

## WORKSHOP MEETING

Township of Middletown  
Minute Book  
December 1, 2008

An Action Workshop Meeting of the Township Committee of the Township of Middletown was held in the Main Meeting Room at Town Hall, One Kings Highway, Middletown, New Jersey, at 8:00 PM on December 1, 2008.

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

The Notice Requirements provided for 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:        Present        Brightbill, Byrnes, Wilkens, Mayor Scharfenberger  
                     Absent         Short

### **KNOWN ACTION ITEMS:**

#### **PUBLIC HEARING ON PROPOSED ORDINANCES**

##### **Ordinance #2008-2952**

Clerk Abs read the following ordinance by title for second reading:

Bond Ordinance Reappropriating \$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

Mayor Scharfenberger opened the public hearing:

Don Watson, 10 Collision Drive, questioned the name and address clarification. The CFO addressed Mr. Watson's concern.

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

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

Clerk Abs stated motion carried to adopt ordinance on second and final reading.

##### **08-271 Resolution Authorizing an Emergency Appropriation 2008 Budget -Insurance**

It was moved by Mayor Scharfenberger, seconded by Committeeman Wilkens to adopt resolution 08-271.

Roll Call Vote:        Ayes: Brightbill, Byrnes, Wilkens, Mayor Scharfenberger

Nays: None  
Absent: Short

Clerk Abs stated motion carried to adopt resolution 08-271.

RESOLUTION No 08-271

**EMERGENCY APPROPRIATION  
NJS 40A:4-48**

WHEREAS, an emergency has arisen with respect to Insurance Claims as a result of one large unexpected workers compensation claim exceeding \$250,000 and three unexpected extraordinary medical claims exceeding \$100,000 each, and no adequate provision was made in the 2008 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$500,000.00 and three (3) percent of the total operating appropriations in the budget for 2008 is \$1,480,607.00 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2008,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is here by made for:

**8-01-23-220-100-200 - Insurance - Other Expense in the amount of \$500,000.00**

2. That said emergency appropriation shall be provided for in full in the 2009 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

**REGULAR AGENDA FOR December 15, 2008**

6. CERTIFICATE OF APPRECIATION/PROCLAMATION

- a. Recognition of Mike and Erika Ruane for their Efforts Creating "Breast Friends Forever" a Family Cancer Support Charity
- b. Proclamation for National Drunk and Drugged Driving (3D) Prevention Month December 2008

7. PUBLIC HEARING OF PROPOSED ORDINANCES
8. INTRODUCTION OF PROPOSED ORDINANCES
9. MINUTES
  - a. October 6, 2008 Executive Session
  - b. October 6, 2008 Workshop Meeting
  - c. October 20, 2008 Executive Session
  - d. October 20, 2008 Regular Meeting
10. CONSENT AGENDA
  - a. Payment of Bills
  - b. Bingo and Raffles
  - c. Volunteer Firefighter Applications
11. **DISCUSSION FOR December 1, 2008**
  - a. Community Development Mortgages Cancellations
  - b. 2006 Road Reconstruction -Navesink Area Contract Change Order
  - c. Award of Contract for Engineering Services-Conifer Baseball Fields
  - d. Township Newsletter-Middletown Matters
  - e. Beacon Hill Road
  - f. Award of Contracts:
    - i. Protective Clothing
    - ii. Large Diameter Hose
    - iii. Protective Boots
    - iv. Fish Hawk Drive Drainage Improvements
    - v. Groundwater Monitoring Well

**Award of Contract for Engineering Services-Conifer Baseball Fields**

The Township Attorney discussed that the award maybe be possible by the next meeting.

**Township Newsletter-Middletown Matters**

The Public Information Officer discussed the funding the newsletter and the approximate cost of \$54,000. The Public Information Officer discussed changing the paper's weight.

**Beacon Hill Road**

The Committee discussed Beacon Hill becoming a private road. The Administrator recommended privatizing the road per the request of residents. A request was made for a review by the Police and

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Fire Department and their recommendations. It was noted that a street vacation would be required in order to privatize the road. The Township Committee discussed the possible concerns of the resident's access and roadways. The Township Committee discussed the golf course and the concerns about the golf crossing.

### TOWNSHIP COMMITTEE COMMENTS:

Committeeman Sean Byrnes expressed his concern over the economy and the financial crisis and stated a close look at the departmental budget solutions. Committeeman Byrnes requested the CFO target a % budget increase. Committeeman Byrnes requested looking at the services and programs. Committeeman Byrnes requested a target % increase for savings. Committeeman Byrnes discussed revaluation for public hearings and the website for explanations and misconceptions. Committeeman Byrnes commended the detailed engineer report regarding the Arts Center environmental issues. Committeeman Byrnes discussed that the testing is moving forward and the negative contamination requesting no further action. Committeeman Byrnes discussed the \$20K Shadow Lake project and concerns over how the money was to be spent and where the spoils would be placed.

Committeeman Patrick Short was absent.

Committeeman Thomas Wilkens stated he was encouraged by the input by the CFO and Administrator on the budget process. Committeeman Wilkens stated the revaluation letters were out and he encouraged people to come in and discuss how the assessment is made and obtain information for appeals. Committeeman Wilkens encouraged residents to check the Middletown festivities holiday events.

Committeeman Byrnes stated he would like to see a revenue increase for rental fees.

Committeeman Wilkens discussed the Arts Council Education Sub-Committee.

Committeeman Byrnes stated he would like a resolution proposing meeting material be placed on the web-site.

Committeeman Wilkens reminded people of the upcoming Swim Club Utility meeting, Dec. 15, 7:00 p.m.

Deputy Mayor Brightbill stated she attended the New Jersey State League of Municipalities conference. Deputy Mayor Brightbill stated she attended classes and learned useful information. Deputy Mayor Brightbill requested the Administrator prepare a summary report from Department and Division Heads attending the conferences. The Administrator discussed the mandatory training requirements imposed on certain job titles. The Administrator discussed that some employees were sent on assignment for example because of classes on COAH. Deputy Mayor Brightbill discussed the Conifer Ribbon Cutting and the re-valuation appointments. Deputy Mayor Brightbill expressed an interest in seeing what is going on the web-site.

Mayor Scharfenberger discussed calls from residents on the re-valuation and the current falling market values. Mayor Scharfenberger discussed the reliability of the data. Mayor Scharfenberger

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discussed property taxes in New Jersey and the possibility of a resolution asking the legislature to devise a system to change the property tax formula. Mayor Scharfenberger reminded residents of the breakfast with Santa on December 7 and the Christmas tree lighting as well as the December 8<sup>th</sup> Eagle Scout ceremony.

### PUBLIC COMMENTS:

Greg Silva, Director of Parks and Recreation encourage people to attend the \$5k run on Saturday at Poricy Park.

Dora Cristafuli 107 Melrose Place, complained regarding leaf pick-up. The Administrator stated the Township was looking at speeding up the process but did not want to schedule overtime. Ms. Cristafuli discussed having landscapers get no charge for delivery to Kane's Lane. Ms. Cristafuli discussed the cost of services vs. efficiency.

Pat Walsh, 109 West Front Street, River Plaza questioned the amount of the appropriations for health costs. The CFO reviewed the issue and discussed the Township being self insured and the trends used for budgeting. The CFO discussed how 2 years ago the account had a surplus and this year there were some big claims. Committeeman Byrnes stated the prediction was off by \$800,000. The CFO stated you cannot predict outside premiums. Committeeman Byrnes discussed purchasing insurance. The Assistant Administrator noted how expensive that would be for the Township. Ms. Walsh questioned the amount of the whole budget. Committeeman Byrnes stated that would be based upon figures from the State. Ms. Walsh questioned what changes were included inside the CAP. The CFO stated you cannot bank the Tax Levy CAP. Ms. Walsh discussed the possibility of reducing pension payments. The CFO stated that is a policy issue to be addressed by the Governor. The CFO noted Middletown's current payment of \$3.2 million which was 6.5 cents of taxes. The CFO stated he did not recommend full deferral but this was a policy issue. The CFO stated that 2010 would be a lighter year based on debt service.

Vincent Moran complained about leaf pick-up and stated he would like to see contractors who can dump at Kane's Lane at no charge. The Township Administrator stated he would look into licensing contractors. Mr. Moran stated that people who hire contractors should be allowed to dump for free. The Administrator explained the complexity of the leaf pick up and discussed the efforts of the public works employees. Mr. Moran complained about a neighboring property that needed repairs. Mayor Scharfenberger addressed Mr. Moran's concerns.

Phil Nicolaus, 35 Turner Drive requested that the Township stop canceling Community Development mortgages and that the lien goes on in perpetuity. Mr. Nicolaus stated he objected to giving loans to the income eligible, these people should not be rewarded for failing to maintain their properties. The Administrator discussed a mandate for COAH purposes to rehabilitate

Don Watson 10 Collinson Drive encouraged composting and questioned the drainage improvements on Fish Hawk. The Township Engineer stated the slope was being stabilized and the pipe was being fixed..

and curb cuts are expected.

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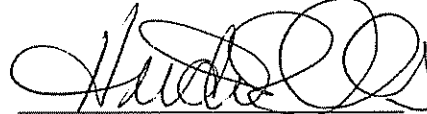
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**ADJOURNMENT**

It was moved by Mayor Scharfenberger, seconded by Committeeman Wilkens and carried to move to adjourn at 9:16 p.m. by the following vote:

Roll Call Vote:	Aye	Brightbill, Byrnes, Wilkens, Mayor Scharfenberger
	Nay	None
	Abstain	None
	Absent	Short

RESPECTFULLY SUBMITTED BY:



HEIDI R. ABS, RMC  
TOWNSHIP CLERK

APPROVED:

  
GERARD P. SCHARFENBERGER, MAYOR