

Regular Meeting of the Township Committee of Middletown Township was held in the Main Meeting Room at Town Hall, One Kings Highway, Middletown, New Jersey at 8:00 p.m. on November 17, 2008.

Township Clerk, Heidi Abs called the meeting to order and read the following notice:

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and The Courier and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 10, 2008.

Roll Call Vote: Present: Brightbill, Byrnes, Short, Wilkens, Mayor, Scharfenberger
Absent: None

PLEDGE OF ALLEGIANCE

Clerk Abs led the assembly in the Pledge of Allegiance.

Clerk Abs requested a
**MOMENT OF SILENCE IN SUPPORT OF OUR TROOPS SERVING
WORLDWIDE FOR DEFENDING OUR WAY OF LIFE**

CERTIFICATE OF APPRECIATION/PROCLAMATION

Recognition of the Police Officer Kenneth F. Tietjen Memorial Foundation

Mayor Scharfenberger recognized the Police Officer Kenneth F. Tietjen Memorial Foundation and read the following Proclamation:

OFFICE OF THE MAYOR

Police Officer Kenneth F. Tietjen Memorial Foundation

WHEREAS: The Kenneth F. Tietjen Memorial Foundation was created in November 2001 to honor the memory of Port Authority Police Officer Kenneth F. Tietjen who sacrificed his life to help others during the World Trade Center tragedy on September 11, 2001, and

WHEREAS: The Tietjens, who reside in Middletown, would "adopt" a needy family every holiday season. They would provide food, clothes, and toys to help make one family's Christmas a happy one. Kenny, who was 31 when he died, always happily took on the task of providing bicycles for the children, and

WHEREAS: Family and friends wanted to find a positive way to keep his memory alive and lessen the huge hole that they would feel by spending Christmas without him. Through generous donations from friends, family, community groups and businesses, fellow Port Authority police officers, and wonderful strangers, the Foundation was able to deliver 11 new bicycles to needy children that very first year, and

WHEREAS Today, the main goal of the Foundation is to provide aid to underprivileged children in Monmouth County and throughout New Jersey. One-hundred percent of all donations go directly to the children because the Foundation is run by volunteers, and the family pays all administrative costs. With the community's continued support, the Foundation has grown enormously. They were able to help more than 600 children in 2007, and

WHEREAS: The Foundation is formally working with the Middletown Social Services Department for the first time to bring holiday cheer to 150 Middletown families this year, and

NOW

THEREFORE: Be it proclaimed on Monday, November 17, 2008 that I, Mayor Gerard P. Scharfenberger, and the Middletown Township Committee, wish to take this opportunity to commend the Tietjen family for creating this invaluable community organization to honor Kenneth F. Tietjen's memory. We urge the community to support the Tietjens in their efforts to bring a smile to hundreds of children every holiday season.

Recognition of Races Operator David Mutter for being named Ham of the Year by the Amateur Radio Relay League

Mayor Scharfenberger congratulated David on his achievement, noting that David Mutterer, KC2H, received the Ham of the Year Award from the American Radio Relay League for his outstanding contributions to the world of amateur radio. Mutterer is a dedicated member of the of the township's Radio Amateur Civil Emergency Service, which provides supplementary assistance to the Communication Department

APPROVAL OF MINUTES

Clerk Abs requested a motion to approve the minutes.

It was moved by Committeeman Wilkens, seconded by Mayor Scharfenberger and carried to adopt the minutes of the following meetings.

September 2, 2008 Executive Session
September 2, 2008 Workshop Meeting
September 15, 2008 Executive Session
September 15, 2008 Regular Meeting

Roll Call Vote: Ayes: Brightbill, Byrnes, Short, Wilkens, Mayor Scharfenberger
Nays: None
Abstention: None

Clerk Abs stated motion carried to approve minutes.

PUBLIC HEARING ON PROPOSED ORDINANCES

None

INTRODUCTION OF PROPOSED ORDINANCES

Ordinance #2008-2952

Clerk Abs read the following ordinance by title for a first reading:

Bond Ordinance Re-appropriating \$1,515,000 Proceeds of Obligations not needed for their Original Purposes for the Acquisition of Development Rights by the Township of Middletown, New Jersey-McCormack Farm Development Rights

It was moved by Mayor Scharfenberger, seconded by Committeeman Byrnes to pass the ordinance on first reading with a public hearing to be held on December 1, 2008.

Roll Call Vote: Ayes: Brightbill, Byrnes, Short, Wilkens, Mayor Scharfenberger
Nays: None

Clerk Abs stated motion carried to pass this ordinance on first reading with public hearing to be held on December 1, 2008.

CONSENT AGENDA:

RESOLUTION #08-261: Payment of Bills

Clerk Abs requested the approval to adopt Resolution 08-261, resolution authorizing payment of bills for November 2008.

It was moved by Deputy Mayor Brightbill, seconded by Mayor Scharfenberger and carried to adopt the following resolution.

Payment of Bills for November 2008 in the amount of \$4,606,375.55

Roll Call Vote: Ayes: Brightbill, Byrnes, Short, Wilkens, Mayor Scharfenberger
Nays: None
Abstention: None

Clerks Abs stated the motion carried to adopt resolution 08-261.

It was moved by Mayor Scharfenberger seconded by Deputy Mayor Brightbill to adopt resolutions 08-262 through 08-270, including Bingo and Raffle Applications

Roll Call Vote: Ayes: Brightbill, Byrnes, Short, Wilkens, Mayor Scharfenberger
Nays: None

Clerk Abs stated motion carried to adopt Resolutions 08-262 through 08-270 including Bingo and Raffle Applications.

Resolution No. 08-262

**RESOLUTION AUTHORIZING REFUND TO
CERTAIN PROPERTIES OF 2008
GARBAGE DISTRICT TAX**

WHEREAS, as a result of the revaluation process and refinements of the Township GIS mapping system, in approximately May 2008 it was determined that there were certain properties that were within the Township solid waste district, and receiving or having the availability of receiving garbage collection service from the Township contractor, that had not been assessed the garbage district tax as part of their annual tax bill, and

WHEREAS, after further research into the garbage district authorizations and maps along with research into various planning and development approvals so as to determine the properties that should properly be included in the garbage district and assessed therefore, communications were forwarded to the effected property owners advising of the situation and the proposed corrective action and that any response or further information submitted would be considered, and

WHEREAS, in late July 2008 the tax bills were required to be sent out, and the tax bills for the number of properties determined as a result of this review as appropriately included in the garbage district and assessed for that service on their 2008 tax bill were issued with the garbage district tax as a component of that 2008 bill, and

WHEREAS, thereafter further input was received from several property owners and further research refining the garbage district parameters and boundaries was performed, the result of which was a determination that 7 properties, of the number of additional properties concluded as within the garbage district, were not within the refined garbage district and the garbage district assessment on the 2008 tax bill for these properties should be refunded (the 2009 tax assessment has been corrected, and will be reflected to delete the garbage district assessment for 2009 on the 2009 final tax bill for each property).

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that the Township Administrator and Tax Collector are authorized to refund to the property owners of the properties listed below the amounts listed for each property, that amount being the garbage district tax assessed on each property for the year 2008.

Block 1048, Lot 1	99 Cypress Neck Road	Tava, Pauls & Elvia	\$662.38
Block 1048, Lot 8	98 Cypress Neck Road	Mosby Robert A. & Barbara	\$616.76
Block 1048, Lot 10	166 Willow Grove Drive	Brenner, Mircea & Margaret	\$475.34
Block 1048, Lot 43	1 White Oak Ridge Road	Graham, Brian James	\$378.53
Block 1048, Lot 56	2 White Oak Ridge Road	Lombardi, Louis & Lori	\$512.66
Block 873, Lot 161.01	33 Sleepy Hollow Road	Byrd, Arthur & Marylou	\$797.23
Block 873, Lot 161.02	37 Sleepy Hollow Road	Kelly, William & Donna	\$736.45

Resolution No. 08-263

**RESOLUTION AUTHORIZING APPLICATION FOR THE 2007
“OVER THE LIMIT UNDER ARREST GRANT”**

WHEREAS, impaired drivers on our nations roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 28% of motor vehicle fatalities in New Jersey are alcohol related; and

WHEREAS, an enforcement crack down is planned to combat impaired driving; and

WHEREAS, the summer season and the Labor Day holiday are traditionally times of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Over The Limit Under Arrest 2008 Year End Crackdown Under a \$5,000 Reimbursement Grant*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 8, 2008 – January 2, 2009; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE BE IT RESOLVED that the Township of Middletown declares its support for the *Over The Limit Under Arrest 2008 Year End Crackdown Under a \$5,000 Reimbursement Grant* from December 8, 2008 – January 2, 2009 and pledges to increase awareness of the dangers of drinking and driving.

Resolution No. 08-264

**RESOLUTION AUTHORIZING A CHAPTER 159 FUNDING IN THE 2008
BUDGET FOR THE OVER THE LIMIT UNDER ARREST GRANT PROGRAM**

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

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

WHEREAS, the Township of Middletown has received a \$5,000.00 grant from the NJ Department of Law & Public Safety, Division of Highway Traffic Safety for "Over the Limit, Under Arrest 2008 Year End Crackdown" and wishes to amend its 2008 budget to include this amount as revenue.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of Middletown Township, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2008 budget in the sum of \$5,000.00, which is now available as revenue from:

NJ Department of Law & Public Safety, Division of Highway Traffic Safety

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations
Operations Excluded from CAPS
Department of Police - Salaries and Wages
"Over the Limit, Under Arrest Year End Crackdown"
\$5,000.00

BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

RESOLUTION #08- 265

**RESOLUTION RELEASING THE PERFORMANCE GUARANTEE
FOR CHAPEL HILL ORCHARDS (Block 672, Lot 9)**

WHEREAS, the developer of the sub-division known as Chapel Hill Orchards (Block 672, Lot 9) had posted with the Township a Performance Guarantee in the form of a Surety Bond issued by Western Surety Company in the amount of \$185,210.82 and 10% cash Bond in the amount of \$20,578.98; and

WHEREAS, the developer has requested a release of said Performance Guarantee; and

WHEREAS, the Township Engineer, as set forth in his letter of October 15, 2008, indicates he has inspected the premises and has recommended that the performance guarantee in the form of surety bond in the amount of \$185,210.82 and 10% Cash bond in the amount of \$20,578.98 be released upon submission of a Maintenance Guarantee in the amount of \$25,723.73; and

WHEREAS, the Township Committee agrees with said recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Middletown Township Committee that the performance guarantee be released.

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

- a. T&M Associates
- b. Planning
- c. Spatial Design
81 Highway 34 South, Suite E
Colts Neck, NJ 07722

Resolution No. 08-266

**RESOLUTION ACCEPTING PARKS
DEPARTMENT MASTER
PLAN FINAL REPORT**

WHEREAS, the Township has had an extensive growth in the use of its parks and recreation facilities by various youth and adult leagues and casual recreation use, and in

addition the Township through its Open Space Program has acquired over the past several years a number of additional parcels for open space or recreation use and continue to pursue other parcels as part of that Program, and

WHEREAS, the increase in such usage along with the request or demands for other additional recreational opportunities and uses had pointed to the need for the Township to perform a more comprehensive study into existing parks and facilities and possible methodologies to make more efficient use of existing facilities and/or coordinate facilities with other public entities, and obtain professional recommendations as to areas or types of facilities which additional resources or properties should be devoted or made available, and

WHEREAS, to that end the Township solicited proposals from qualified firms for a comprehensive Parks, Recreation and Open Space Master Plan to evaluate the existing sites and facilities owned and maintained by the Township and provide professional recommendations as to improvements as to the quality of parks and recreation services and improvements in the efficiency and utilization of Township parks and recreation facilities, and by Resolution 07-102 the Township engaged the firm of Brandstetter Carroll Inc. to perform an Open Space Master Plan, and

WHEREAS, that firm engaged in significant public input and produce a final draft of the Open Space Master Plan which was presented to the Township Committee at an open presentation at the Township meeting on May 5, 2008, and

WHEREAS, the Township has determined, based upon the recommendation of the Parks Director and Township Administrator, that the Parks Recreation & Open Space Master Plan Final Report by Brandstetter Carroll Inc. is complete and satisfactory, and may properly be accepted.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that the Parks Recreation & Open Space Master Plan Final Report by Brandstetter Carroll Inc. is determined as complete and satisfactory, and deemed as accepted by the Township.

Resolution No. 08-267

**A RESOLUTION TO SUPPORT EFFORTS BY THE COUNTY AND OTHER
MONMOUTH COUNTY MUNICIPALITIES IN ESTABLISHING
A REGIONAL SCENIC BYWAY**

WHEREAS, the Monmouth County Planning Board has worked closely with the State of New Jersey and other municipalities in the county in determining ways to help showcase regional as well as local historic, cultural, scenic and natural qualities to the general public; and

WHEREAS, the pursuit a New Jersey and National Scenic Byway designation would promote more widespread recognition and appreciation of these assets and intrinsic qualities for both the Township and the region; and

WHEREAS, a properly administered scenic byway can provide benefits to the community by increasing general awareness of the area's historic and cultural sites, scenic roadways and environmental features by welcoming visitors to explore and share in this area's rich heritage; and

WHEREAS, a scenic byway designation can further benefit the community by fostering economic development that is in keeping with our preservation efforts and by providing access to federal resources improving established roadways that constitute the byway alignment; and

WHEREAS, designation of a regional scenic by way connecting the Upper Freehold Historic Farmland Byway, Monmouth Battlefield, and Sandy Hook along the county's Revolutionary War Route involves a coordinated effort among the municipalities and county through which it passes; and

WHEREAS, the Township of Middletown recognizes specifically that this effort involves cooperation with the county and other municipalities in the development of a Scenic Byway Nomination Package for submission to the State of New Jersey (NJDOT) and the eventual development of a Corridor Management Plan; and

WHEREAS, a formally recognized scenic byway by the State is necessary in order to pursue federal assistance for access to scenic byway grants, marketing purposes and for the preparation of a Corridor Management Plan which will serve as a guide to protection, preserve, enhance and assist with interpretation along said byway.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Middletown Committee wishes to express its support for the establishment of a regional scenic byway and its commitment to participating in the process necessary for its designation; and

BE IT FURTHER RESOLVED THAT the Township of Middletown will cooperate with all other involved municipalities and the county as a member of a Monmouth County Regional Scenic Byway Committee in ongoing planning efforts that will result in the designation of a new State Scenic Byway in Monmouth County and that a copy of this Resolution shall be forwarded and filed with the Monmouth County Planning Board upon said adoption.

Resolution No. 08-268

**RESOLUTION AUTHORIZING THE SUBMISSION OF
2009 ACTION PLAN PURSUANT TO THE REQUIREMENTS OF
FEDERAL REGULATION 24-CFR PART 91**

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

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

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

WHEREAS, consistent with the Township's CDBG Citizen Participation Plan, public meetings were conducted in 2008 for the purpose of considering and obtaining views of the citizens of Middletown Township on community development and housing needs, and for the purpose of providing the citizens with an opportunity to participate in the development of the Middletown Township 2009 Annual Action Plan element of the Monmouth County Consortium's Consolidated Plan; and

WHEREAS, said Consolidated Plan and Annual Action Plan element for federal assistance requires certain certifications to be submitted along with and as part of said plan; and

WHEREAS, Township of Middletown is a participant of the HOME Investment Partnerships Program Consortium in which the County of Monmouth is the lead participant; and

WHEREAS, federal regulations require that the Township participate in the Consortium's Annual Action Plan preparation and submit the Annual Action Plan element for inclusion in the Consortium's Annual Action Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown, in the County of Monmouth, New Jersey that the Mayor be and is authorized and directed to submit the Township of Middletown's 2009 Annual Action Plan to the US Department of Housing and Urban Development as required by federal regulations 24 CFR Part 91, including all understandings and certifications contained therein, to act as the authorized representative of the Township of Middletown, and to provide such additional information as may be required.

BE IT FURTHER RESOLVED that the Township of Middletown's 2009 Annual Action Plan shall request funding to the fullest extent of funding allowed and determined by the United States Department of Housing and Urban Development, under Title I of the Housing and Community Development Act of 1974, as amended.

BE IT FURTHER RESOLVED that the Department of Community Development staff are hereby authorized and directed to respond to all citizens comments received regarding the Township of Middletown 2009 Annual Action Plan and make such revisions or modifications to the Annual Action Plan as may be necessary or appropriate based on such comments.

BE IT FURTHER RESOLVED that the Mayor and other authorized appropriate and responsible officials be and they are hereby authorized and directed to execute on behalf of the Township of Middletown such certifications and other documentation as may be required the US Department of Housing and Urban Development.

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

RESOLUTION NO. 08-269

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MIDDLETOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZING THE SALE OF TOWN-OWNED PERSONAL PROPERTY
WHICH EXCEEDS THE FAIR MARKET VALUE OF \$ 2,625.00 IN
ACCORDANCE WITH N.J.S.A. 40A:11-36**

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

WHEREAS, N.J.S.A.40A:11-36 further provides that said sale shall be an on-line sale to the highest bidder if the property to be sold therein has an estimated fair value in excess of \$ 2,625.00 and is neither livestock nor perishable goods; and

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

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

WHEREAS, the Township of Middletown will conduct its on-line auction beginning December 6, 2008 and ending on December 10, 2008.

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

1. That the Township of Middletown's Director of Public Works is authorized and directed to collect all personal property owned by Middletown Township which is no longer needed for public use and all property held by the Police Department under the circumstances described above.
2. Sell all such property thru an on-line auction to the highest bidder, which shall be advertised and directed in accordance with applicable state law.
3. That all proceeds, less any reasonable and necessary expenses, from said sale shall be paid into the General Municipal Treasury.
4. That a public notice shall be placed in the Courier and the Asbury Park Press setting forth the date and time of the on-line auction together with a description of the items to be sold.
5. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- A) Purchasing Agent
- B) Comptroller
- C) Lawrence M. Werger, Director of Public Works
- D) Robert Oches, Chief of Police

Resolution No. 08-270

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR:
ACTUARIAL SERVICES**

WHEREAS, notice of the Request for Proposals was published on September 4, 2008, and

WHEREAS Request for Proposals were received by the Purchasing Department on September 24, 2008, and

WHEREAS, three valid proposals were received, and

WHEREAS, the Township's Purchasing Agent referred the proposals to the Chief Financial Officer for review and recommendation, and

WHEREAS, the Chief Financial Officer has recommended a contract with Aon Consulting Inc.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey are hereby

authorized to execute a contract with Aon Consulting Inc., to provide Actuarial Services, at a cost of \$ 10,500.00

BE IT FURTHER RESOLVED, that Aon Consulting Inc., shall comply with the Equal Employment Opportunity requirements of N.J.S.A. 10.5-31, et seq. (N.J.A.C. 17:27)

BE IT FURTHER RESOLVED, that the Chief Financial Officer has filed the attached certification stating that funds are available in the 2008 budget in the following line and amount:

ACCOUNT #	AMOUNT
8-01-20-135-100-225	\$ 10,500.00

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

- A) Chief Financial Officer
- B) Purchasing Agent

BINGO AND RAFFLES

PTO FAIRVIEW,	08-141
PTO FAIRVIEW	08-142
St. Leo the Great Church,	08-143
RAS St. Catherines	08-144
RAS St. Catherines	08-145
St. Catherine's Church	08-146
St. Catherine's Church	08-147
St. Catherine's Church,	08-148
St. Catherine's Church	08-149

VOLUNTEER FIREFIGHTERS

None

TOWNSHIP COMMITTEE COMMENTS

Committeeman Byrnes expressed concern over the flooding on Monmouth Ave., he had visited the location. Committeeman Byrnes requested that DPW follow up on the issue. Committeeman Byrnes discussed the on-going leaf pick up and hopes to adjust it. Committeeman Byrnes stated he had received the budget and needed to focus on DPW and Recreation. Committeeman Byrnes stated he was satisfied with the Administrator

and CFO's budget approach. Committeeman Byrnes discussed real estate and property maintenance and contracting out some of the maintenance.

Committeeman Short stated he had participated in the department meetings for the budget, he stated it was a tight budget with no help from the State. Committeeman Wright praised the Administrator and CFO for the budget drills. Committeeman Short emphasized cost savings and revenue. Committeeman Short congratulated Deputy Mayor Brightbill on her re-election and Anthony Fiore on his election to the Township Committee.

Committeeman Wilkens stated he was happy that resolution 08-266 the Parks and Rec. Master Plan was completed and hoped to realistically implement the Master Plan. Committeeman Wilkens stated he would like to stay involved with the Plan in the coming years and work on its implementation. Committeeman Wilkens congratulated the voters and the all the newly elected officials. Committeeman Wilkens congratulated both Deputy Mayor Brightbill and Anthony Fiore. Committeeman Wilkens stated he had marched in the Veterans Day Parade and commended the 82nd Airborne. Committeeman Wilkens stated he was grateful to the soldiers and honored to participate in the parade.

Deputy Mayor Brightbill stated she was honored to visit with the officers of the 82nd Airborne. Deputy Mayor Brightbill commented on the receipt of the bronze star from Joseph Zafazicki on November 13th. Deputy Mayor Brightbill noted there was an issue at the Arts Center where people are leaving their cars idling as they use it for a pick up station for the Train. Deputy Mayor Brightbill reminded residents of the No Idling State statute and requested signs. Deputy Mayor Brightbill announced Middletown Helps Its Own and the VFW would be making deliveries Friday and Saturday and discussed posting the names of new appointments on the Website in January.

Mayor Scharfenberger commended the volunteers for giving supplies to the soldiers stating the donated items saved lives and helped children. Mayor Scharfenberger stated it was great to see the WWII veterans at the parade which was very well attended and the Brownies, Girl and Boy Scouts were their as well. Mayor Scharfenberger noted the Tietjen fund raiser has grown and 150 families have singed up. Mayor Scharfenberger congratulated Deputy Mayor Brightbill on her re-election and Anthony Fiore on his election to the Township Committee.

PUBLIC COMMENTS

Tom Hall, 105 Lehigh Drive, Lincroft: Former Mayor and Township Committeeman Hall commented on the recent election and the great speach given by Senator McCain.. Mr. Hall commented on the margin of victory in the recent election and the offered the following advice to the Committee: Thomas Jefferson said focus on the majority not the minority of members in the audieneces. Mr. Hall wished all the elected officials well.

Bob Supreffie of Leonardo complained about leaf pick up and requested a code that cannot relocate and trash leaves. Mr. Supreffie requested an ordinance not to transfer leaves.

Tom Stokes, Glen Oaks Drive, Middletown stated that the wind blows the leaves around the neighborhoods and requested a tarping ordinance. Mr. Stokes requested an e-mail notification when the leaves were being picked up in January.

Andrew Bane, Raritan Ave, Leonardo stated not rotating the leaf pick up was the issue. The leaves were not all down yet and then no pick up in some areas till January. Mr. Bane commented on the State budget deficiency and objected to the new Pre-Kindergarten mandate. Mr. Bane requested all the Township Committee to attend the Vetran's Day Parade.

Larry Loigman, 110 Highway 35, stated that in August the Police officers were sworn in and are working now. Mr. Loigman stated 3 were finishing field training, one dropped out, one was injured and one resigned. Mr. Loigman questioned the screening, personnel management, and background investigations. Mayor Scharfenberger stated that a physch exam cannot predict and injury or what can happen after a recommendation. Mr. Loigman stated it is a flaw in the process and asked for a review. Mr. Loigman discussed the pending civil law suits and complained about the process. The Administrator stated Mr. Loigman's comments were offensive and that the Police Department does an detailed background and physhological check. Things can happen that cannot be predicted. The Adminstrator noted this is not a light-hearted process.

ADJOURNMENT

It was moved by Mayor Scharfenberger, seconded by Deputy Mayor Brightbill and carried to adjourn the meeting into executive session at 9:05 pm. The Township Attorney read the following resolution for the record:

RESOLUTION EXECUTIVE SESSION:

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

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

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

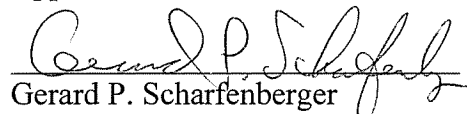
1. Contract Negotiations – N.J.S.A. 10:4-12(b)(4)/ Personnel - NJSA 10:4-12(b)(8)
 - Personnel Matters relating to Contract Negotiations- “ATOD” upon formal action, estimated July 2009. Professional Services
 - PBA Contract Negotiations /Arbitration- “ATOD” upon formal action, estimated July 2009.

Respectfully submitted,



Heidi R. Abs,
Township Clerk

Approved:



Gerard P. Scharfenberger
Mayor, Township of Middletown