth has availed municipalities of the opportunity to participate in a countywide contract awarded to Kelly Winthrop LLC to pick-up deer carcasses, upon request by Township officials, at a greatly reduced rate of \$33.50 per carcass; and

WHEREAS, the Township's Health Director recommends the renewal of this Agreement through the county contract; and

WHEREAS, the estimated cost of renewing this Agreement for 2018 is estimated not to exceed \$3,500, which shall be subject to the certification of availability of funds provided by the Township's Chief Financial Officer; and

WHEREAS, the Township Committee believes it is in the best interests of the taxpayers of the Township of Middletown to renew this Agreement for 2018 to ensure the health and safety of Middletown residents and motorists.

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 Mayor and Clerk are hereby authorized to execute an Agreement with Kelly Winthrop LLC for the provision of deer carcass removal services pursuant to the terms of the Agreement attached hereto with a copy of the Agreement being maintained for public review during regular business hours at the Township Clerk's Office.

MIDDLETOWN TOWNSHIP COMMITTEE

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 .

WITNESS, my hand and the seal of the Township of Middletown this

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION NO. 18-67

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE MONMOUTH
COUNTY SPCA FOR HOUSING OF STRAY ANIMALS**

WHEREAS, the Monmouth County SPCA, a nonprofit organization, provides housing, adoption and related services for stray animals for the Township of Middletown ("Township"); and

WHEREAS, there are limited facilities for the housing of stray animals in the County of Monmouth at this time; and

WHEREAS, the estimated cost of renewing this Agreement for 2018 is estimated not to exceed \$45,000, which shall be subject to the certification of availability of funds provided by the Township's Chief Financial Officer; and

WHEREAS, the Township Committee believes it is in the best interest of the taxpayers of the Township to enter into such an Agreement for such services with the Monmouth County SPCA to help ensure the humane disposition of stray dogs and cats.

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 Mayor and Clerk are hereby authorized to execute an Agreement with the Monmouth County SPCA for the provision of housing, adoption and related services for stray animals pursuant to the terms of the Agreement attached hereto with a copy of the Agreement being maintained for public review during regular business hours at the Township Clerk's Office.

MIDDLETOWN TOWNSHIP COMMITTEE

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 .

WITNESS, my hand and the seal of the Township of Middletown this .

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION NO. 18-68

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING SUPPLEMENTARY SHARED SERVICE AGREEMENT
WITH MONMOUTH COUNTY REGIONAL HEALTH COMMISSION NO. 1 FOR LEAD
ANALYZER**

WHEREAS, the Monmouth County Regional Health Commission No 1. (“MCRHC”) maintains a costly certified lead paint analyzing instrument for which it licenses for use by local government entities; and

WHEREAS, the Township of Middletown (“Middletown”) has a need for such an instrument for the Health Department to conduct childhood lead investigations and by the Planning Department for community development inspections of certain properties; and

WHEREAS, such shared services agreements are specifically authorized by the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that it hereby accepts and agrees to the terms and conditions of the Shared Services Agreement for utilization of the MCRHC’s LPA 2075 Lead Paint Analyzer attached hereto and made part hereof.

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

RESOLUTION NO. 18-69

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT
WITH HAZLET FOR PROVISION OF ANIMAL CONTROL SERVICES**

WHEREAS, the Township of Hazlet has the need for animal control services; and
WHEREAS, the Township of Middletown is willing and able to provide such qualified services; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) the parties wish to enter a shared services agreement for animal control services.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Mayor and Clerk are hereby authorized and directed to execute the Shared Services Agreement attached hereto and made part hereof with Hazlet pursuant to the terms and conditions contained therein for a term of three (3) years with an annual payment of \$42,500 being made to the Township for the services rendered.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded with executed copies of the Agreement to the Township of Hazlet and the Chief Financial Officer.

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:65-4b, a certified copy of this Resolution and Agreement shall be filed with the Department of Community Affairs Division of Local Government Services.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent

CERTIFICATION

I, _____ 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 _____

WITNESS, my hand and the seal of the Township of Middletown this

RESOLUTION NO. 18-70

RESOLUTION AUTHORIZING EXECUTION OF THE 2018 FOOD SHOPPING AGREEMENT WITH THE COUNTY OF MONMOUTH (SCAT)

WHEREAS, the Township of Middletown has heretofore entered into an agreement with the Monmouth County Board of Chosen Freeholders, specifically, the Office of Senior Citizens Area Transportation (SCAT), to provide certain services to senior citizens and handicapped individuals, among others, residing within the Township of Middletown and the Board of Chosen Freeholders of Monmouth County; and

WHEREAS, the Township Committee of the Township of Middletown wishes to continue said service.

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

1. The Mayor is hereby authorized to execute, and the Township Clerk to attest, to an agreement between Monmouth County and the Township of Middletown to provide SCAT for 2018.
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a. Colleen M. Lapp, CFO
 - b. Janet E. Dellett, Director of Recreation
 - c. Kathleen Lodato, Director
Department of Transportation
250 Center Street
Freehold, NJ 07728

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent

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 January 23, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 23rd day of January, 2018.

HEIDI BRUNT, TOWNSHIP CLERK

RESOLUTION 17-71

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
TO VENDORS WITH STATE CONTRACTS
FOR
TABLETS, LICENSE PLATE READERS, CAR RADIOS AND
PORTABLE RADIOS FOR THE MIDDLETOWN POLICE
DEPARTMENT**

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

1. In accordance with the requirements of the Local Public Contract
Law N.J.S.A. 40:11-12 et seq., and the regulations promulgated
thereunder, the following purchase without competitive bids from
vendor(s) with State Contract is hereby approved:

ITEM # 1

VENDOR

**ISLAND TECH SERVICES
980 2ND STREET
RONKONKOMA, N.Y. 11779**

STATE CONTRACT # 89974

AMOUNT \$56,975.00

DESCRIPTION

**TABLETS AND DOCKS FOR POLICE
VEHICLES FOR THE RECORDS
MANAGEMENT SYSTEM
FOR THE MIDDLETOWN POLICE
DEPARTMENT**

ITEM #2

VENDOR

**ELSAG NORTH AMERICA
4221 TUDOR LANE
GREENSBORO, NC 27410**

STATE CONTRACT # 81318

AMOUNT \$60,615.00

DESCRIPTION

**LICENSE PLATE READERS,
CAMERAS, CABLES, MOUNTS,
ANTENNAS AND TECH DISPATCH
FOR POLICE VEHICLES
FOR THE MIDDLETOWN
POLICE DEPARTMENT**

ITEM #3

VENDOR

**PMC ASSOCIATES
8 CROWN PLAZA, UNIT 106
HAZLET, NJ 07730**

STATE CONTRACT # 83900

AMOUNT \$13,539.52

DESCRIPTION

**PORATABLE HAND HELD
RADIOS FOR THE POLICE
DEPARTMENT**

ITEM # 4

VENDOR

**MOTOROLA SOLUTIONS
C/O ALLCOM
5105 ROUTE 34
FARMINGDALE, NJ 07727**

STATE CONTRACT # 83909

AMOUNT \$10,600.00

DESCRIPTION

**CAR RADIOS WITH MOUNTS
FOR THE MIDDLETOWN
POLICE DEPARTMENT**

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

C-04-55-917-204-002 - \$84,754.52
C-04-55-917-204-004 - \$56,975.00

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

- A) Purchasing Agent
- B) Comptroller
- C) Chief of Police
- D) Vendors

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 _____ 2018.

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

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION 18-72

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF MIDDLETOWN, COUNTY OF MONMOUTH STATE OF NEW JERSEY
REJECTING ALL BIDS RECEIVED FOR THE ALTERATIONS TO THE
ANIMAL SHELTER**

**WHEREAS, the Township of Middletown authorized the receipt of bids for
the Alterations to the Animal Shelter; and**

**WHEREAS, twenty (20) bids were distributed, and ten (10)
bids were received on January 11, 2018; and**

**WHEREAS, said bids were reviewed by Lory Hubbard, Assistant Director of
Operations for the Public Works Department and the Architect of Records 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, New Jersey Local Public Contracts Law 40A 11-13.2 states said
rejection is just cause to reject all bids received for the Animal Shelter Alterations;
and**

**WHEREAS, it is the desire of the Township Committee to reject all bids; and
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the
Township of Middletown, County of Monmouth, State of New Jersey as follows:**

- 0. That the Township Committee does hereby reject all bids received for the
Animal Shelter Alterations for the reasons set forth in this resolution.**

- 1. That the Township Committee does hereby authorize the receipt of new bids
for the Animal Shelter Alterations. The Township Purchasing Agent shall determine**

the time, date and place for the receipt of bids.

2. That a certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- A) Purchasing Agent
- B) Comptroller
- E) All rejected bidders as follows:

1. **Helios Construction Inc.**
1315 Allenhurst Avenue
Ocean, NJ 07712
2. **Paley Construction Co.**
105A Fleming Street
Piscataway, NJ 08854
3. **Mixalia Enterprises, LLC**
420 Sycamore Avenue
Shrewsbury, NJ 07702
4. **Tekcon Construction, Inc.**
262 Bennetts Lane
Somerset, NJ 08873
5. **McCauley Construction Co., Inc.**
48 Community Place
Long Branch, NJ 07740
6. **Tri-Plex Industries, Inc.**
933 Route 9 North
South Amboy, NJ 08879
7. **Kappa Construction Corp.**
3 Matilda Drive
Ocean, NJ 07712
8. **Fine Construction Inc.**
1404 Oak Tree Road
Suite #203
Iselin, NJ 08830

9. ZN Construction, LLC
279 Grace Avenue
Saddle Brook, NJ 07663

10. Pelcon Construction, Inc.
34 Cromwell Court
Clark, NJ 07066

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 NO. 18-73

TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH

**RESOLUTION AUTHORIZING EXECUTION OF EQUITABLE SHARING
AGREEMENT OF FORFEITED ASSETS WITH DEPARTMENT OF JUSTICE**

WHEREAS, the Middletown Township Police Department has applied for a pro rata share of forfeited assets from the U.S. Department of Justice derived from criminal prosecutions; and

WHEREAS, to receive such funds an Equitable Sharing Agreement must be entered with the U.S. Department of Justice on an annual basis.

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 Township Committee hereby authorizes and directs the Mayor and Chief of Police to execute an Equitable Sharing Agreement with the U.S. Department of Justice via the electronic portal by the agency administrator pursuant to the terms and conditions of the Agreement attached hereto and made part hereof.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
S. Murray				
T. Perry				
G. Scharfenberger				
K. Settembrino				

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 January 23, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 23rd day of January, 2018.

HEIDI R. BRUNT, TOWNSHIP CLERK

Resolution No. 18-74

RESOLUTION FOR TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2018 temporary budget for the aforesaid purposes, and

WHEREAS, NJS 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total temporary emergency resolutions adopted in the Year 2018 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$17,470,035.66 for the Current Fund, and

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all members of the Township Committee of the Township of Middletown, New Jersey affirmatively concurring) that in accordance with the provisions of NJS 40A:4-20:

1. An emergency temporary appropriation shall be and the same is hereby made for the following purposes:

2018 Temporary Budget Worksheet		
Account Number	Description	1/23/2018 Amount
Current Fund		
8-01-20-130-100-200	Finance - O&E	3,000.00
8-01-26-290-101-200	Snow - O&E	350,000.00
	TOTAL	\$353,000.00

2. That said emergency temporary appropriations will be provided for in the 2018 budget under the appropriate titles.
3. That one certified copy of this resolution will be filed with the Director of Local Government Services.

TOWNSHIP OF MIDDLETOWN

Committee Member	Approved	Opposed	Abstain	Absent
Mayor S. Murray				
A. Fiore				
A. Perry				
G. Scharfenberger				
K. Settembrino				

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 January 23, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 23rd day of January 2018.

HEIDI BRUNT
TOWNSHIP CLERK

Resolution 18-75

Township of Middletown

Resolution: Approval to submit a grant application and execute a grant contract with the State of New Jersey, Division of State Police, Office of Emergency Management for a subaward from the Emergency Management Performance Grant – Emergency Management Agency Assistance (EMAA) Subaward Program.

BE IT RESOLVED the Committee of the Township of Middletown authorizes the Mayor and the Township Administrator, as agency authorized officials, or their successors to submit a grant application for an EMAA FY2017 subaward (FY17-EMPG-EMMA-1332) consisting of a total amount of \$20046.88, including up to a \$10,000 Federal Award and up to \$10,046.88 in Local Matching Funds. The purpose of grant is to enhance the Township of Middletown's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

BE IT FURTHER RESOLVED that the Mayor and the Township Administrator, as authorized agency officials, or their successors, are hereby authorized to sign the grant agreement on behalf of Middletown and that their signatures certify that the Township of Middletown does accept this subaward for the specific purpose described in its application.

RESOLUTION NO. 18-76

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING AWARD OF EXCESS LIABILITY COVERAGE
CONTRACT WITH SYMETRA FOR TOWNSHIP'S SELF-INSURED HEALTH PLAN**

WHEREAS, the Township requires excess liability coverage for its self-insured health benefits plan; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(m)) exempts insurance contracts from public bidding; and

WHEREAS, Symetra is the excess liability carrier recommended by the Township's insurance brokers and consultants for 2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby authorizes the award of an insurance contract to Symetra, 777 108th Avenue, NE, Suite 1200, Bellevue, Washington 98004 pursuant to the terms and conditions of the attached policy statements for 2018 in an amount not to exceed \$950,000.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such insurance services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

TOWNSHIP OF MIDDLETOWN

Committee Member	Approved	Opposed	Abstain	Absent
Mayor S. Murray				
A. Fiore				
A. Perry				
G. Scharfenberger				
K. Settembrino				

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 January 23, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 23rd day of January 2018.

HEIDI BRUNT
TOWNSHIP CLERK

RESOLUTION NO. 18-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING NEW § 457 DEFERRED COMPENSATION
RETIREMENT PLAN FOR ELIGIBLE TOWNSHIP EMPLOYEES**

WHEREAS, the Township of Middletown (“Employer”) has a Deferred Compensation Plan (“Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under § 457 of the Internal Revenue Code (“the Code”); and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, the Worker, Retiree and Employer Recovery Act of 2008 and the Small Business Act of 2010 amended sections of the Code and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (“Acts and Regulations”); and

WHEREAS, the Employer desires its Plan to conform with the changes in the Code and Treasury regulations brought about by the Acts and Regulations; and

WHEREAS, the Employer desires to adopt a restated Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations; and

WHEREAS, such revised Plan shall supersede the previously adopted Plan.

NOW, THEREFORE BE IT RESOLVED the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Employer hereby adopts a revised Plan 92-PD-Lincoln-121316.

BE IT FURTHER RESOLVED that Lincoln Retirement Services, LLC (“Lincoln”) has agreed to continue to be the provider of the Deferred Compensation Program for employees and elected officials.

BE IT FURTHER RESOLVED that Lincoln will continue to provide, for the benefit of the participants the Alliance Lincoln account.

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.

BE IT FURTHER RESOLVED that the Township Administrator or Assistant Township Administrator is authorized and directed to execute an Administrative Services Agreement with Lincoln (92-SA-Lincoln-121316) and such other agreements as are necessary to implement the Deferred Compensation Program with no cost or contribution by the Employer to the program.

BE IT FURTHER RESOLVED that the Township Administrator or Assistant Township Administrator is authorized and directed to serve as the "Administrator" of the Plan, represent the Employer, and execute individual deferred compensation agreements with each said participating employee.

BE IT FURTHER RESOLVED by the Employer that the Clerk forward a certified true copy of this resolution to the Township Administrator or Assistant Township Administrator.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

213850332v1

RESOLUTION NO. 18-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD TO UNDERTAKE A PRELIMINARY REDEVELOPMENT INVESTIGATION TO DETERMINE WHETHER THE DELINEATED AREA OF BLOCK 1088, LOTS 1 AND 3 (230 AND 250 HALF MILE ROAD), AND BLOCK 1086, LOTS 29 AND 30 (100 AND 200 SCHULZ DRIVE) SATISFIES THE CRITERIA FOR DESIGNATION AS AN AREA IN NEED OF REDEVELOPMENT FOR NON-CONDEMNATION PURPOSES

WHEREAS, N.J.S.A. 40A:12A-1, et seq., the Local Redevelopment and Housing Law (“LRHL”), sets forth the criteria for a determination of whether a delineated area may be designated as an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the Township of Middletown (“the Township”) to adopt a resolution directing its Planning Board to conduct a preliminary investigation to determine whether a delineated area is an area in need of redevelopment (“Redevelopment Area”) according to the criteria set forth under N.J.S.A. 40A:12A-5; and

WHEREAS, the Township Committee desires to authorize one of its pre-qualified Redevelopment Planners to assist the Planning Board in its preliminary investigation of Block 1088, Lots 1 and 3 (230 and 250 Half Mile Road), and Block 1086, Lots 29 and 30 (100 and 200 Schulz Drive) to determine if the delineated areas qualify as an area in need of redevelopment for non-condemnation purposes pursuant to the criteria set forth under N.J.S.A. 40A:12A-5 and 40A:12A-3.

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 Planning Board is hereby authorized and directed to undertake a preliminary redevelopment investigation of Block 1088, Lots 1 and 3 (230 and 250 Half Mile Road), and Block 1086, Lots 29 and 30 (100 and 200 Schulz Drive) to determine whether the delineated areas of investigation constitute being designated as an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 and 40A:12A-3 for non-condemnation purposes.
2. The Township Administrator and Township Planner are hereby authorized and directed to solicit one of the Township’s pre-qualified Redevelopment Planners to assist the Planning Board in its preliminary investigation of the delineated area of investigation, and to begin preparation of a Redevelopment Plan in the event the Planning Board recommends that all or some of the delineated area of investigation constitutes an “area in need of redevelopment.”
3. The Township Administrator, Township Planner and Township Attorney are each hereby authorized and directed to take any necessary and appropriate actions in connection with the preliminary investigation of the delineated area of

investigation, and are hereby authorized and directed to take such actions, including but not limited to, the negotiation of any and all documents necessary to undertake the investigation as being hereby ratified and confirmed.

4. This Resolution shall become effective immediately upon adoption.

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RESOLUTION NO. 18- 79

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTON AUTHORIZING RIGHT OF WAY AGREEMENT
FOR RELOCATION OF STEVENSON PARK UTILITIES**

WHEREAS, a request was received through the Township's contractors to relocate utility lines entering Stevenson Park; and

WHEREAS, the form of a right of way agreement has been agreed to by the Township Attorney and counsel for JCP&L.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that it hereby authorizes and directs the Mayor and Township Clerk to execute the Right of Way Agreement attached hereto and made part hereof pursuant to the terms and conditions contained therein for the limited purpose of providing electrical service to Stevenson Park.

TOWNSHIP OF MIDDLETOWN

Committee Member	Approved	Opposed	Abstain	Absent
Mayor S. Murray				
A. Fiore				
A. Perry				
G. Scharfenberger				
K. Settembrino				

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 January 23, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 23rd day of January 2018.

HEIDI BRUNT
TOWNSHIP CLERK

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