

An Action Workshop Meeting of the Township Committee of the Township of Middletown was held in the Conference Room at Town Hall, One Kings Highway, Middletown, New Jersey, at 8:00 PM on March 9, 2009.

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 8, 2009.

Roll Call: Present- Byrnes, Fiore, Scharfenberger, Short
Absent- Mayor Brightbill

PLEDGE OF ALLEGIANCE

KNOWN ACTION ITEMS:

**09-073 RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR TORO
GROUND MASTER MOWERS- REMOVED FROM AGENDA SCHEDULED
FOR MARCH 16, 2009**

Upon motion by Deputy Mayor Scharfenberger, seconded by Committeeman Fiore it was carried to adopt resolution 09-091 by the following roll call vote:

Roll call vote: Aye: Byrnes, Fiore, Scharfenberger, Short
Absent: Brightbill

**09-091 RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR
THERMAL IMAGING CAMERAS-FIRE DEPARTMENT**

WHEREAS, bids were received on February 18, 2009, and;

WHEREAS, one (1) bid was picked up by a vendor, and one (1)

Responsive Bid was received as follows:

<u>VENDOR</u>	<u>AMOUNT</u>
1. NEW JERSEY FIRE EQUIPMENT 923 N. WASHINGTON AVENUE GREENBROOK, N.J. 08812	\$ 27,700.00

Bids were advertised as per N.J. State Statutes and affidavit of publication is

on file in the Office of the Township Clerk.

NEW JERSEY FIRE EQUIPMENT, 923 N. WASHINGTON AVENUE,

GREENBROOK, N.J. 08812, shall Furnish and Deliver the following as per Bid

Proposal & Specifications & Covenants thereof dated February 18, 2009. said

bidder being the Lowest Responsible Bidder.

DESCRIPTION

VENDOR

FOUR (4) THERMAL
IMAGING CAMERA'S
FOR THE FIRE DEPARTMENT

NEW JERSEY FIRE EQUIPMENT
923 N. WASHINGTON AVENUE
GREENBROOK, N.J. 08812

WHEREAS, bids have been reviewed by the Purchasing Agent and
John Kardell, Fire Chief, and it is their recommendation that the contract be
awarded to NEW JERSEY FIRE EQUIPMENT, 923 N. WASHINGTON AVENUE,
GREENBROOK, N.J. 08812, in the amount of: \$ 27,700.00

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

1. It hereby awards the contract for "Thermal Imaging Camera's to New
Jersey Fire Equipment, 923 N. Washington Avenue, Greenbrook, N.J. 08812.
for a total of: \$ 27,700.00

2. BE IT FURTHER RESOLVED, this contract is awarded pursuant to a Fair
and Open Process in accordance with N.J.S.A. 19:44A-20.5 et seq.

WHEREAS, the Chief Financial Officer of the Township of Middletown has
certified that adequate funds for such contract are available, and are designated to line
item appropriation of the official budget no. stated below. A copy of the said certification
is attached hereto and made a part hereof and the funds to be expended herein are

assigned to no. stated below. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the certification of availability of funds has been provided and a copy of the within resolution shall be made a part of the file concerning said resolution and appointment.

2008 M.C.I.A. - \$ 10,438.88
G-02-40-700-378-008 - \$ 17,261.12

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

- A) Purchasing Agent
- B) Comptroller
- C) John Kardell, Fire Chief
- D) All of the above bidders

Upon motion by Deputy Mayor Scharfenberger, seconded by Committeeman Fiore it was carried to adopt resolution 09-092 by the following roll call vote:

Roll call vote: Aye: Byrnes, Fiore, Scharfenberger, Short
 Absent: Brightbill

**09-092 RESOLUTION AUTHORIZING APPROVAL OF CD MORTGAGE
SUBORDINATION**

WHEREAS, Title I of the Federal Housing and Community Development Block Grants (CDBG) program is to be administered by local municipalities to improve housing stock of income eligible homeowners and the Township of Middletown is an Entitlement Community as defined under the said Act, which receives federal grants;

WHEREAS, these program grants are utilized, in large part, to fund home rehabilitation projects for income eligible owner-occupied households that are single family dwelling units;

WHEREAS, upon completion of a home rehabilitation project, the CDBG program encumbers the subject property with a six year mortgage lien (CDBG Mortgage) for the project costs incurred on behalf of the Township, with the lien being forgiven and cleared, subject to the required terms and conditions being met, from the subject property's title after six years has elapsed;

WHEREAS, during the six year life of the CDBG Mortgage lien, a property owner seeks to refinance their principal home mortgage by a new first mortgage or to

obtain a home equity loan, and this proposed refinancing or equity line, therefore, triggering a lender to request the Township voluntarily take a secondary and subordinate position in title to the new mortgage or equity line to allow the refinancing to proceed;

WHEREAS, it is often in the Township's and Owner's best interest to allow such refinancing to proceed so that the Owner of the subject property can refinance with more favorable terms, possibly averting foreclosure or other adverse financial impacts;

WHEREAS, on September 17, 2007, the Township Committee adopted Resolution No. 07-238 establishing certain policies limiting the circumstance under which such subordinations of the Township's CDBG Mortgage liens could take place, including a limit on acceptable loan-to-value ratios of 92%;

WHEREAS, current economic conditions have dramatically declined, foreclosures have increased in frequency, and home values and interest rates have substantially declined since the adoption of Resolution No. 07-238;

WHEREAS, a CDBG program participant has approached the Township regarding accepting a CDBG Mortgage lien subordination to allow a refinancing to move forward at a 95% loan-to-value ratio in contravention of the Township's policy established under Resolution No. 07-238;

WHEREAS, the Township Planner has recommended approving this request and the Administrator and Township Attorney have reviewed the Planner's recommendation to grant this CDBG program participant's request for subordination of the Township's CDBG Mortgage lien, and determined that it is in the best interest of the Township to allow an exception to the Township's policy regarding acceptable loan-to-value ratios to be exceeded by 3% to avert the potential foreclosure of the participant's property by allowing a refinancing to move forward saving the homeowner \$250 per month in principal mortgage payments.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that the Township's policy regarding loan-to-value ratios set forth under Resolution No. 07-238 be waived in this one instance, as follows:

Authorizing the entry and execution of a Subordination of Mortgage Agreement subordinating the Township's \$12,295 CDBG Mortgage lien to Precision Financial, Inc. for homeowners George and Jody Tammaro in relation to their owner-occupied dwelling covering the property known to be situated at Block 183, Lot 1 in the Township of Middletown with a calculated loan-to-value ratio of 95%.

Upon motion by Deputy Mayor Scharfenberger, seconded by Committeeman Fiore it was carried to adopt resolution 09-093 by the following roll call vote:

Roll call vote: Aye: Byrnes, Fiore, Scharfenberger
 Nay: Short
 Absent: Brightbill

09-093 RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATION FOR THE 2009 BUDGET

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2009 temporary budget for the aforesaid purposes, and

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

WHEREAS, the total emergency temporary resolutions adopted in the Year 2009 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$7,958,769 and

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

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

Account Number	Description	Amount
Current Fund		
9-01-20-100-100-100	A/E S&W	\$ 54,000.00
9-01-20-100-101-100	PURCHASING S&W	18,000.00
9-01-20-100-101-200	PURCHASING O&E	2,000.00
9-01-20-110-100-208	TOWNSHIP COMMITTEE OTHER EXPEN	900.00
9-01-20-120-100-100	TOWNSHIP CLERK S&W	20,500.00
9-01-20-130-100-100	FINANCE - S&W	52,500.00
9-01-20-130-100-200	FINANCE - O&E	4,150.00

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9-01-20-140-100-100	MIS - S&W	44,000.00
9-01-20-140-100-200	MIS - O&E	12,500.00
9-01-20-145-100-100	COLLECTOR - S&W	37,500.00
9-01-20-145-100-200	COLLECTOR- O&E	10,000.00
9-01-20-150-100-100	ASSESSOR S&W	28,500.00
9-01-20-155-100-200	LEGAL O&E	65,000.00
9-01-21-180-100-100	PLANNING - S&W	25,000.00
9-01-21-180-100-200	PLANNING - O&E	20,000.00
9-01-21-180-101-100	PLANNING BOARD - S&W	7,000.00
9-01-21-180-101-200	PLANNING BOARD - O&E	600.00
9-01-21-185-100-100	ZONING BOARD S&W	5,500.00
9-01-21-185-100-200	ZONING BOARD O&E	400.00
9-01-22-195-100-100	INSPECTIONS - S&W	147,500.00
9-01-22-195-100-200	INSPECTIONS O&E	4,500.00
9-01-23-210-100-200	INSURANCE CLAIMS CONTROL ACCT	110,000.00
9-01-23-215-100-221	INSURANCE - WORKMEN"S COMP	150,000.00
9-01-23-220-100-200	INSURANCE- O&E	500,000.00
9-01-23-225-100-225	INSURANCE-UNEMPLOYMENT	25,000.00
9-01-25-240-100-100	POLICE - S&W	1,600,000.00
9-01-25-252-100-101	EMERG MGMT-REGULAR SALARIES &	3,000.00
9-01-25-252-100-200	EMERG MGMT - O&E	6,500.00
9-01-25-255-100-621	FIRE-AID SUBSIDY TO FIRE COMPA	75,000.00
9-01-25-260-100-200	FIRST AID - O&E	8,500.00

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9-01-25-260-101-621	FIRST AID-SUBSIDY TO COMPANIES	60,000.00
9-01-25-265-100-200	FIRE - O&E	175,000.00
9-01-25-265-101-101	UNIFORM FIRE SAFETY-REGULAR SA	13,750.00
9-01-25-265-101-200	UNIFORM FIRE SAFETY - O&E	2,650.00
9-01-25-265-102-306	FIRE-UNIFORM FIRE SAFETY-LEA R	8,000.00
9-01-25-275-100-101	PROSECUTOR-REGULAR SALARIES &	11,500.00
9-01-25-275-100-208	PROSECUTOR-OTHER EXPENSES	100.00
9-01-25-280-100-228	POLICE-JAIL OPERATIONS	500.00
9-01-25-445-100-273	FIRE-HYDRANT SERVICES	87,500.00
9-01-26-290-100-100	STREETS & ROADS- S&W	505,000.00
9-01-26-290-100-200	STREETS & ROADS - O&E	87,500.00
9-01-26-290-101-200	SNOW - O&E	150,000.00
9-01-26-305-100-100	RECYCLING - S&W	23,000.00
9-01-26-305-100-200	RECYCLING - O&E	117,500.00
9-01-26-310-100-259	PBG-Maint of Twp Property PY	21,000.00
9-01-26-315-100-200	VEHICLE MAINT- O&E	50,000.00
9-01-26-325-100-250	DPW-CONDOMINIUM MAINTENANCE	5,000.00
9-01-27-330-100-100	HEALTH - S&W	75,000.00
9-01-27-330-100-200	HEALTH - O&E	5,500.00
9-01-27-330-101-100	ALLIANCE - S&W	12,500.00
9-01-27-340-100-624	DOG-CONTROL-OTHER EXPENSES	6,000.00
9-01-27-345-100-101	PUB ASSIST-REGULAR SALARIES &	12,500.00
9-01-27-345-100-200	PUB ASSIST - O&E	425.00

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9-01-28-370-100-100	PARKS- S&W	250,000.00
9-01-28-370-100-200	PARKS- O&E	50,000.00
9-01-29-390-100-100	Maintenance of Free Public Library	500,000.00
9-01-31-430-200-200	UTILITIES - O&E	250,000.00
9-01-31-435-200-271	STREET LIGHTS-ELECTRICITY	115,000.00
9-01-35-470-200-208	CONTINGENCIES	10,000.00
9-01-43-490-100-100	COURT - S&W	56,500.00
9-01-43-490-100-200	COURT - O&E	6,000.00
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		5,705,475.00
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 Solid Waste District		
9-15-26-305-000-280	SWD CONTRACTUAL SERVICES	485,493.70
9-15-26-305-000-290	SWD DISPOSAL FEES	472,500.00
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		957,993.70
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 Swim Utility		
9-27-55-500-000-200	O&E	50,000.00
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2. That said emergency temporary appropriations will be provided for in the 2009 budget under the appropriate titles.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

REGULAR AGENDA FOR MARCH 16, 2009

CERTIFICATE OF APPRECIATION/PROCLAMATION

- a. Employee of the Month for February 2009
- b. Proclamation for National Library Week

APPROVAL OF MINUTES

- a. January 20, 2009 Executive Session
- b. January 20, 2009 Regular Meeting

PUBLIC HEARING OF PROPOSED ORDINANCES

- a. 2009-2953 Ordinance Amending Chapter 16 of the Planning and Development Regulations Establishing New Application, Escrow And Other Allowable Fees For Planning And Zoning
Board Applicants
- b. 2009-2954 Ordinance Regulating The Placement And Use Of Charitable Clothing Bins
- c. 2009-2955 Ordinance Establishing the Position of Municipal Housing Liaison
- d. 2009-2956 Ordinance Establishing Policy Regarding The Video Recording Of Open Public Meetings
- e. 2009-2957 Ordinance Suspending Township Committee Salaries for 2009

CONSENT AGENDA

- a. Resolutions
- b. Bingo and Raffle Applications
- c. Volunteer Firefighter Applications

DISCUSSION FOR MARCH 9, 2009

- a. Emergency Services Presentation
- b. Purchasing Bids:
 - Fertilization & Chemical Treatment - Parks
 - Concession Vendor- Swim Club
 - CPO Services- Swim Club
- c. Website Material-Clerk's Office
- d. Monmouth County Pre-Disaster Mitigation Plan
- e. Township Fee Ordinance Update
- f. Drug Free School Zone Map Update
- g. NJ Transit / Commuter Lot
- h. Monmouth County Food Shopping Agreement
- i. Sewerage Authority Compensation
- j. Public Intoxication Ordinance
- k. Government Affairs Consultant- Appropriation Requests

- l. Verizon FIOS
- m. Professional Services Contract Rate Reduction
- n. Finance-Transfer of 2008 Appropriation Reserves
- o. Finance-Emergency Temporary Appropriation-Moved to Action (09-093)
- p. Salary Ordinance Amendment
- q. Corrective Action Plan 2007 Audit
- r. Developer Disclosure Ordinance
- s. Central Jersey Council of Governments
- t. 2009 Grant from the Monmouth County Office on Aging
- u. Rude Awakening Grant Revision 2009 (Police Department)

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Fiore announced meetings for the budget review and gave credit to the Public works department for the recent snow removal. Committeeman Fiore discussed the grant received by the Fire Chief and commended their efforts. Committeeman Fiore also commended the Middletown Elks on their annual Charity Ball and their great community events. Committeeman Fiore also announced his efforts trying to schedule the Parks and Recreation Master Plan Implementation Committee meetings.

Committeeman Byrnes discussed one of the budget meetings he attended with Public Works and stated it was productive. Committeeman Byrnes stated he supported more budget discussion and getting resolutions on the website.

Committeeman Short announced the Volunteer Networking Event scheduled at the Middletown Arts Center.

Deputy Mayor Scharfenberger commended the Arts Award Ceremony and the Elks Charity Ball. Deputy Mayor Scharfenberger asked that the Township attend to the Trezza Ball Fields due to their condition. Deputy Mayor Scharfenberger also commented on the Governor's speech and opposed the State budget for 2009-2010 and unfunded mandates.

PUBLIC COMMENTS:

Jim Grenafege suggested contacting Brookdale Community College for interns or the High School to help with the Website. Mr. Grenafege suggested a stricter deadline for agenda item submissions. Mr. Grenafege also discussed furloughing employees and staggering work schedules, and sick time awarded rate. Mr. Grenafege also requested a comparison between the revenue at the Arts Center and the cost of utilities.

Andrew Bane questioned Committeeman Byrnes' right to post meeting materials on his own website without township consent. Mr. Bane also requested information on the process for obtaining copies of legal bills.


Don Watson discussed a cut it and leave it policy for natural fertilizing, also discussed the ball fields at conifer tract and their drainage.

Patricia Walsh discussed the video recording of meetings and objected to the new ordinance. Mrs. Walsh also objected to the amount of time there was discussion on the website material.

ADJOURNMENT:

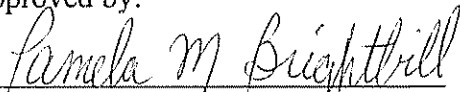
Upon motion by Deputy Mayor Scharfenberger, seconded by Committeeman Fiore it was carried to adjourn the public portion and move to executive session by the following roll call vote:

Roll Call Vote: Ayes: Byrnes, Fiore, Scharfenberger, Short
 Absent: Brightbill



Heidi R. Abs, Township Clerk

Approved by:



Pamela M. Brightbill, Mayor