

Regular Meeting

A Regular Meeting of the Township Committee of Middletown Township was held in the Main Meeting Room at Town Hall, One Kings Highway, Middletown, New Jersey at 8:00 p.m. on April 16, 2018.

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 18, 2018.

Roll Call Vote: Ayes: Hibell, Perry, Settembrino, Mayor Murray
Absent: Fiore

Also present were Township Administrator Anthony Mercantante, Township Attorney Brian Nelson, CFO Colleen Lapp, Director of Public Works and Engineer Ted Maloney 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.

PRESENTATIONS:

Ceremonial Swearing in of MTPD K-9 Titan

Chief Weber spoke about the K-9 program and introduced Patrolman Mike Heaton and Titan. Mayor Murray read the Oath of Office swearing in Titan.

Proclamation Declaring May 2018 as Buddy Poppy Month

**Proclamation
Office of the Mayor
Buddy Poppy Month
May 2018**

- WHEREAS:** The annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and
- WHEREAS:** Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fundraising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and
- WHEREAS:** The purpose of the sale of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to “honor the dead by helping the living.” The 2013 Buddy Poppy Drive is being held during the month of May; and
- WHEREAS:** The Middletown VFW 2179 and its Ladies Auxiliary promote the sale of the Buddy Poppy through programs, hospital visits, and parties at the Menlo Park Veterans facility. They distribute funds raised to individuals living there; and
- WHEREAS:** We urge all patriotic citizens to wear a Buddy Poppy as a symbol of gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens. Now,
- THEREFORE:** I, Mayor Stephanie C. Murray and the Middletown Township Committee do hereby proclaim that May 2018 is **Buddy Poppy Month** in Middletown Township. We hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to this invaluable program.

Proclamation Recognizing May 2018 As Older Americans Month

**Proclamation
Office of the Mayor
Older Americans Month
May 2018**

WHEREAS: Middletown Township includes older Americans who richly contribute to our community; and

WHEREAS: We acknowledge that what it means “to age” has changed for the better; and

WHEREAS: Middletown Township is committed to supporting older adults as they take charge of their health, explore new opportunities and activities, and focus on independence; and

WHEREAS: We appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

WHEREAS: Our community can provide opportunities to enrich the lives of individuals of all ages by involving older adults in the redefinition of aging in our community; promoting home and community-based services that support independent living; encouraging older adults to speak up for themselves and others; and providing opportunities for older adults to share their experiences. Now

THEREFORE: I, Mayor Stephanie C. Murray and the Middletown Township Committee do hereby proclaim May 2018 to be Older Americans Month. We urge every resident to take time during this month to acknowledge older adults and the people who serve them as influential and vital parts of our community.

Proclamation Designating May 6-12, 2018 as Municipal Clerk's Week in Middletown Township

**Proclamation
Office of the Mayor
Municipal Clerks Week 2018**

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

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

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

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

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

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

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

Regular Meeting

THEREFORE: I, Mayor Stephanie C. Murray and the Middletown Township Committee do recognize the week of May 6, 2018 through May 12, 2018 as Municipal Clerks Week, and further extend appreciation to our Township Clerk Heidi R. Brunt and to all Municipal clerks for the vital services they perform and their exemplary dedication to the communities they represent.

APPROVAL OF MINUTES

Township Clerk Heidi Brunt requested a motion to approve the minutes.

It was moved by Mayor Murray, seconded by Deputy Mayor Settembrino and carried to adopt the minutes of the following meetings:

February 2, 2018 Workshop Meeting
February 20, 2018 Regular Meeting

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

PUBLIC HEARING OF PROPOSED ORDINANCES

Township Clerk Heidi Brunt read the following ordinance by title:

2018-3219 – A Bond Ordinance Restating Bond Ordinance No. 2017-3188 To Provide An Appropriation of \$3,172,050 For Various Capital Improvements By and For The Township Of Middletown In The County Of Monmouth, New Jersey And Authorizing The Issuance of \$3,013,447 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Regular Meeting

Mayor Murray Opened the meeting for public comments.

Don Watson, 5 Collinson Drive, Middletown asked what restating meant, Chief Financial Officer Colleen Lapp explained that the Ordinance was originally introduced in 2017 and had to be reintroduced in 2018 due to publication error.

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

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

**PUBLIC HEARING AND ADOPTION OF THE 2018 MUNICIPAL BUDGET
RESOLUTION 18-127**

Mayor Murray opened the meeting to the public for comments on the adoption of the 2018 Municipal Budget

Michael DiCicco, 46 Alexander Drive, asked about the spending for Construction Official salaries. Chief Financial Officer Colleen Lapp explained anticipated process for revenue and expenditures. The salary and wages are contractual increases not additional hiring.

Evan Lewis, 18 Tatum Drive discussed the cable franchise revenue and what the fee is based on. He also discussed the capital fund surplus increase. Chief Financial Officer Colleen Lapp discussed the premium of the sale issued to fund projects. Accounting adjustments are required by the State.

Elizabeth Dan, Berkshire Court, discussed supporting the Shadowlake dredge and cleanup of invasive plants.

Regular Meeting

Leo Cristafuli, Shady Oaks, discussed the 2018-3219 Ordinance. He also discussed the expense of bonding and the Library budget and chargeback. Discussed the interest of the debt service, budgeted in the operating budget.

Resident, 32 Augusta Court, supports saving Shadowlake. Asked about the process for treatment of the lake.

Don Watson, 1 Collinson Dr, discussed legal services expenditure in the budget. Township Administrator discussed the details of the JCP&L budget. Discussed the various departments wages and changes to the wages line item.

Paul Jansen, 152 Chestnut, asked what capital budget projects are being discussed. Chief Financial Officer discussed the six year projection per size of the town and discussed the various projects.

Resolution 18-127

Township Clerk Heidi Brunt requested a motion to adopt the resolution.

It was moved by Mayor Murray and seconded by Deputy Mayor Settembrino to adopt Resolution 18-127

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

BUDGET BEGINS NEXT PAGE

Regular Meeting

INTRODUCTION OF PROPOSED ORDINANCES

None

CONSENT AGENDA

Township Clerk Brunt requested a motion to adopt a consent agenda including Resolutions 18-128 through 18-133 and Bingo and Raffle Applications.

It was moved by Mayor Murray, seconded by Committeeman Settembrino and carried to adopt the consent agenda:

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

Resolution 18-128- Resolution To Change Petty Cash Custodian For The Municipal Court

WHEREAS, Patricia McNamee was custodian of the Municipal Court Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A 40A:5-21, the Township Committee of the Township of Middletown, County of Monmouth is changing custodians to Kathleen Chieffo; and

WHEREAS, Kathleen Chieffo is who is bonded with Corporate Surety in an amount not less than \$1,000.00 or the amount of the fund, whichever is greater;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee, of the Township of Middletown, County of Monmouth hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Regular Meeting

Resolution 18-129 - Resolution To Change Petty Cash Custodian For The Municipal Court

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WHEREAS, Kathleen Chieffo is who is bonded with Corporate Surety in an amount not less than \$1,000.00 or the amount of the fund, whichever is greater;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee, of the Township of Middletown, County of Monmouth hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Resolution 18-130- Resolution Authorizing The Township Of Middletown For Self-Examination Of Budget

Offered the following resolution and moved its adoption:

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Middletown has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Middletown that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of

Regular Meeting

the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Middletown that the Clerk forward a certified true copy of this resolution to the Director of the Division of Local Government Services, Finance Director and Township Auditor upon adoption.

Resolution No. 18-131 - Resolution Authorizing Award Of Contract For Tree Trimming & Related Services

WHEREAS, bids were received on April 3, 2018; and

WHEREAS, two (2) bids were picked up by vendors, and two (2) Responsive bids were received as follows:

<u>VENDOR</u>	<u>AMOUNT</u>
FLYNN'S TREE SERVICE 44 SWARTZEL DRIVE MIDDLETOWN, N.J. 07748	\$70.00 PER HOUR
FALKINBURG TREE EXPERT CO. P.O. BOX 688 BRIELLE, N.J. 08730	\$95.00 PER HOUR

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

FLYNN'S TREE SERVICE, 44 SWARTZEL DRIVE, MIDDLETOWN, N.J. 07748 shall Provide Services as per Bid Proposal & Specifications & Covenants thereof dated April 3, 2018 said bidder being the Lowest Responsible Bidder.

<u>DESCRIPTION</u>	<u>VENDOR</u>
PROVIDE TREE TRIMMING SERVICES FOR A TWENTY FOUR (24) MONTH PERIOD WITH THE OPTION FOR TWO (2) ONE (1) YEAR EXTENSIONS	FLYNN'S TREE SERVICE 44 SWARTZEL DRIVE MIDDLETOWN, N.J. 07748

WHEREAS, bids have been reviewed by the Purchasing Agent and Ted Maloney, Director of Public Works, and it is their recommendation that the contract be awarded to FLYNN'S TREE SERVICE, 44 SWARTZEL DRIVE, MIDDLETOWN, N.J. 07748 in the amount of \$70.00 PER HOUR not to exceed \$120,000.00 for the 2018-2019 contract year. NO FIRM QUANTITY IS GUARANTEED. The funds are designated in line items appropriation of the official budget no. 8-01-26-290-100-276.

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 "Tree Trimming Services" to Flynn's Tree Service, 44 Swartzel Drive, Middletown, N.J. 07748 at a rate of: \$70.00 Per Hour not to exceed \$120,000.00 for the 2018-2019 contract year.
2. 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.
3. BE IT FURTHER RESOLVED, this contract is open-ended pursuant to N.J.A.C. 5:34-5.2 (B) with no firm quantities being guaranteed. Funds will be certified and encumbered by individual purchase order prior to each request for service.
4. A certified copy of this resolution shall be provided by the Office of the Township

Clerk to each of the following:

- A) Purchasing Agent
- B) Comptroller
- C) Ted Maloney, Director of Public Works
- D) All above vendors

Resolution 18-132 - Authorizing Lease Agreement For Certain Agricultural Use Of A Portion Of Block 36, lot 1 (Stevenson Park) With Oasis Therapeutic Life Centers, Inc., A Not For Profit Organization, Serving Autistic Individuals

WHEREAS, the Township's lease with OASIS therapeutic life centers, Inc. (formerly Impact OASIS, Inc.) ("OASIS") in relation to a portion of Block 36, Lot 1 (Stevenson Park) has expired; and

WHEREAS, OASIS has requested a renewal of its lease to continue its programing to promote inclusion and acceptance of autistic individuals into the local community by establishing environmentally exemplary farm centers that provide meaningful work and community interaction at Stevenson Park; and

WHEREAS, the proposed use is an acceptable use for a portion of Stevenson Park, and such lease agreements are permissible to be made for limited durations with non-profit organizations; and

WHEREAS, the Township wishes to authorize a lease agreement with OASIS for the remainder of 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 entry of a Lease with OASIS therapeutic life centers, Inc., 1 Morgan Road, Middletown, NJ 07748 for the sum of \$1 through December 31, 2018 pursuant to the terms and conditions of the Lease attached hereto and made part hereof.

Resolution 18-133 – Resolution Authorizing the Payment of Bills for April 16, 2018.

The Township Committee hereby approves a Resolution for Payment of Bills for April 16, 2018 in the amount of \$2,391,509.37.

BINGO AND RAFFLE APPLICATIONS

Westminster Presbyterian Church	18-81
Sandy Hook Foundation	18-82
Sandy Hook Foundation	18-83
Camp Dill Foundation	18-84
Ancient Order of Hibernians	18-86
Middletown Head Over Heels	18-87
Lincroft Fire Co. Ladies Auxiliary	18-88
Lincroft Fire Co. Ladies Auxiliary	18-89
Navesink Hook & Ladder Co. #1	18-90
Lacross in Middletown	18-91
King of Kings Lutheran Church	18-92
PTSA Marine Academy & Science & Technology Gateway National Park	18-93
Mater Dei PTO	18-94
Fairview PTO	18-95
Family Resource Associates	18-96
Family Resource Associates	18-97

TOWNSHIP COMMITTEE ACTING AS THE ABC ISSUING AUTHORITY

Township Clerk Heidi Brunt requested a motion to adopt resolution 18-134 for renewal of liquor license for the 2018-2018 licensing period.

It was moved by Mayor Murray, seconded by Deputy Mayor Settembrino and carried to adopt resolution 18-134.

Regular Meeting

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

Township Clerk Heidi Brunt stated the motion carried to adopt resolution 18-134.

Resolution 18-134 - Resolution Authorizing Renewal Of Inactive Plenary Retail Consumption License For The 2017-2018 And 2018-2019 License Years

WHEREAS, application has been made to the Middletown Township Committee for a PLENARY RETAIL DISTRIBUTION LICENSE Middletown Liquor, LLC License # 1331-44-008-009 in a timely manner, for the year beginning July 1, 2017 and ending June 30, 2018 accompanied by a statutory fees and municipal fees; and

WHEREAS, the license application has been duly investigated by the Office of the Chief of Police of the Township of Middletown, and it appearing that the application is in due form and that all legal formalities have been met; and

WHEREAS, The License has been inactive and the license holder has submitted a verified petition to the State of NJ Department of Public Safety, Division of Alcoholic Beverage Control for a Special Ruling under NJSA 33:1-12.39; and

WHEREAS, The Township has received a copy of the Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control permitting the license be reviewed by the Township for renewal, terms of 2017-2018 and 2018-2019; and

NOW, THEREFORE, BE IT RESOLVED PLENARY RETAIL CONSUMPTION LICENSE Middletown Liquor, LLC License # 1331-44-008-009 in a timely manner, for the year beginning July 1, 2017 and ending June 30, 2018; and

BE IT FURTHER RESOLVED that license # 1331-44-008-009 will be considered for renewal again for the 2018-2019 licensing term; and

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 of licensee has been made to the Division of Alcoholic Beverage Control in accordance with P.L. 1970, Chapter 77.

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Perry, commented he had the pleasure along with Committeeman Settembrino to welcome Philadelphia Eagles Champion Rick Lovato back to Middletown. He was gracious and it was an honor to talk with him. He attended the Oak Hill meeting. He mentioned the great turn out at the Middletown Youth job fair. He also mentioned the coverage of National Volunteer month on the Today Show.

Committeeman Hibell, commented he attended the MYAA parade, he commended the 100 volunteers that support the 800 players. He also attended the Ideal Beach Community meeting.

Committeeman Settembrino, commented on the pleasure of meeting Rick Lovato. He attended the MYAA parade along with the 70 teams and 800 players. He mentioned what a great program the Sunnyside Spur is. He also attended the Eagle Scout ceremony where 3 scouts were honored. He discussed sustainability in the new Township complex at the 26 LEED points we will receive.

Mayor Murray, discussed National Volunteer month and the great youth athletic leagues. She announced Social Services is looking for donations along with the Mayors food basket. She welcomed new K-9 Titan and what a great asset the K-9 program is to the Township.

PUBLIC COMMENTS:

Eugene Brennan, Conifer village, commented that you can no longer drop off medical needles at Croydon Hall without calling first. He said the two women in the office are most helpful.

Leo Chirstofili, Cranberry Court, presented articles to Township Clerk Brunt regarding Ocean County Freeholders saving money on Capital Improvements. He said that budget is confusing and so are the documents made available to the public.

Regular Meeting

Pat Miller, 151 Borden Road, on behalf of her husband Steve they approve Committeeman Settembrino's sustainable motion to move forward with clean energy.

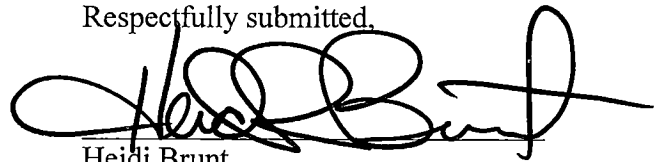
ADJOURNMENT

It was moved by Mayor Murray, seconded by Deputy Mayor Settembrino and carried to adjourn at 9:10 p.m.

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

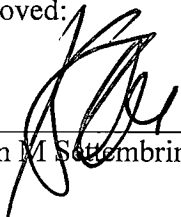
Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,



Heidi Brunt
Township Clerk

Approved:



Kevin M Settembrino, Mayor