



JAUARY 6, 2013 REORGANIZATION MEETING

1. Swearing in of Committee Member Stephen G Massell
2. Meeting Opened at 12:00 p.m. - Meeting Statement Read

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 The Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 3, 2013.

3. Roll Call:

Committeeman Fiore X Committeeman Massell X

Committeewoman Murray X Committeeman Scharfenberger X

Committeeman Settembrino X

4. Pledge of Allegiance and Invocation
5. Outgoing Mayor's Speech
6. Appointment of Township Attorney

Pg. 4 13-01 Resolution Appointing the Township Attorney

Pg. 5 13-02 Resolution Appointing Township Special General Counsel

7. Election of Mayor
8. Election of Deputy Mayor
9. (Swearing in of Mayor) Mayor's Address
10. (Swearing in of Deputy Mayor) Deputy Mayor's Address
11. Introduction of Ordinances:

Pg 6 2013-3075 Authorizing Salary Ordinance Amendment

Pg 10 2013-3076 Authorizing Trinity School Lease for Croydon Hall School Bldg.

Pg 47 2013-3077 Authorizing Developers Agreements and Conveyance for Affordable Housing

Pg 50 2013-3078 Authorizing Street Vacation on Devonshire Court

Pg 56 2013-3079 Authorizing Dedication of Portion of Sunnyside Rd

Pg 70 2013-3080 Authorizing Vacation of Portion of Sunnyside Rd

Pg76 2013-3081 Authorizing Amendment to Ordinance 2009-2991 Block 724, Lot 1

12. Promotion of Police Officers

13. Consent Agenda

a. Resolutions:

Pg 79	13-003	Resolution Appointing Fire Department Officers
Pg 80	13-004	Resolution Appointing the Municipal Prosecutor
Pg 81	13-005	Resolution Appointing the Municipal Public Defender
Pg 82	13-006	Resolution Appointing Police Chaplains
Pg 83	13-007	Resolution Appointing Members to the Bayshore Senior Citizen Housing Corp
Pg 84	13-008	Resolution Appointing Members to Clean Community Advisory Committee
Pg 85	13-009	Resolution Appointing Members to Community Affairs Council
Pg 86	13-10	Resolution Appointing Members to the Economic Development Committee
Pg 87	13-11	Resolution Appointing Members to the Environmental Commission
Pg 88	13-12	Resolution Appointing Members to the Green Team
Pg 89	13-13	Resolution Appointing Members to the Historic Preservation Committee
Pg 90	13-14	Resolution Appointing Members to the Joint Shared Services and Consolidation Advisory Committee
Pg 91	13-15	Resolution Appointing Members to the Landmarks Commission
Pg 92	13-16	Resolution Appointing Members to the Library Board
Pg 93	13-17	Resolution Appointing Members to the Lincroft Senior Citizen Housing Corporation (Luftman Towers)
Pg 94	13-18	Resolution Appointing Members to the Local Assistance Board
Pg 95	13-19	Resolution Appointing Members to the Municipal Alliance to Prevent Alcohol & Drug Abuse
Pg 96	13-20	Resolution Appointing Members to the Open Space Committee
Pg 97	13-21	Resolution Appointing Members to the Planning Board
Pg 98	13-22	Resolution Appointing Members to the Recreation Advisory Committee
Pg 99	13-23	Resolution Appointing Members to the Sewerage Authority
Pg 100	13-24	Resolution Appointing Members to the Veterans Affairs Committee
Pg 101	13-25	Resolution Appointing Members to the Volunteer Corp
Pg 102	13-26	Resolution Appointing Members to the Zoning Board of Adjustment
Pg 103	13-27	Resolution Appointing the Police Physicians
Pg 104	13-28	Resolution Appointing Special Crossing Guards
Pg 105	13-29	Resolution Appointing the Township Auditor
Pg 106	13-30	Resolution Appointing the Municipal Bond Counsel
Pg 107	13-31	Resolution Appointing Conflict Counsel and Tax Foreclosure Counsel
Pg 108	13-32	Resolution Appointing Township Consulting Engineer
Pg 109	13-33	Resolution Appointing Township Conflict Engineer
Pg 110	13-34	Resolution Appointing Township Consulting Traffic Engineer
Pg 111	13-35	Resolution Appointing the Special Counsel for General Labor Matters
Pg 112	13-36	Resolution Authorizing Award of Contract for Grant Writing
Pg 113	13-37	Resolution Appointing Special Counsel for Worker's Compensation Counsel
Pg 114	13-38	Resolution Appointing Special Counsel for Tax Appeal Matters
Pg 115	13-39	Resolution Appointing Consulting Environmental Engineer

Pg 116	13-40	Resolution Appointing Employee Assistance Provider
Pg 117	13-41	Resolution Appointing the Municipal Insurance Broker of Record and Risk Management Consultant
Pg 118	13-42	Resolution Appointing the Official Depositories
Pg 119	13-43	Resolution Appointing the Official Newspapers
Pg 120	13-44	Resolution Appointing the Official Searcher
Pg 121	13-45	Resolution Appointing the Tax Searcher
Pg 122	13-46	Resolution Establishing the Annual Notice
Pg 125	13-47	Resolution Establishing Roberts Rules of Order
Pg 126	13-48	Resolution Establishing Standing Rules
Pg 128	13-49	Resolution Establishing Temporary Budget
Pg 131	13-50	Resolution of Award of Dental Insurance Contract
Pg 132	13-51	Resolution Authorizing Award of Prescription Administrative Insurance
Pg 133	13-52	Resolution Awarding Extension of Contract for Third Party Claims Administration Services with PMA Management
Pg 134	13-53	Resolution Authorizing Mayor to Execute Cancellations of Municipal Tax Sale Certificates
Pg 135	13-54	Resolution Authorizing an Accelerated Tax Sale
Pg 136	13-55	Resolution Authorizing Grace Period and Interest Rates for CY 2013
Pg 137	13-56	Resolution Authorizing Award of Contract for Health Benefit Claims Administration Services

14. Swearing in of New Appointments
15. Public Comments
16. Adjournment

ORDINANCE NO. 2013-3075

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

2013 SALARY ORDINANCE

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the Township must set salaries for non-contractual officers and employees, statutory employees and elected officials not directly subject to duly adopted collective bargaining agreements by separate ordinance; and

WHEREAS, substantial savings have been achieved through many recent years of salary freezes, the elimination of numerous positions through layoffs and attrition, and the entry of numerous shared agreements for the provision of shared services, therefore, requiring many management and unclassified employees to assume significant additional responsibilities; and

WHEREAS, pursuant to Ordinance No. 2011-3027, the Township Committee reasserted control over the setting of salaries by ordinance rather than the setting of ranges by ordinance with the subsequent passage of resolutions ratifying the Township Administrator's actions in setting specific salaries; and

WHEREAS, the setting of specific salaries by ordinance provides greater public awareness and an opportunity to participate in and understand how and why salaries of public employees are annually set.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, that the Township Committee hereby adopts the following titles and salaries pursuant to the Township Administrator's recommendations:

SECTION 1. Management/Other Unclassified Position.

Chief of Police	\$151,902
Deputy Police Chief 1	\$141,800
Deputy Police Chief 2	\$141,652
Deputy Police Chief 3	\$141,593

Township Administrator	\$130,688
Director of Public Works	\$ 99,507
Asst. Director of Public Works	\$ 81,120
Township Engineer	\$ 24,877
Director of Information Systems	\$102,459
Director of Planning	\$ 87,311
Asst. Township Administrator	\$ 86,528
Construction Official	\$ 97,825
Asst. Director of Finance	\$ 94,961
Asst. Construction Official	\$ 70,681
Director of Purchasing	\$ 71,094
Court Administrator	\$ 72,424
Emergency Management Coordinator	\$ 11,897
Manager of Division of Health	\$ 79,950
Municipal Recycling Coordinator	\$ 62,828
Deputy Tax Assessor	\$ 55,080
Asst. Director of CDBG Program	\$ 57,789
Payroll Supervisor	\$ 60,724
Director of Community Development	\$ 20,904
Asst. Planner	\$ 49,000
Asst. Municipal Clerk	\$ 50,000
Secretary to Department Head	\$ 38,182
Public Information Officer	\$ 56,566
Personnel Technician/EEO Officer	\$ 55,000
Drug Alliance Coordinator	\$ 45.70/hr
Management Specialist (DPW)	\$ 55,617
Management Specialist (Police)	\$ 51,250
Management Specialist (MIS-1)	\$ 53,819
Management Specialist (MIS-2)	\$ 73,185
Fire Official	\$ 56,272

Director of Cultural Arts Center	\$ 52,794
Director of Recreation	\$ 57,200
Welfare Director	\$ 43,162
Administrator's Secretary	\$ 45,706
Mayor's Secretary	\$ 50,000
Supervisor of School Crossing Guards	\$ 35,646
Records Management Specialist	\$ 39,287
Director of Public Safety	\$ 12,300
ADA Compliance Officer (Stipend)	\$ 3,600
Qualified Purchasing Agent (Stipend)	\$ 5,000
Certifying Officer (Stipend)	\$ 6,000
Welfare Director (Interlocal Stipend)	\$ 4,119
Electrical Sub-Code Official (Stipend)	\$ 4,700
Deputy OEM Coordinator (Stipend)	\$ 4,000
Affordable Housing Admin. (Stipend)	\$ 7,500
Energy Efficiency Manager (Stipend)	\$ 2,500
Fire Chief (Stipend)	\$ 5,000
1 st Deputy (Stipend)	\$ 4,400
2 nd Deputy (Stipend)	\$ 3,200
3 rd Deputy (Stipend)	\$ 2,700
4 th Deputy (Stipend)	\$ 2,400

SECTION 2. Statutory Employees (N.J.S.A. 40A:9-165).

Chief Financial Officer	\$142,858
Tax Assessor	\$112,148
Tax Collector	\$ 83,845
Township Clerk	\$ 86,977

SECTION 3. Officers.

Judge of the Municipal Court	\$ 59,985
Municipal Prosecutor	\$ 59,759
Township Attorney	\$ 50,000

Public Defender \$ 15,000

SECTION 4.Elected Officials.

Township Committee Member \$ 4,000

SECTION 5. Non-Contractual Police Management Benefits.

Any persons appointed and serving under the titles of Chief of Police and Deputy Chief of Police shall be entitled to and receive the same fringe benefits as set forth under the most recently adopted Superior Officers Association ("SOA") contract, including but not limited to the accrual of vacation and sick time, but shall have no entitlement to overtime or compensatory time. The same health benefits shall also be provided subject to the contribution requirements established pursuant to P.L. 2011, c.78, as required by law when no contract is in place. This Section shall supersede Section 3 of Ordinance No. 2006-2856 and shall be retroactive to the expiration of the same but for the applicability of P.L. 2011, c.78 until its effective date.

SECTION 6.Repealer.

All ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such conflict of inconsistency.

SECTION 7.Effective Date.

This ordinance shall become effective upon adoption and publication in accordance with law with a retroactive effect to January 1, 2013.

ORDINANCE NO. 2013-3076

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**AN ORDINANCE AUTHORIZING THE LEASE OF CERTAIN
PROPERTY WITHIN BLOCK 682, LOT 4 AS SHOWN ON THE TAX
MAP OF THE TOWNSHIP OF MIDDLETOWN KNOWN AS THE
CROYDON HALL SCHOOL BUILDING OWNED BY THE
TOWNSHIP OF MIDDLETOWN, NOT CURRENTLY REQUIRED
FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A:12-14(c) TO
TRINITY HALL, LLC, A NOT-FOR-PROFIT EDUCATIONAL
INSTITUTION**

WHEREAS, the Township of Middletown (“the Township”) is the owner of the Croydon Hall School Building located at 872 Leonardville Road, Middletown, New Jersey listed on the Township’s official tax map as Block 682, Lot 4 (“the Property”); and

WHEREAS, Trinity Hall, LLC, a qualified § 501(c)(3) domestic not-for-profit New Jersey limited liability company (“Trinity Hall”), having a current address of Post Office Box 356, Red Bank, New Jersey 07701, expressed interest in temporarily leasing space from the Township for the purpose of establishing a new educational institution in Middletown while it seeks a permanent location for its school building; and

WHEREAS, the Township determined that the Croydon Hall School Building that previously served such purposes is not currently necessary for any public purpose so that it could be temporarily leased while helping provide additional funding to the Township’s dedicated Open Space Trust Fund and resulting in certain capital improvements being made to the building; and

WHEREAS, N.J.S.A. 40A:12-14(c) permits such lease arrangements with not-for-profit organizations when a public benefit is derived from the same, which exists in this instance by expanding educational opportunities in the community while also providing much needed funding for open space and recreational purposes, and resulting in certain capital improvements being made to the building.

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

SECTION 1. The Croydon Hall School Building consisting of approximately 11,250 square feet as described in Schedule A located at 872 Leonardville Road, Middletown, New Jersey listed on the Township's official tax map as Block 682, Lot 4 shall be leased to Trinity Hall, a not-for-profit organization, pursuant to N.J.S.A. 40A:12-14(c) subject to the terms and conditions of the Lease Agreement in Schedule B which is made part hereof.

SECTION 2. The aggregate lease payment of \$281,250.00 to be paid under the Lease Agreement for a term of thirty (30) months shall be dedicated solely to the Township's Open Space Trust Fund, in addition to fees generated and dedicated for recreational purposes derived from the increased utilization of Adjacent Areas during the lease term under the Township's recreational fee ordinance.

SECTION 3. It is understood that the Lease Agreement is subject to applicable New Jersey law concerning disposition of municipal real estate to non-

profit entities to be utilized for acceptable public purposes and benefits pursuant to N.J.S.A. 40A:12-14(c) as well as Green Acres rules and regulations for such temporary use.

SECTION 4. The lease is made subject to all applicable laws and ordinances of the State of New Jersey and the Township of Middletown.

SECTION 5. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 6. All ordinances, or parts of ordinances which are inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION 7. The Mayor, Township Administrator, Township Clerk, Township Attorney and Chief Financial Officer are hereby authorized to execute all documents necessary for the lease of the Property listed herein, including but not limited to executing all necessary and proper agreements, forms, affidavits, applications and related documents, as needed.

SECTION 8. This ordinance shall take effect immediately after final passage and publication in the manner provided by law.

ORDINANCE NO. 2013-3077

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**ORDINANCE AUTHORIZING DEVELOPER'S AGREEMENT AND
CONVEYANCE OF TOWNSHIP-OWNED PARCEL FOR
AFFORDABLE HOUSING ON BLOCK 869, LOT 71.01 (UNITY ROAD)**

WHEREAS, the Township of Middletown adopted a Housing Element and Fair Share Plan in accord with the requirements of the Council On Affordable Housing ("COAH"), and a significant element of the Township's Fair Share Plan is the "Scattered Sites" program by which affordable homes as defined and governed by COAH rules are built and provided on lots provided by the Township; and

WHEREAS, said Housing Element and Fair Share Plan was granted Substantive Certification by COAH on October 14, 2009; and

WHEREAS, the Township retains title ownership to Block 869, Lot 71.01 which is suitable for this "Scattered Sites" program; and

WHEREAS, the Township wishes to enter into a Developer's Agreement with Housing and United Services, Inc., ("HUS") a not-for-profit and/or a responsible owner entity to be formed at future date, to facilitate the construction on said lot of a four-bedroom licensed qualified supportive housing units, as defined in N.J.A.C. 5:97-6.10, with supportive housing facilities and services for blind or disabled adults, who qualify as very low income households; and

WHEREAS, the Township anticipates that construction of said supportive housing units will receive eight (8) credits towards its prior round affordable housing obligation through the construction of said supportive homes, i.e., four (4) bedroom credits as well as four (4) rental bonus credits at this site; and

WHEREAS, this Ordinance intends to authorize the conveyance of Block 869, Lot 71.01, which is not needed for any other public purposes, to HUS and/or a responsible not-for-profit owner entity to be formed at future date, for the purpose of constructing a four-bedroom licensed qualified supportive housing units as part of the Township's Fair Share Housing Plan.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Mayor and Township Attorney are hereby authorized and directed to execute a Developer's Agreements and contracts to convey Block 869, Lot 71.01 to HUS and/or a responsible not-for-profit owner entity to be formed at future date, for the purpose of constructing a four-bedroom licensed and qualified supportive housing units, as defined in N.J.A.C. 5:97-6.10, with supportive housing facilities and services for blind or disabled adults, who qualify as very low income households.

BE IT FURTHER ORDAINED that all Agreements set forth herein are subject to the final approval of the Mayor, Township Administrator and Township Attorney.

BE IT FURTHER ORDAINED that the Mayor, Township Attorney, Township Administrator and all other necessary Township officials are authorized to execute the necessary Deed, Affidavit of Title, Limited Power of Attorney, Developer's Agreement, and other forms or documents, in a form approved by the Township Attorney, to perfect and finalize the conveyance of Block 869, Lot 71.01 to Housing and United Services, Inc., a not-for-profit entity and/or their responsible partner to be approved by the Township, for \$1 as part of the Township's Fair Share Plan and Scattered Sites program.

BE IT FURTHER ORDAINED that if a court of competent jurisdiction shall declare any section, subsection, clause or provision of the ordinance invalid, such decision shall not affect the validity of this ordinance as a whole or any part hereof.

BE IT FURTHER ORDAINED that all ordinances, or parts of ordinances which are inconsistent herewith, are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon final passage and upon notice of adoption being published as provided by law.

ORDINANCE NO. 2013-3078

**AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF
DEVONSHIRE COURT WITHIN THE TOWNSHIP OF MIDDLETOWN,
MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, the Township of Middletown has determined that a portion of Devonshire Court, as shown on the official Tax Maps of the Township, is not needed for any public purpose(s) of the Township, and that the public interest would be best served by vacating and extinguishing all public right, title and interest in and to that portion of Devonshire Court, so that the underlying lands may be combined with, and become and form part of, adjacent properties; and

WHEREAS, the area of Devonshire Court to be vacated (the “subject area”) is located adjacent to Block 602, Lot 7 as further set forth herein; and

WHEREAS, the subject area is shown on a survey prepared by Seneca Survey Company, Inc., as amended, a copy of which is attached hereto as Exhibit “A” and made a part hereof, and is more particularly described in a legal description prepared by Seneca Survey Company, Inc., a copy of which is attached hereto as Exhibit “B” and made a part hereof; and

WHEREAS, it is the intention of the Township that once the subject area has been vacated, then ownership of the underlying lands shall revert to the adjoining property owner of the adjacent Block 602, Lot 7 by operation of law; and

WHEREAS, a vacation of a public street, or part thereof, which has not been opened by the municipality, may be authorized by the municipal governing body by Ordinance pursuant to N.J.S.A. 40:67-19, et seq., when there is no longer any need for the use of said area by the public; and

WHEREAS, the Mayor and Township Committee believe that the vacation of all public right, title and interest in and to in the subject area, is in the best interests of the Township of Middletown, as well as the adjacent property owner.

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

1. That, pursuant to N.J.S.A. 40:67-19, et seq., the Township of Middletown hereby vacates, extinguishes, releases and abandons all public right, title and interest in and to that portion of Devonshire Court which is located immediately adjacent to Block 602, Lot 7, as more particularly shown on Exhibit “A” attached hereto, and as more particularly described in Exhibit “B” attached hereto.

2. That it is the intention of the Township that once the subject area has been vacated, then ownership of the underlying lands shall revert to the owner of the adjacent property by operation of law.

3. That the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company (as defined in N.J.S.A. 48:2-13), or by any cable television company (as defined in N.J.S.A. 48:5A-1, et seq.), to maintain, repair, and replace any existing facilities in, adjacent to, over, or under the said vacated area.

4. That, following the introduction of this Ordinance, the Township Clerk shall provide notice of its pending status as mandated by N.J.S.A. 40:49-6, and at least one week prior to the time fixed for further consideration and final passage of the Ordinance the Township Clerk shall mail a copy of the Ordinance, together with a notice of the introduction thereof, and information as to the time and place of when and where the Ordinance will be further considered

for final passage, to every person whose lands may be affected by this Ordinance, by certified mail return receipt requested and regular mail, to their last known post office address(es).

5. That, following the adoption of this Ordinance, the Township Clerk shall, within sixty (60) days of the effective date thereof, file a copy of this Ordinance along with the attached Exhibits, certified by the Clerk, under seal of the Township, to be a true and exact copy of the Ordinance, together with a copy of the proof of publication thereof, in the Office of the Monmouth County Clerk for recordation in the County's Book of "Vacations," pursuant to N.J.S.A. 40:67-21.

6. That, once the subject area has been vacated, then the Township's interests in and to the said area shall be released.

7. That the Township Attorney and Township Engineer are hereby authorized and directed to undertake all actions and to prepare all documents that are necessary in order to effectuate the intentions of the within Ordinance.

8. That the Mayor and/or the Township Administrator is authorized to execute, and the Municipal Clerk and/or the Deputy Municipal Clerk, is authorized to attest any and all documents, and to perform all actions, which may be necessary in order to effectuate the intentions of the within Ordinance.

9. That all costs and expenses associated with this matter shall be the responsibility of the owner of Block 602, Lot 7, and sufficient funding shall be posted by said property owner prior to the adoption of the within Ordinance in order to cover all the Township's expenses associated with this matter.

10. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

11. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

12. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Ordinance No. 2013-3079

AN ORDINANCE ACCEPTING THE DEDICATION OF A PORTION OF SUNNYSIDE ROAD AS PART OF THE MUNICIPAL ROAD SYSTEM OF THE TOWNSHIP OF MIDDLETOWN

WHEREAS, Bamm Hollow Investors, LLC (“Bamm Hollow”) received general development approval in February 1, 2012 and preliminary major subdivision approval on April 4, 2012 to develop Block 1048, Lots 35, 66 & 68; Block 1049, Lots 10, 11, 16 & 51 (the “Project”);

WHEREAS, as noted in a T&M Associates review letter dated January 17, 2012 Sunnyside Road that services the Project requires realignment as the road is not located entirely within the existing right-of-way;

WHEREAS, realignment of Sunnyside Road is necessary to service the Project, which is in the best interest of the Township.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED by the Mayor and Township Committee of the Township of Middletown as follows:

1. That pursuant to N.J.S.A. 40:67-1(b) the Township of Middletown, County of Monmouth and State of New Jersey is hereby authorized to accept a Deed of Right-of-Way Dedication to a portion of Sunnyside Road. This street is more particularly shown and delineated on a plan entitled: “Right of Way Dedication Plat over a Portion of Sunnyside Road” prepared by Yorkanis & White, Inc., dated June 22, 2012.

2. The Township Engineer and Township Attorney are hereby authorized and directed to review and approve as to form and content the Deed of Dedication to a portion of

Sunnyside Road. Once the Deed of Dedication has been approved, said Deed of Dedication shall be recorded together with a certified true copy of this Ordinance upon its final adoption in the Office of the Monmouth County Clerk as required by law. A form of the proposed Deed of Dedication is attached hereto as Schedule A.

3. Upon the acceptance of the Dedication of a portion of Sunnyside Road, it shall be the Township's responsibility to maintain said road and to extend the enforcement of all motor vehicle regulations as application pursuant to N.J.S.A. 39:4-197 *et. seq.*

ORDINANCE NO. 2013-3080

**AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF
SUNNYSIDE ROAD WITHIN THE TOWNSHIP OF MIDDLETOWN,
MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, the Township of Middletown has determined that a portion of Sunnyside Road, as shown on the official Tax Maps of the Township, is not needed for any public purpose(s) of the Township, and that the public interest would be best served by vacating and extinguishing all public right, title and interest in and to that portion of Sunnyside Road, so that the underlying lands may be combined with, and become and form part of, adjacent properties; and

WHEREAS, the area of Sunnyside Road to be vacated (the “subject area”) measures approximately 1,832 +/- square feet, and is located between Blocks 1048 & 1049 (Lot 51); and

WHEREAS, the subject area is shown on a survey prepared by Yorkanis & White, Inc., dated June 22, 2012, a copy of which is attached hereto as Exhibit “A” and made a part hereof, and is more particularly described in a legal description prepared by Yorkanis & White, Inc., a copy of which is attached hereto as Exhibit “B” and made a part hereof; and

WHEREAS, it is the intention of the Township that once the subject area has been vacated, then ownership of the underlying lands shall revert to the adjoining landowner as further set forth herein; and

WHEREAS, a vacation of a public street, or part thereof, which has not been opened by the municipality, may be authorized by the municipal governing body by Ordinance pursuant to N.J.S.A. 40:67-19, et seq., when there is no longer any need for the use of said area by the public; and

WHEREAS, the Mayor and Township Committee believe that the vacation of all public right, title and interest in and to in the subject area, is in the best interests of the Township of Middletown, as well as the adjacent property owner.

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

1. That, pursuant to N.J.S.A. 40:67-19, et seq., the Township of Middletown hereby vacates, extinguishes, releases and abandons all public right, title and interest in and to that portion of Devonshire Court which is located between Block 1048 & 1049 (Lot 51), an area which measures approximately 1,832 +/- square feet, as more particularly shown on Exhibit “A” attached hereto, and as more particularly described in Exhibit “B” attached hereto.

2. That it is the intention of the Township that once the subject area has been vacated, then ownership of the underlying lands shall revert to the owner of the adjacent property by operation of law.

3. That the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company (as defined in N.J.S.A. 48:2-13), or by any cable television company (as defined in N.J.S.A. 48:5A-1, et seq.), to maintain, repair, and replace any existing facilities in, adjacent to, over, or under the said vacated area.

4. That, following the introduction of this Ordinance, the Township Clerk shall provide notice of its pending status as mandated by N.J.S.A. 40:49-6, and at least one week prior to the time fixed for further consideration and final passage of the Ordinance the Township Clerk shall mail a copy of the Ordinance, together with a notice of the introduction thereof, and information as to the time and place of when and where the Ordinance will be further considered

for final passage, to every person whose lands may be affected by this Ordinance, by certified mail return receipt requested and regular mail, to their last known post office address(es).

5. That, following the adoption of this Ordinance, the Township Clerk shall, within sixty (60) days of the effective date thereof, file a copy of this Ordinance along with the attached Exhibits, certified by the Clerk, under seal of the Township, to be a true and exact copy of the Ordinance, together with a copy of the proof of publication thereof, in the Office of the Monmouth County Clerk for recordation in the County's Book of "Vacations," pursuant to N.J.S.A. 40:67-21.

6. That, once the subject area has been vacated, then the Township's interests in and to the said area shall be released.

7. That the Township Attorney and Township Engineer are hereby authorized and directed to undertake all actions and to prepare all documents that are necessary in order to effectuate the intentions of the within Ordinance.

8. That the Mayor and/or the Township Administrator is authorized to execute, and the Municipal Clerk and/or the Deputy Municipal Clerk, is authorized to attest any and all documents, and to perform all actions, which may be necessary in order to effectuate the intentions of the within Ordinance.

9. That all costs and expenses associated with this matter shall be the responsibility of the owner, and sufficient funding shall be posted by said property owner prior to the adoption of the within Ordinance in order to cover all the Township's expenses associated with this matter.

10. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

11. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

12. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

ORDINANCE NO. 2013-3081

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**ORDINANCE AMENDING ORDINANCE NO. 2009-2991
AUTHORIZING DEVELOPER'S AGREEMENT AND CONVEYANCE
OF TOWNSHIP-OWNED PARCEL FOR AFFORDABLE HOUSING
UPON BLOCK 724, LOT 1**

WHEREAS, the Township of Middletown adopted a Housing Element and Fair Share Plan in accord with the requirements of the Council On Affordable Housing ("COAH"), and a significant element of the Township's Fair Share Plan is the "Scattered Sites" program by which affordable homes as defined and governed by COAH rules are built and provided on lots provided by the Township; and

WHEREAS, said Housing Element and Fair Share Plan was granted Substantive Certification by COAH on October 14, 2009; and

WHEREAS, the Township retains title ownership to two lots (Block 701, Lot 3 and Block 724, Lot 1) that were determined under Ordinance No. 2009-2991 to be suitable for the Township's Scattered Sites program; and

WHEREAS, title issues were discovered in relation to Block 701, Lot 3 that could not be resolved in a timely enough fashion to meet certain HUD deadlines for its conveyance and assumption of site control by the project sponsor, therefore, requiring an amendment to Ordinance No. 2009-2991 to remove Block 701, Lot 3 from this transaction; and

WHEREAS, the Township wishes to amend its Developer's Agreement with Housing and United Services, Inc., ("HUS") a not-for-profit and/or a responsible owner entity to be formed at future date, to facilitate the construction of Block 724, Lot 1, which is unencumbered along with another site being authorized simultaneously with this amendment pursuant to Ordinance No. 2013-3077, said lots consisting in the aggregate of two, four-bedroom, licensed qualified supportive housing units, as defined in N.J.A.C. 5:97-6.10, with supportive housing facilities and services for blind or disabled adults, who qualify as very low income households; and

WHEREAS, the Township anticipates that construction of said supportive housing units upon Block 724, Lot 1 will receive eight (8) credits towards its prior round affordable housing obligation through the construction of said supportive homes, i.e., four (4) bedroom credits as well as four (4) rental bonus credits; and

WHEREAS, this Ordinance intends to authorize the conveyance of Block 724, Lot 1, which is not needed for any other public purposes, to HUS and/or a responsible not-for-profit owner entity to be formed at future date, for the purpose of constructing a four-bedroom licensed qualified supportive housing units as part of the Township's Fair Share Housing Plan.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Mayor and Township Attorney are hereby authorized to execute Developer's Agreements and contract to convey Block 724, Lot 1 to HUS and/or a responsible not-for-profit owner entity to be formed at future date, for the purpose of constructing a four-bedroom licensed and qualified supportive housing units, as defined in N.J.A.C. 5:97-6.10, with supportive housing facilities and services for blind or disabled adults, who qualify as very low income households.

BE IT FURTHER ORDAINED that all Agreements set forth herein are subject to the final approval of the Mayor, Township Administrator and Township Attorney.

BE IT FURTHER ORDAINED that the Mayor, Township Attorney, Township Administrator and all other necessary Township officials are authorized to execute the necessary Deed, Affidavit of Title, Limited Power of Attorney, Developer's Agreement, and other forms or documents, in a form approved by the Township Attorney, to perfect and finalize the conveyance of Block 724, Lot 1 to Housing and United Services, Inc., a not-for-profit entity and/or their responsible partner to be approved by the Township, for \$1 as part of the Township's Fair Share Plan and Scattered Sites program.

BE IT FURTHER ORDAINED that if a court of competent jurisdiction shall declare any section, subsection, clause or provision of the ordinance invalid, such decision shall not affect the validity of this ordinance as a whole or any part hereof.

BE IT FURTHER ORDAINED that all ordinances, or parts of ordinances which are inconsistent herewith, are hereby repealed to the extent of such inconsistency, namely Ordinance No. 2009-2991.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon final passage and upon notice of adoption being published as provided by law.

RESOLUTION NO. 13-001

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

RESOLUTION APPOINTING TOWNSHIP ATTORNEY

WHEREAS, pursuant to N.J.S.A. 40A:9-139 and § 4-32A of the Code of the Township of Middletown there exists a need to appoint a qualified individual as Township Attorney to serve as the municipal attorney and designated legal officer for the Township of Middletown; and

WHEREAS, § 4-32B of the Code of the Township of Middletown provides that the Township Attorney shall be compensated via a flat fee retainer currently set at \$50,000 by the Township's applicable salary ordinance to provide representation in routine and reoccurring legal matters as defined pursuant to § 4-32C of the Code of the Township of Middletown.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Brian M. Nelson, Esq., 830 Broad Street, Suite B, Shrewsbury, New Jersey 07702 is hereby appointed Township Attorney for 2013 to perform the duties prescribed pursuant to § 4-32C of the Code of the Township of Middletown.

BE IT FURTHER RESOLVED that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

RESOLUTION NO. 13-002

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE
CONTRACT FOR GENERAL SPECIAL COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle general litigation, transactions and other legal representation as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one bid having been received and considered for the position of General Special Counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Archer & Greiner PC, 830 Broad Street, Suite B, Shrewsbury, New Jersey 07702 has qualified and agreed to handle general litigation, transactions and other legal representation as needed for a flat fee of \$240,000 for 2013, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

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 law firm of Archer & Greiner PC is hereby awarded a professional service contract for the provision of legal services as General Special Counsel to the Township to handle general litigation, transactions and provide other legal representation as needed during 2013.

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

RESOLUTION 13-003

APPOINTMENT OF FIRE DEPARTMENT OFFICERS

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 be and they are hereby appointed or reappointed members of the Fire Department pursuant to the "Code of the Township of Middletown" for a full term of one year commencing January 1, 2013 and terminating December 31, 2013.

FIRE CHIEF:	JOHN D'ALTILO
DEPUTY CHIEF:	PETER LAIMANN
FIRST ASSISTANT:	RICK W. HIBELL
SECOND ASSISTANT:	JOHN GORSEGNER
THIRD ASSISTANT:	ANTHONY CITARELLA

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. Fire Department

RESOLUTION NO. 13-007

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

RESOLUTION APPOINTING MUNICIPAL PROSECUTOR

WHEREAS, pursuant to N.J.S.A. 2B:25-4 and § 4-33 of the Code of the Township of Middletown there exists a need to appoint a qualified attorney as Municipal Prosecutor for the Township; and

WHEREAS, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Gerald Massell, Esq. is hereby appointed Municipal Prosecutor for the Township of Middletown for 2013 to be compensated pursuant to the Township's applicable salary ordinance.

BE IT FURTHER RESOLVED that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

RESOLUTION NO. 13-008

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

RESOLUTION APPOINTING MUNICIPAL PUBLIC DEFENDER

WHEREAS, pursuant to N.J.S.A. 2B:24-3 there exists a need to appoint a qualified attorney as Municipal Public Defender for the Township; and

WHEREAS, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process, but with potential expenditures estimated not to exceed \$15,000, below the bid threshold for the application of the Fair and Open Process that are subject to the certification of availability of funds by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Stanley Werse, Esq. is hereby appointed Municipal Public Defender for the Township of Middletown for 2013 to be compensated pursuant to the Township's applicable salary ordinance and at an hourly rate of \$115 for matters in the Superior Court that may be reimbursed by individuals utilizing the services of the Public Defender.

BE IT FURTHER RESOLVED that notice of this appointment shall be published by the Township Clerk in the Township's official newspaper.

RESOLUTION 13-

APPOINTMENT OF POLICE CHAPLAINS

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 Police Chaplains of Middletown Township for the year 2013.

Reverend Donald Magaw
8 Vanda Drive
Neptune, NJ 07753

Chaplain Scott Harris
22 Tuyahov Blvd.
Toms River, NJ 08755

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
- b. Police Department

RESOLUTION 13-

**APPOINTMENT TO BAYSHORE VILLAGE SENIOR CITIZEN
HOUSING CORPORATION**

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 individual is hereby appointed as a member of the Bayshore Village Senior Citizen Housing Corporation pursuant to the "Code of the Township of Middletown" for a term commencing January 1, 2013 as follows:

NED HAMMOND

Commissioner Seat III

Expiring 12/31/2017

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
 - a. The appointee listed above who shall present herself before the Township Clerk to take and subscribe to the Oath of Office.
 - b. Bayshore Village Senior Citizen Housing Corporation

RESOLUTION 13-

APPOINTMENTS TO CLEAN COMMUNITY ADVISORY COMMITTEE

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 be and are hereby appointed members of the Clean Community Advisory Committee for a full term of one year, commencing January 1, 2013 and terminating December 31, 2013.

Maureen Raisch Committee Seat I

Samuel R. Posten, Jr. Committee Seat II

Valerie Robertson Committee Seat III

Kenneth Walls Committee Seat IV

Ted Maloney Committee Seat V

Heidi R. Brunt Committee Seat VI

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a) Each appointee as listed above
- b) Clean Community Advisory Committee

RESOLUTION 13-

APPOINTMENTS TO COMMUNITY AFFAIRS

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 Community Affairs Council pursuant to the "Code of the Township of Middletown" for a full term of three years, commencing January 1, 2013 and terminating December 31, 2015 or as indicated.

Lori Ann Oliwa

Seat I

Thomas Craig Finnegan

Seat II

Peggy Flanagan

Seat III

John Giordano

Seat IV

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. Community Affairs Council

RESOLUTION 13-

APPOINTMENTS TO ECONOMIC DEVELOPMENT COMMITTEE

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 Economic Development Committee pursuant to the "Code of the Township of Middletown" for a full term of three years, commencing January 1, 2013 and terminating December 31, 2015 or as indicated.

GERARD P SCHARFENBERGER	Mayor 1 Year term
ANDREW MELNICK	SEAT I
PATRICK CHANOD	SEAT II

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

RESOLUTION 13-

APPOINTMENT TO ENVIRONMENTAL COMMISSION

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 individual be hereby appointed member of the Environmental Commission pursuant to the "Code of the Township of Middletown" for the term January 1, 2013 expiring 12/31/2015.

Richard McHaney

Seat II

Carl Rathjen

Seat III

Martin Donohue

Seat IV

James Laude

Seat V

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

RESOLUTION 13-

APPOINTMENT TO GREEN TEAM ADVISORY COMMITTEE

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 be hereby appointed members of the Green Team Advisory Committee pursuant to the Resolution 09-253 for a one year term ending on December 31, 2013.

ANTHONY FIORE	COMMITTEE SEAT I
EUGENIO GRANO	COMMITTEE SEAT II
RICHARD DEBENEDETTO	COMMITTEE SEAT III
JASON GREENSPAN	COMMITTEE SEAT IV
TED MALONEY	COMMITTEE SEAT V
JANET DELLETT	COMMITTEE SEAT VI
ANTHONY MERCANTANTE	COMMITTEE SEAT VII
MARIE SAVOIA	COMMITTEE SEAT VIII
MICHAEL FEDOSH	COMMITTEE SEAT IX
LYNN MATTEI	COMMITTEE SEAT X
JOYCE FERREJOHN	COMMITTEE SEAT XI

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
 - a. The appointees listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
 - b. Green Team Advisory Committee c/o Township Planner Jason Greenspan

RESOLUTION 13-

APPOINTMENTS TO HISTORIC PRESERVATION COMMITTEE

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 Historic Preservation Committee pursuant to the "Code of the Township of Middletown" for a full term of three years, commencing January 1, 2013 and terminating December 31, 2015 or as indicated.

STEPHANIE MURRAY Annual Appointment/Mayor's Designee	SEAT I Expiring 12/31/2013
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PETER VAN NORTWICK Landmarks Commission Member	SEAT II Expiring 12/31/2013
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LINDA MARESCA	SEAT III
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ELAINE HINCKLE Y	SEAT IV
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2. The Township Clerk shall send a certified copy of this resolution to each of the following:
- Each appointee as listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
 - HISTORIC PRESERVATION COMMITTEE

RESOLUTION 13-14

APPOINTMENTS TO JOINT SHARED SERVICES COMMITTEE

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 Joint Shared Services Committee pursuant to the "Code of the Township of Middletown" for a full term of one year, commencing January 1, 2013 and terminating December 31, 2013 or as indicated.

Anthony P. Fiore

Seat I

Gerard P Scharfenberger

Seat II

Anthony Mercantante

Seat III

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.

RESOLUTION 13-

APPOINTMENTS TO LANDMARKS COMMISSION

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 individual is hereby appointed or reappointed as members of the Landmarks Commission pursuant to the "Code of the Township of Middletown" for a full term of four (4) years, commencing January 1, 2013 and terminating December 31, 2016.

J. Robert Johnson
Mary Ann Kiernan

Commissioner Seat VI
Commissioner Seat VII

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. Landmarks Commission

**RESOLUTION 13-
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:

ROBERT CORDIANO

Trustee Seat I
Expiring 12/31/2013

SUPERINTENDENT'S DESIGNEE

Trustee Seat II
Expiring 12/31/2013

DAVID SIWIEC

Trustee Seat V
Expiring 12/31/2017

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 13-

**APPOINTMENTS TO LINCROFT SENIOR CITIZEN HOUSING CORPORATION
(LUFTMAN TOWERS)**

**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 Lincroft Senior Citizens Housing Corporation, Luftman Towers pursuant to the "Code of the Township of Middletown" for a term set forth below:

CHRISTINA GISONDI

Director Seat IV
Expiring 12/31/2017

LOIS WHITTOM

Director Seat V
Expiring 12/31/2017

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. Lincroft Senior Citizens Housing Corporation

RESOLUTION 13-

APPOINTMENT TO LOCAL ASSISTANCE 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 Local Assistance Board pursuant to the "Code of the Township of Middletown for terms as set forth below:

ANDREW ZAPCIC

Commissioner Seat I
Expiring 12/31/2013

Annual Appointment

DIANA TRUE

Commissioner Seat V
Expiring 12/31/2016

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 Office of the Township Clerk to take and subscribe to the Oath of Office.
- b. Local Assistance Board
- c. Barbara Miceli, Welfare Director

RESOLUTION 13-

**APPOINTMENTS TO MUNICIPAL ALLIANCE
TO PREVENT ALCOHOL & DRUG ABUSE**

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 have been appointed as members of the Middletown Township Municipal Alliance to Prevent Alcoholism & Drug Abuse for a full term of one year commencing January 1, 2013 and terminating December 31, 2013

Margaret Bertorelli	Kristie Kane
Pamela Brightbill	Bruce Levy
Robert W. Bucco, Jr., Vice-Chairperson	Mary Anne Ruane
Peter Caras	Gerard P. Scharfenberger
Nancy Crowell	Frank Self
Leslie Culver-Schwarz	Joseph T. Shaffery, Sgt. at Arms
Anthony DiMeglio	Michael J. Slover, Chairperson (Non Voting)
Michael Donlon	John Smack
Anthony J. Falvo	Madolyn F. Smith (Non Voting)
Michael Fernandez	Daniel Sullivan
Anthony Fiore	Richard B. Thompson
Fern B. Foster, Coordinator (Non Voting)	Mary Ellen Walker
William Gerris	Craig Weber
Thomas G. Hall	Alison Wheeler
Eugene Hannafey	Erin Wheeler
James Homiak	Thomas P. Wilkens
Calvin Jenkins	Christina M. Wittkop (Non Voting)
Karen Jenkins	

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee listed above
- b. Municipal Alliance to Prevent Alcoholism & Drug Abuse

RESOLUTION 13-

APPOINTMENT TO OPEN SPACE PRESERVATION COMMITTEE

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 individual is hereby appointed members of the Open Space Preservation Committee pursuant to the "Code of the Township of Middletown" for a one year term expiring 12/31/2013.

PAMELA M. BRIGHTBILL

SEAT I

Expiring 12/31/2013

MICHAEL FEDOSH

SEAT II

Expiring 12/31/2013

PAUL GLEITZ

SEAT III

Expiring 12/31/2013

WILLIAM KASTNING

SEAT IV

Expiring 12/31/2013

ANTHONY MERCANTANTE

SEAT V

Expiring 12/31/2013

GERARD P. SCHARFENBERGER

SEAT VI

Expiring 12/31/2013

CHRIS FOTACHE

SEAT VII

Expiring 12/31/2013

2. The Township Clerk shall send a certified copy of this resolution to each of the Following:
 - a. The appointee listed above who shall present themselves before the Township Clerk to take and subscribe to the Oath of Office.
 - b. Open Space Preservation Committee

**RESOLUTION 13-
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:

JOHN KARDEL
CLASS I/MAYOR'S DESIGNEE

Board Member I
Expiring 12/31/2013

KEVIN SETTEMBRINO
CLASS III/ TOWNSHIP COMMITTEE

Board Member II
Expiring 12/31/2013

PAMELA BRIGHTBILL
CLASS II/PUBLIC OFFICIAL

Board Member III
Expiring 12/31/2013

FRANK WILTON
ALTERNATE I

Board Member IX
Expiring 12/31/2014

JOHN DEUS
CLASS IV

Board Member XI
Expiring 12/31/2016

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 13-

APPOINTMENTS TO RECREATION ADVISORY COMMITTEE

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 Recreation Advisory Committee pursuant to the "Code of the Township of Middletown" for terms specified below:

THOMAS WINTERS

Committee Seat VI
Expiring 12/31/2015

PEGGY FLANAGAN

Committee Seat VII
Expiring 12/31/2015

JOHN MARSINI, JR.

Committee Seat VIII
Expiring 12/31/2015

JOHN OXLEY

Committee Seat X
Unexpired term 12/31/2013

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. Recreation Advisory Committee

RESOLUTION NO. 13-23

APPOINTMENTS TO SEWERAGE AUTHORITY

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

1. That the following individuals are hereby appointed or reappointed as members of the Middletown Sewerage Authority effective 2/1/2013 for a term specified as follows:

CHANTAL BOUW

Commission Seat II
Expiring 2/01/2018

EMIL WREDE

Commission Seat III
Expiring 2/1/2018

THOMAS STOKES

Alternate I
Expiring 2/01/2018

2. The Township Clerk shall send a certified copy of this resolution to each of the following:
 - a. Middletown Sewerage Authority P.O. Box 205 Belford, NJ 07718
 - b. Each appointee listed above who shall present himself before the Office of the Township Clerk to take and subscribe to the Oath of Office.

RESOLUTION 13-

APPOINTMENTS TO THE VOLUNTEER CORP

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 Volunteer Corp pursuant to the Resolution No. 12-271 for an unexpired term of January 1, 2013 and terminating December 31, 2013.

Michele Gilbert	SEAT I
Michelle Reda	SEAT II
Tracey Keogh	SEAT III
Michael Mcaffee	SEAT IV
James Bruncati	SEAT V
Marcus Saginor	SEAT VI
Heather Burke	Seat VII
Holly Morgan	Seat VIII
Anthony Panzica	SEAT IX

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. Volunteer Corp

RESOLUTION 13-

APPOINTMENTS TO MIDDLETOWN VETERANS AFFAIRS COMMITTEE

NOW 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 individual be and they are hereby appointed as members of the Middletown Veterans Affairs Committee pursuant to the "Code of the Township of Middletown" for terms specified below:

COL. JAMES GUERRIERI

Committee Seat IV
Expiring 12/31/2015

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. Middletown Veterans Affairs Committee

RESOLUTION NO. 13-

APPOINTMENTS TO ZONING BOARD OF ADJUSTMENT

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 be and they are hereby appointed or reappointed as members of the Zoning Board of Adjustment pursuant to the "Code of the Township of Middletown" for the terms as set forth below:

MARTIN TRUSCOTT

Board Member Seat VII
Expiring 12/31/2016

DONNA CAUDA

Alternate II
Expiring 12/31/2014

CHRISTINE GISONDI

Alternate IV
Expiring 12/31/2014

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. Zoning Board of Adjustment

RESOLUTION 13-

APPOINTMENT OF POLICE PHYSICIANS

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 be and they are hereby appointed Police Physicians pursuant to the "Code of the Township of Middletown" for the year 2013.

DR. NICHOLAS SPETKO

MERIDIAN / RIVERVIEW OCCUPATIONAL HEALTH UNIT

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

RESOLUTION 13-

APPOINTMENT OF SPECIAL CROSSING GUARDS

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 be and they are hereby appointed as Special Crossing Guards for the year 2013.

**CPL. BERNIE CHENOWETH
EDWARD GREELEY
FRANK LATORTO**

**AUSTEN MC KNIGHT
MATTHEW VIAUD**

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Each appointee as listed above
- b. Police Department

RESOLUTION NO. 13-009

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL
SERVICES CONTRACT FOR TOWNSHIP AUDITOR**

WHEREAS, pursuant to N.J.S.A. 40A:5-4 there exists a need for the Township to retain the services of a qualified Registered Municipal Accountant ("RMA") to conduct the Township's annual audit and related professional services as needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position, and whereas two bids were received pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5), but the Township decided to seek additional qualified quotations for the purpose of achieving cost savings pursuant to the non-fair and open process; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, Robert Swisher, RMA of the firm of Suplee, Clooney & Company, 308 East Broad Street, Westfield, New Jersey 07090 submitted a competitive non-fair and open proposal, is a qualified RMA, and has agreed to serve as the Township Auditor for the sum of \$74,275.00 for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Robert Swisher, RMA of the firm of Suplee, Clooney & Company, 308 East Broad Street, Westfield, New Jersey 07090 is hereby awarded a professional services contract to serve as the Township Auditor for 2013 for the sum of \$74,275.00.

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

RESOLUTION NO. 13-005

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL
SERVICE CONTRACT FOR BOND COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown as bond counsel as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the position of Bond Counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Gibbons PC, One Gateway Center, Newark, New Jersey 07102, has qualified and agreed to provide legal counseling as Bond Counsel at transactional rates specified by contract in an amount estimated not to exceed \$25,000, exclusive of fees for filing fees, legal research, or other reasonable approved expenses.

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 law firm of Gibbons PC is hereby awarded a professional services contract for the provision of legal services as Bond Counsel to the Township as needed during 2013 for an amount estimated not to exceed \$25,000.

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

RESOLUTION NO. 13-015

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE
CONTRACTS FOR CONFLICTS AND TAX FORECLOSURE COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle tax foreclosures and to address legal matters in which the Township Attorney or General Special Counsel may have a conflict under the New Jersey Court Rules or other applicable laws or regulations; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one bid having been received for tax foreclosure counsel and one bid having been received for conflicts counsel, and having been considered by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Scarinci & Hollenbeck, LLC, 1100 Valley Brook Avenue, Post Office Box 790, Lyndhurst, New Jersey 07071 is qualified and agreed to provide both tax foreclosure and conflict counsel services at a rate of \$135 per hour estimated not to exceed \$25,000, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

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 law firm of Scarinci & Hollenbeck, LLC, 1100 Valley Brook Avenue, Post Office Box 790, Lyndhurst, New Jersey 07071 is hereby awarded a professional services contract for the provision of legal services as tax foreclosure and conflicts counsel to the Township as needed during 2013 for an estimated amount not to exceed \$25,000 in the aggregate between counsels.

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

RESOLUTION NO. 13-010

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL
SERVICES CONTRACT FOR CONSULTING ENGINEER**

WHEREAS, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the maintenance of the Township's nearly 400 miles of roadway, parks and facilities, and to provide planning and review services that cannot be addressed entirely by the Township Engineer; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with three bids having been received and considered for the position of Consulting Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, T&M Associates, Inc., 11 Tindall Road, Middletown, New Jersey 07748 is qualified and has agreed to provide professional engineering services pursuant to the rate schedules provided for in its proposal for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that T&M Associates is hereby awarded a professional services contract to serve as the Township's Consulting Engineer for 2013.

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

RESOLUTION NO. 13-011

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL
SERVICES CONTRACT FOR CONFLICTS ENGINEER**

WHEREAS, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the maintenance of the Township's nearly 400 miles of roadway, parks and facilities, and to provide planning and review services that cannot be addressed entirely by the Township Engineer and for which the Township's Consulting Engineer may have a conflict; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the position of Conflicts Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, BPM Engineering, 100 Matawan Road, Suite 100, Matawan, NJ 07747 is qualified and has agreed to provide conflict professional engineering services pursuant to the rate schedules provided for in its proposal for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that BPM Engineering, 100 Matawan Road, Suite 100, Matawan, NJ 07747 is hereby awarded a professional services contract to serve as the Township's Conflicts Engineer for 2013.

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

RESOLUTION NO. 13-012

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICES
CONTRACT FOR CONSULTING TRAFFIC ENGINEER**

WHEREAS, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the Township's numerous streets, roads, highways and public facilities that on occasion require planning and review as to traffic design and safety issues, and various applications for development that require an evaluation and review to protect the Township's interests in traffic engineering and public safety matters; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one responsive bid having been received and considered for the position of Consulting Traffic Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 is qualified and has agreed to provide professional engineering services in relation to traffic matters pursuant to the rate schedules provided for in its proposal for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 is hereby awarded a professional services contract to serve as the Township's Consulting Traffic Engineer for 2013.

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

RESOLUTION NO. 13-003

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE
CONTRACT FOR LABOR COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle general labor matters and collective bargaining as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two responsive bids having been analyzed and upon the recommendation provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Cleary Giacobbe Alfieri Jacobs, LLC of Matawan, New Jersey has qualified and agreed to provide labor counsel services at a rate of \$145 per hour estimated not to exceed \$35,000, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

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 law firm of Cleary Giacobbe Alfieri Jacobs, LLC of Matawan, New Jersey is hereby awarded a professional services contract for the provision of legal services as General Labor Counsel to the Township as needed during 2013 for an estimated amount not to exceed \$35,000.

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

RESOLUTION NO. 13-014

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

AWARDING CONTRACT FOR GRANTS WRITING CONSULTANT

WHEREAS, the Township requires the services of a grant writing consultant to help secure alternative sources of funding for numerous capital and other projects that cannot currently be funded through general appropriations or traditional borrowing; and

WHEREAS, while the Local Public Contracts Law does not require competitive bidding for contracts anticipated to be below \$17,500, or which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor, but this position was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the position of Grants Writing Consultant by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 is qualified and has agreed to provide Grant Writing Consulting services pursuant to the rate schedules provided for in its proposal for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township of Middletown in the County of Monmouth, State of New Jersey that T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 is hereby awarded a contract to serve as the Township's Grant Writing Consultant for 2013 for a contract amount estimated not to exceed \$10,000.

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

RESOLUTION NO. 13-004

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE
CONTRACTS FOR WORKERS COMPENSATION COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle workers compensation matters as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the position of workers compensation counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, John Lane, Esq. and Richard Leahy, Esq., individually, have qualified and agreed to provide legal services in relation workers compensation matters at a rate of \$100 per hour estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that John Lane, Esq. and Richard Leahy, Esq. are hereby awarded a professional services contracts for the provision of legal services as Workers Compensation Counsel to the Township as needed during 2013 for an estimated amount not to exceed \$17,500.

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

RESOLUTION NO. 13-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE
CONTRACTS FOR SPECIAL TAX APPEALS COUNSELS**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle legal matters relating to tax appeals as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the positions of Tax Appeals Counsel by the Township Committee based upon recommendations provided by the Township Administrator and Tax Assessor; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, Richard Leahy, Esq. of the firm of Bernard Reilly LLC, 90 Maple Avenue, Red Bank, New Jersey 07701 has qualified and agreed to provide legal services as Tax Appeals at a rate of \$100 per hour estimated not to exceed \$40,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Scarinci & Hollenbeck, LLC, 1100 Valley Brook Avenue, Post Office Box 790, Lyndhurst, New Jersey 07071 has also qualified and agreed to provide legal services as Tax Appeals at a rate of \$135 per hour estimated not to exceed \$10,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Richard Leahy, Esq. of the firm of Bernard Reilly LLC is hereby awarded a professional services contract for the provision of legal services as Tax Appeals Counsel to the Township as needed during 2013 for an amount estimated not to exceed \$40,000.

BE IT FURTHER RESOLVED that Scarinci & Hollenbeck, LLC, 1100 Valley Brook Avenue, Post Office Box 790, Lyndhurst, New Jersey 07071 is hereby awarded a professional services contract for the provision of legal services as Tax Appeals Counsel to the Township as needed during 2013 for an amount estimated not to exceed \$10,000.

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

RESOLUTON NO. 13-020

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICES
CONTRACT FOR CONSULTING ENVIRONMENTAL ENGINEER**

WHEREAS, there exists a need for the Township to retain the services of a qualified and licensed engineering firm to provide professional engineering services in relation to the Township's numerous facilities that on occasion require an evaluation and review as to environmental issues and/or remediation requirements or services; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one bid having been received and considered for the position of Consulting Environmental Engineer by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, T&M Associates, Inc., 11 Tindall Road, Middletown, New Jersey 07748 is qualified and has agreed to provide professional engineering services in relation to environmental matters pursuant to the rate schedules provided for in its proposal for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that T&M Associates, Inc., 11 Tindall Road, Middletown, New Jersey 07748 is hereby awarded a professional services contract to serve as the Township's Consulting Environmental Engineer for 2013.

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

RESOLUTION NO. 13-016

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING CONTRACT FOR
EMPLOYEE ASSISTANCE PROVIDER**

WHEREAS, the Township has found that it is beneficial to have in place an Employee Assistance Program, which is a third-party professional agency providing counseling and referral services for employees and their dependents, and the program has worked well for several years helping reduce the Township's health benefits and other costs; and

WHEREAS, while the Local Public Contracts Law does not require competitive bidding for contracts anticipated to be below \$17,500, or which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor, but it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with no bids having been received and considered for the position of Employee Assistance Provider by the Township Committee based upon recommendations provided by the Township Administrator to nevertheless make an award to the incumbent provider pursuant to the non-fair and open process; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, Employee Consulting Services is qualified and has agreed to provide professional services in relation to the provision of employee assistance pursuant to the rate schedules provided for in its proposal for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Employee Consulting Services (Dr. Michael Kahn) is hereby awarded a contract for the provision of the Township's employee assistance program as needed during 2013 for an amount estimated not to exceed \$10,475.00, plus \$25.00 per employee to which such services are provided.

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

RESOLUTION NO. 13-013

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICES
CONTRACT FOR RISK MANAGEMENT CONSULTANT**

WHEREAS, the Township requires various insurance coverages, including automobile, general liability, workers compensation, employee health, prescription, dental, and other insurance coverages, and requires assistance in soliciting and reviewing insurance proposals and assessments as to traditional insurance coverages and policies as well as alternative forms of coverage through self-insurance, municipal self-insurance funds, and combinations of same, and requires the services of a licensed professional insurance brokers in order to solicit and assess such various insurance policies and carriers and alternative coverages and provide risk management consulting services, and also to serve as the risk management representative to the Monmouth County Joint Insurance Fund (JIF), through which the Township is also a participant and insured; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(m)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one bid having been received and considered for the position of Risk Management Consultant by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, Peter Soriero of Allied Risk Management, One International Blvd., Suite 405, Mahwah NJ 07495 is qualified and has agreed to provide such insurance-related services with fees for insurance placement services anticipated to be paid through customary brokerage commissions and fees paid by the Insurance companies and/or Joint Insurance Funds to the broker/risk management consultant. It is anticipated that the services provided will result in minimal or no direct cost to or payments by the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Peter Soriero of Allied Risk Management, One International Blvd., Suite 405, Mahwah NJ 07495 is hereby awarded a professional services contract to serve as the Township's Risk Management Consultant for 2013.

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

RESOLUTION 13-

APPOINTMENT OF OFFICIAL DEPOSITORIES

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

1. That PNC Bank, Sovereign Bank, New Jersey Cash Management Fund, NJ/ARM Asset & Rebate Management Program, MBIA Investors Service Corporation, Columbia Savings Bank, TD Bank, Two Rivers Community Bank, First Savings Bank, Amboy National Bank, Provident Bank, Bank Of America, Valley National Bank, and Investors Savings Bank are hereby designated as the official depositories of the Township of Middletown for the year 2013 under the "Governmental Unit Depository Protection Act."

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

- a. Department of Finance
- b. Each Depository listed above

RESOLUTION 13-

ESTABLISHMENT OF OFFICIAL NEWSPAPERS

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

1. During the year 2013, the official newspapers for this municipality shall be The Star Ledger, The Asbury Park Press, The Independent and The Two River Times pursuant to NJSA 40:53-1 and NJSA 40:53-2.

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

- a. The Independent
- b. The Asbury Park Press
- c. The Two River Times
- d. The Star Ledger

RESOLUTION 13-

APPOINTMENT OF OFFICIAL SEARCHER

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

1. The Township Clerk, be and is hereby appointed Official Searcher for improvements made or to be made and assessed locally for the year 2013.

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

- a. Township Clerk
- b. Comptroller

RESOLUTION 13-
APPOINTMENT OF TAX SEARCHER

**BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,**

as follows:

1. Judith Vassallo, Tax Collector, be and he is hereby appointed Official Searcher for improvements made or to be made and assessed locally for the year 2013.

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

- a. Judith Vassallo
- b. Comptroller

RESOLUTION NO. 13-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

ANNUAL MEETING NOTICE

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) provides for the giving of the annual notice by public bodies of the time, date and location of the regular meetings of such public body to be held during the succeeding year; and

WHEREAS, the Open Public Meetings Act hereinafter referred to as The Act, authorizes a public body to make certain other determinations and take certain other actions in conformance therewith.

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

1. Regular meetings of this committee shall be held during the 2013 calendar year at 8:00 p.m. at the Middletown Township Municipal Building, Main Meeting Room, One Kings Highway, Middletown, New Jersey on the following dates:

January 22 (Tuesday)
February 19 (Tuesday)
March 18
April 15
May 20
June 17
July 15
August 19
September 16
October 21
November 18
December 16

Workshop meetings of the Middletown Township Committee shall be held during the 2013 calendar year at 8:00 p.m. at the Middletown Township Municipal Building, Conference Room, One Kings Highway, Middletown, New Jersey on the following dates:

February 4
March 4
April 1
May 6
June 3
July 1

August 5
September 3 (Tuesday)
October 7
December 2

* The Reorganization Meeting of the Township Committee for the year 2014 will be held on Sunday, January 5, 2014.

At all regular and workshop meetings of the Middletown Township Committee formal action will be taken on any matter subject to compliance with the Open Public Meetings Act respecting issuance of the "48 hour notice" containing the agenda for such regular and workshop meetings, to the extent known.

2. Executive Sessions will be held at 7:00 p.m. preceding each Regular Meeting and Workshop Meeting in 2013 to discuss personnel matters, labor relations, pending litigation and other matters permitted for closed session under N.J.S.A. 10:4-12. At 7:00 p.m., prior to each Executive Session, the Township Committee will convene in open session at which time an Executive Session Resolution specifying the general nature of the items to be discussed in Executive Session will be adopted in accord with N.J.S.A. 10:4-13. All such meeting sessions will be held in the Conference Room, Town Hall, One Kings Highway, Middletown, N.J., unless otherwise noted as per the law.

3. The following newspapers are hereby designated as the newspapers to receive any and all notices required or permitted to be given under The Act, shall including but not limited to Annual Notice and 48 hour notices, as needed:

- a. The Asbury Park Press, The Star Ledger, The Independent and The Two River Times, which are hereby designated and determined to be the official newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings.

4. Copies of this Resolution and any revisions or modification thereof, certified to be true copies by the Clerk of this municipality, be disseminated and distributed as required by The Act as follows:

- a. The Asbury Park Press, The Star Ledger, The Independent and the Two River Times which are hereby designated and determined to be the official newspapers which have the greatest likelihood of informing the public within the area of jurisdiction of this Township of its meetings; and
- b. Filed with the Municipal Clerk of this municipality; and
- c. Mailed to such other person as may be entitled thereto under the terms of the Act and this Resolution.

5. Pursuant to N.J.S.A. 10:4-19, the Municipal Clerk is hereby authorized and directed to mail such notice as may be required and authorized under the Act to any person requesting the same providing that person has first complied with the following terms and conditions:

- a. Any and all request for notice under the act shall be made in writing either by letter or by signing a request list to be maintained in the Office of the Municipal Clerk.

6. Take further notice that further resolutions may be adopted at these public meetings and/or workshop meetings providing for the Township Committee to meet in executive session specifying matters to be discussed requiring confidentiality and/or of a privileged nature as permitted by N.J.S.A. 10:4-12 and 13.

7. Take further notice that regular public and/or workshop meetings or executive session may be canceled or adjourned. Rescheduled regular public and/or workshop meetings shall be duly advertised with appropriate notice being provided.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
S. Massell				
S. Murray				
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 6, 2013.

WITNESS, my hand and the seal of the Township of Middletown this 6th day of January 2013.

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION 13-
ESTABLISHING ROBERTS RULES OF ORDER

BE IT RESOLVED by the Township Committee of the Township of Middletown, County of Monmouth and State of New Jersey that the Township Committee will adopt Robert's Rules of Order for use as parliamentary procedure for all Township Committee Meetings.

RESOLUTION 13-
ESTABLISHING STANDING RULES

WHEREAS, Article 2-6 (d) provides for the Township Committee to establish rules of order for Township meetings; and

WHEREAS, it is the desire of the Township Committee to provide for effective and productive township meetings, to hear from its residents in a timely manner, and to conduct the large volume of township business within the time constraints available at public meetings in a more orderly, productive manner.

NOW, THEREFORE, BE IT RESOLVED that the attached Standing Rules for Regular Meetings of the Township Committee be established, adopted, and utilized as rules of order governing the conduct of regular meetings of the Township Committee.

**STANDING RULES FOR REGULAR MEETINGS
OF THE TOWNSHIP COMMITTEE**

1. The Mayor or other Committeeperson acting as the Mayor shall act as the Chair.
2. Any persons desiring to speak on either an ordinance or during the public comment section shall raise their hand and must be recognized by the Chair before speaking. All comments by the members of the public shall be made from the podium after first having been recognized by the Chair.
3. As to public hearings on an ordinance, all persons recognized to speak may speak for a maximum of five minutes.
4. As to the public comment portion of the meeting, all persons recognized to speak may speak once for a maximum of five minutes.
5. Any speaker who exceeds these time limits shall be ruled out of order and subject to removal. Each five minute period is personal to each speaker and made not be ceded to another person. No profanity shall be permitted. Any person who uses profanity may be ruled out of order and subject to removal.
6. Questions or comments of the public should be directed to the Township Committee. If appropriate, the Chairperson may direct and recognize a staff employee or professional of the Township to respond. The Chair may request that any question asked of the Township Committee or its staff or professionals which, due to its complexity or need for research or factual investigation cannot be answered immediately, be placed in writing by the inquirer and directed to the appropriate Township official and that an answer be provided to the inquirer as soon as possible.
7. Any of these Standing Rules may be suspended for a particular matter by vote of a majority of the Township Committee present at the meeting.

**RESOLUTION 13-
RESOLUTION AUTHORIZING A TEMPORARY BUDGET FOR 2013**

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2013 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriations in the 2012 current fund budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$54,969,114.67 and

WHEREAS, 26.25% of the total appropriations in the 2012 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$14,429,392.60 and

WHEREAS, the total debt service for the municipal budget temporary appropriations is \$5,955,728.00 and

WHEREAS, the total appropriation in the 2012 solid waste district budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$3,683,300.00 and

WHEREAS, 26.25% of the total appropriations in the 2012 solid waste district budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$966,866.25 and

WHEREAS, the total appropriation in the 2012 swim utility budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$88,133.00 and

WHEREAS, 26.25% of the total appropriations in the 2012 swim utility budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$23,134.91 and

WHEREAS, the total debt service for the swim utility temporary appropriations is \$1,090,000.00 for bond defeasance and

NOW, THEREFORE, BE IT RESOLVED by the Township committee of the Township of Middletown, in the County of Monmouth, State of New Jersey, that the attached listing (Attachment 1 – 2013 Temporary Budget Worksheet) of appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
J. Massell				
S. Murray				
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 6, 2013.

WITNESS, my hand and the seal of the Township of Middletown this 6th day of January 2013

HEIDI R. BRUNT
TOWNSHIP CLERK

Attachment 1 - 2013 Temporary Budget Worksheet		
Account Number	Description	Amount
Current Fund		
3-01-20-100-100-100	A/E S&W	108,345.43
3-01-20-100-100-200	A/E O&E	18,637.50
3-01-20-100-101-100	Purchasing S&W	32,674.04
3-01-20-100-101-200	Purchasing O&E	1,010.63
3-01-20-110-100-101	Township Committee S&W	16,548.53
3-01-20-110-100-208	Township Committee Other Expense	1,575.00
3-01-20-120-100-100	Township Clerk S&W	54,917.57
3-01-20-120-100-200	Township Clerk O&E	33,468.75
3-01-20-120-101-101	Elections - Regular S&W	1,050.00
3-01-20-120-101-208	Elections - O&E	5,433.75
3-01-20-130-100-100	Finance - S&W	106,017.24
3-01-20-130-100-200	Finance - O&E	27,053.25
3-01-20-135-100-000	Finance Audit Control Account	30,187.50
3-01-20-140-100-100	MIS - S&W	73,510.24
3-01-20-140-100-200	MIS - O&E	24,830.93
3-01-20-145-100-100	Collector - S&W	59,358.60
3-01-20-145-100-200	Collector - O&E	9,927.75
3-01-20-145-101-260	Collector - Tax Title Liens	2,625.00
3-01-20-150-100-100	Assessor - S&W	86,557.99
3-01-20-150-100-200	Assessor - O&E	10,026.19
3-01-20-150-101-298	Assessor - Maintenance of Tax Maps - Engineer	2,625.00
3-01-20-155-100-200	Legal - O&E	108,675.00
3-01-20-165-100-200	Engineer - O&E	17,062.50
3-01-20-175-100-208	History Preservation - O&E	262.50
3-01-21-180-100-100	Planning - S&W	52,631.55
3-01-21-180-100-200	Planning - O&E	13,860.00
3-01-21-180-101-100	Planning Board - S&W	6,942.99
3-01-21-180-101-200	Planning Board - O&E	9,450.00
3-01-21-185-100-100	Zoning Board - S&W	6,942.99
3-01-21-185-100-200	Zoning Board - O&E	8,137.50
3-01-23-195-100-100	Inspections - S&W	258,344.86
3-01-23-195-100-200	Inspections - O&E	6,641.25
3-01-23-210-100-200	Insurance Claims Control Account	193,079.25
3-01-23-215-100-200	Insurance - Workmen's Comp	313,950.00
3-01-23-220-100-200	Insurance O&E	2,039,625.00
3-01-23-225-100-225	Insurance - Unemployment	57,960.00
3-01-25-240-100-100	Police S&W	3,404,093.38
3-01-25-240-100-200	Police O&E	161,293.91
3-01-25-253-100-101	Emergency Management - S&W	7,768.38
3-01-25-253-100-200	Emergency Management - O&E	7,833.00
3-01-25-255-100-621	Fire-Aid Subsidy to fire Companies	64,968.75
3-01-25-260-100-200	First Aid - O&E	20,212.50
3-01-25-260-101-621	First Aid - Subsidy to Companies	52,500.00
3-01-25-265-100-100	Fire - S&W	17,367.00
3-01-25-265-100-200	Fire - O&E	88,915.31
3-01-25-265-101-101	Uniform Fire Safety - S&W	41,671.04
3-01-25-265-101-200	Uniform Fire Safety - O&E	4,357.50
3-01-25-265-103-306	Fire-Uniform Fire Safety - LEA R	14,370.45
3-01-25-275-100-101	Prosecutor - S&W	18,529.35
3-01-25-280-100-228	Police - Jail Operations	140.68
3-01-25-445-100-273	Fire-Hydrant Services	178,500.00
3-01-26-290-100-100	Streets & Roads - S&W	573,420.66

3-01-26-290-100-200	Streets & Roads - O&E	175,271.25
3-01-26-290-101-200	Snow - O&E	88,725.00
3-01-26-290-103-100	Parks - S&W	210,259.88
3-01-26-290-103-200	Parks - O&E	28,717.50
3-01-26-290-103-200	Beach Maintenance - O&E	3,491.25
3-01-26-290-104-100	Dept of Public Works Administration & Engineering-S&W	100,106.48
3-01-26-290-104-200	Dept of Public Works Administration & Engineering-O&E	6,825.00
3-01-26-300-103-208	Environmental Commission - O&E	262.50
3-01-26-305-100-100	Recycling - S&W	73,603.31
3-01-26-305-100-200	Recycling - O&E	210,000.00
3-01-26-310-100-100	Maintenance of Township Property - S&W	109,299.49
3-01-26-310-100-200	Maintenance of Township Property -O&E	103,293.75
3-01-26-315-100-100	Vehicle Maintenance - S&W	133,769.35
3-01-26-315-100-200	Vehicle Maintenance - O&E	102,900.00
3-01-26-325-100-200	Condominium Maintenance	21,000.00
3-01-27-330-100-100	Health - S&W	88,892.78
3-01-27-330-100-200	Health - O&E	7,772.63
3-01-27-330-101-100	Alliance - S&W	28,496.83
3-01-27-330-101-200	Alliance - O&E	3,937.50
3-01-27-340-100-624	Dog Control - O&E	12,337.50
3-01-27-360-101-621	Aid to Women's Survival	262.50
3-01-28-370-100-100	Recreation - S&W	82,503.49
3-01-28-370-100-200	Recreation - O&E	35,371.88
3-01-28-370-101-208	Recreation Advisory Committee	157.50
3-01-29-390-100-100	Maintenance of Free Public Library	947,725.71
3-01-30-410-204-284	Fire Dept. - LOSAP	85,312.50
3-01-30-410-205-291	Railroad Parking Lot Lease	44,625.00
3-01-30-415-100-106	Police Accumulated Leave Compensation	26,250.00
3-01-30-415-100-115	Accumulated Leave Compensation	152,250.00
3-01-30-415-100-125	Sick Time Buy Back	52,500.00
3-01-30-420-200-208	Celebration of Public Events	2,625.00
3-01-30-430-200-200	Utilities - O&E	175,350.00
3-01-31-435-200-271	Street Lights - Electricity	236,250.00
3-01-31-440-200-200	Utilities - Telephone	129,150.00
3-01-31-445-200-200	Utilities - Water	36,750.00
3-01-31-446-200-200	Utilities - Natural Gas	74,812.50
3-01-31-447-100-200	Utilities - Heating Oil	1,312.50
3-01-31-455-200-200	Utilities - Sewer	4,095.00
3-01-31-460-200-200	Utilities - Motor Fuel	255,937.50
3-01-35-470-200-208	Contingencies	5,250.00
3-01-36-471-200-284	Statutory Public Employees Ret. Out of Cap	13,155.98
3-01-36-471-200-285	PERS in Cap	336,106.05
3-01-36-473-200-284	Statutory - Social Security	313,950.00
3-01-36-475-200-284	Statutory - Police/Firemens Retirement	604,744.09
3-01-36-477-200-284	Defined Contribution Retirement Program (DCRP)	6,562.50
3-01-37-480-200-221	Insurance - Judgements/Settlements	47,250.00
3-01-43-101-200-270	Interlocal Agreement - BOE Fuel	18,375.00
3-01-43-101-203-233	Interlocal - Mon Cty Scat Agreement	6,562.50
3-01-43-101-203-200	Interlocal - Monmouth County Regional Health	34,348.13
3-01-43-490-100-100	Court - S&W	93,880.24
3-01-43-490-100-200	Court - O&E	7,901.25
3-01-43-495-100-101	Public Defender - S&W	3,937.50
	TOTAL	13,800,114.47

Solid Waste District		
3-15-26-305-000-280	SWD Contractual Services	\$420,000
3-15-26-305-000-290	SWD Disposal Fees	472,500
	TOTAL	\$892,500

RESOLUTION NO. 13-017

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING CONTRACT FOR
DELTA DENTAL ADMINISTRATIVE AND
NETWORK SERVICES**

WHEREAS, the Township of Middletown for the past several years has engaged the services of Delta Dental Plan of NJ, Inc. for providing dental claims administrative and dental network services as part of the health benefits for Township employees; and

WHEREAS, it is necessary to ratify and approve the continuation of that Contract for dental claims administrative and network services for the year 2013 with the administrative services and costs for an estimated cost not to exceed \$30,000; and

WHEREAS, authorization for the award of this contract as an extraordinary unspecifiable service does not require public bidding pursuant to N.J.S.A. 40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Middletown that the Mayor and Township Clerk are authorized to execute the agreement with Delta Dental Plan of NJ, Inc. for the provision of dental claims administrative and network services for the year 2013 for the Township health benefit program for employees at the administrative fees as set forth in the attached contract made part hereof for an estimated contract amount not to exceed \$30,000.

BE IT FURTHER RESOLVED that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

RESOLUTION NO. 13-018

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING CONTRACT FOR
PRESCRIPTION ADMINISTRATION SERVICES**

WHEREAS, the Township of Middletown for the past several years has engaged the services of BeneCard Services, Inc. for the provision of employee and retiree prescription claims administration services and Medicare drug subsidy services; and

WHEREAS, it is necessary to ratify and approve the continuation and extension of that contract for prescription services for the year 2013, and in order to maintain the continuity of said services, with a maximum estimated expenditure under said contract being estimated to be no more than \$32,000; and

WHEREAS, authorization for the award of this contract as an extraordinary unspecifiable service does not require public bidding pursuant to N.J.S.A.40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with BeneCard Services, Inc. to provide prescription claims administrative and Medicare retiree drug subsidy services for the year 2013 for the Township health benefit program for employees and retirees at the rates set forth in the contract attached hereto and made part hereof in an amount estimated not to exceed \$32,000.

BE IT FURTHER RESOLVED that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.

RESOLUTION NO. 13-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING EXTENSION OF CONTRACT FOR THIRD PARTY
CLAIMS ADMINISTRATION SERVICES WITH PMA MANAGEMENT**

WHEREAS, the Township of Middletown currently maintains a contract with PMA Management Corp. for third party claims administration services for the Township's workers compensation, automobile and general liability self-insured programs that expired on May 31, 2012, with an extension made to December 31, 2012; and

WHEREAS, since 2009, the Township has sought requests for proposals for such services, which are nevertheless exempt from bidding under the Local Public Contracts Law; and

WHEREAS, the Township, however, at the recommendation of its Assistant Administrator has determined to utilize such services in a different fashion beginning in January 2014 at which time certain other options will be available to the Township, therefore, requiring an extension of this Agreement until December 31, 2013.

WHEREAS, PMA Management Corp. has agreed to such continuance pursuant to the same terms, costs and conditions as provided under its existing contract entered in 2009.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that its current contract with PMA Management Corp., 330 Fellowship Road, Suite 200, Mount Laurel, New Jersey 08054 is hereby authorized to be extended from December 31, 2012 until December 31, 2013 pursuant to the same terms, costs and conditions as authorized by the Governing Body pursuant to Resolution No. 09-142 on May 18, 2009 except as otherwise herein adopted in relation to the length of the term of the contract.

RESOLUTION 13-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING MAYOR TO EXECUTE
CANCELLATIONS OF MUNICIPAL TAX SALE CERTIFICATES**

WHEREAS, pursuant to N.J.S.A. 54:5-55 and 54:5-58, the governing body or other officer of the municipality may act to authorize the cancellation of municipal tax sale certificates; and

WHEREAS, the Township of Middletown's Tax Collector has recommended that a resolution be adopted clarifying the Township's policy that the governing body authorizes the Mayor to execute cancellations of municipal tax sale certificates.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that, as directed by the Township's Tax Collector, the Mayor and Township Clerk are hereby authorized to execute tax sale certificates for cancellation upon redemption without the necessity of the governing body passing a resolution for each individual certificate.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
S. Massell				
S. Murray				
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 6, 2013.

WITNESS, my hand and the seal of the Township of Middletown this 6th day of January, 2013.

HEIDI R. BRUNT
TOWNSHIP CLERK

**RESOLUTION 13-
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MIDDLETOWN AUTHORIZING AN ACCELERATED TAX SALE**

WHEREAS, NJSA 54:5-19 permits a municipality to sell liens on delinquent municipal charges prior to the close of the Calendar Year 2013 and

WHEREAS, the Township of Middletown has realized an exceptional tax collection rate through this process, and

WHEREAS, the Township of Middletown CY 2013 Budget has anticipated continuing an Accelerated Tax Sale;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the Township of Middletown is hereby authorized to conduct an Accelerated Tax Sale for the Calendar Year 2013.

BE IT FURTHER RESOLVED, that the Township Clerk is directed to file two certified copies of this resolution with the Director of Local Government Services.

Judith Vassello
Tax Collector

Nicola Trasente
Chief Financial Officer

Anthony Mercantante
Township Administrator

Brian Nelson
Township Attorney
Certified as to Form

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
S. Massell				
S. Murray				
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 6, 2013.

WITNESS, my hand and the seal of the Township of Middletown this 6th day of January, 2013.

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION 13-

**SETTING GRACE PERIOD AND INTEREST RATES FOR TAXES
FOR CALENDAR YEAR 2013**

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for late payment of taxes or assessments as provided by law; and

WHEREAS, any unpaid taxes and municipal charges constitute an unfair burden on those taxpayers who pay their taxes and municipal charges in a timely manner and delinquent taxpayers should be required to carry their share of the tax burden; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Middletown, County of Monmouth, State of New Jersey, that the property taxes shall be due and payable quarterly on February 1st, May 1st,

August 1st and November 1st for the year 2013, with a ten day grace period, after which dates, if unpaid, shall become delinquent, with interest charges as set for below and reverting back to the due date on any quarterly installment of taxes. The Tax Collector is hereby authorized and directed to charge, subject to any abatement or discount for the late payment of taxes as provided by law:

1. Eight percent (8%) per annum on the first \$1,500.00 of taxes delinquent after due date; and
2. Eighteen percent (18%) per annum on any amount in excess of \$1,500.00 of taxes delinquent after due date; and
3. Any 2013 municipal charges remaining unpaid on the 11th day of the 11th month of the fiscal year will be subject to Tax Sale.
4. If the delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31, an additional penalty of 6% shall be charged against the delinquency.

MIDDLETOWN TOWNSHIP COMMITTEE

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
S. Massell				
S. Murray				
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 6, 2013.

WITNESS, my hand and the seal of the Township of Middletown this 6th day of January, 2013.

HEIDI R. BRUNT
TOWNSHIP CLERK

RESOLUTION NO. 13-56

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING CONTRACT FOR HEALTH
BENEFITS CLAIMS ADMINISTRATION SERVICES**

WHEREAS, the Township of Middletown for the past several years has engaged the services of Qualcare, Inc. for the provision of employee and retiree health benefits claims administration services for its self-insured health benefits programs; and

WHEREAS, the Township annually evaluates the service provided and fees charged and concluded, based on the recommendations of the Township's Assistant Administrator and insurance consultants to continue the services being provided by Qualcare, Inc. in 2013; and

WHEREAS, authorization for the award of this contract does not require public bidding pursuant to N.J.S.A.40A:11-5(1)(m) as an insurance-related contract subject only to certification of availability of funds by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with Qualcare, Inc. to provide health benefits claims administration services for the Township's self insured health benefits programs for employees and retirees at the rates set forth in the contract attached hereto and made part hereof.

BE IT FURTHER RESOLVED that notice of this contract award shall be published by the Township Clerk in the Township's official newspaper and a complete copy of the contract be maintained by the Clerk.