

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 August 3, 2009.

Township Clerk, Heidi Brunt, 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, The Star Ledger, The Independent, and Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on January 8, 2009.

Roll Call: Present- Byrnes, Fiore, Scharfenberger, Short, Mayor Brightbill
Absent- None

PLEDGE OF ALLEGIANCE

- a. Moment of Silence to Honor the Troops Serving Word Wide Defending our Freedoms and Way of Life

KNOWN ACTION ITEMS:

INTRODUCTION OF PROPOSED ORDINANCES:

Ordinance 2009-2985

Bond Ordinance Providing An Appropriation Of \$4,645,250 For Various Capital Improvements By And For The Township Of Middletown In The County Of Monmouth, New Jersey And Authorizing The Issuance Of \$4,231,878 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Committeeman Short discussed the aerial fire truck. The Administrator discussed the rotation of the fire trucks. Mayor Brightbill stated she had discussed with the fire departments different recommendations. Committeeman Fiore requested an inventory of the fire trucks. Committeeman Short requested a projected cost plan. Committeeman Byrnes requested a capital plan over five years. The Administrator discussed prior meetings with the Committee regarding the capital plan and debt services. The Administrator discussed the road management plan that was in place as well as this year's implementation of the Parks and Recreation master plan and long term savings. The Administrator discussed the impacts on the delay of purchasing a fire truck and insurance issues as well as the rotation timeline. The Administrator discussed the long range capital planning for 5 years with the department heads.

It was moved by Mayor Brightbill, seconded by Deputy Mayor Scharfenberger to pass the ordinance on first reading with the public hearing to be held for the August 17, 2009 Regular Meeting.

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

Clerk Brunt stated motion carries to introduce Ordinance 2009-2985 with a public hearing to be held on August 17, 2009.

Ordinance 2009-2986

Bond Ordinance Providing An Appropriation Of \$1,405,000 For Various Park Improvements By And For The Township Of Middletown In The County Of Monmouth, New Jersey And Authorizing The Issuance Of \$1,334,750 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation

Committeeman Short questioned resurfacing the rinks, skate parks and dugouts and the inclusion of parks in the resurfacing.

It was moved by Mayor Brightbill, seconded by Deputy Mayor Scharfenberger to pass the ordinance on first reading with the public hearing to be held for the August 17, 2009 Regular Meeting.

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

Clerk Brunt stated motion carries to introduce Ordinance 2009-2986 with a public hearing to be held on August 17, 2009.

Resolution 09-205:

Township Clerk Brunt requested a consent agenda for resolutions 09-205.

The Township Administrator discussed the TAN procedure as well as the timeline regarding tax bills and collection. Committeeman Byrnes commented on the need for a finance committee.

It was moved by Mayor Brightbill, seconded by Deputy Mayor Scharfenberger to pass resolutions 09-205.

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

Clerk Brunt stated motion carries to pass resolution 09-205.

Resolution No. 09-205

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$32,000,000 TAX ANTICIPATION NOTES OF FISCAL YEAR 2009 OF THE TOWNSHIP OF MIDDLETOWN IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AS FOLLOWS:

Section 1. Section 1. In anticipation of the collection of taxes for the Fiscal Year 2009 levied or to be levied in such year or in anticipation of other revenue of such year, and for the purposes provided for in the budget or for which taxes are levied or to be levied for such year, Tax

Anticipation Notes of 2009 of the Township of Middletown, New Jersey, are hereby authorized to be issued at one time or from time to time in the aggregate principal amount not to exceed \$32,000,000 (at any one time outstanding) pursuant to the Local Budget Law of the State of New Jersey, constituting Chapter 169 of the Pamphlet Laws of 1960 of the State of New Jersey and codified at N.J.S.A. 40A:4-1 et. seq. (the "Local Budget Law").

Section 2. The following matters in connection with said notes are hereby determined:

TITLE:	Tax Anticipation Notes of Fiscal Year 2009 (each additional series, if any, shall be designated with a corresponding alphabetical letter)
DATE, NUMBER, DENOMINATION AND PLACE OF PAYMENT:	As may be determined by the Township Acting Chief Financial Officer
MATURITY:	As may be determined by the Township Acting Chief Financial Officer
INTEREST RATE:	As may be determined by the Township Acting Chief Financial Officer
FORM:	Substantially in the form attached hereto

Section 3. The borrowing power of the Township on Tax Anticipation Notes for the fiscal Year 2009 is \$62,223,001 as determined by a certificate of the Township Acting Chief Financial Officer filed in the office of the Township Clerk, such certificate being as follows:

CERTIFICATE

I, Deborah Ball, Township Acting Chief Financial Officer of the Township of Middletown, in the County of Monmouth, New Jersey HEREBY CERTIFY as follows:

1. The gross borrowing power in respect of Tax Anticipation Notes of Fiscal Year 2009, being 30% of the tax levy of the next preceding fiscal year for all purposes, plus 30% of the amount of miscellaneous revenues realized in cash during the next preceding fiscal year is \$62,223,001.
2. The amount of notes outstanding in anticipation of the collection of taxes of the 2009 fiscal year, except such notes as will be renewed by or paid from the proceeds of the notes to be issued, is \$0.

3. The net borrowing power, being the excess of the first over the second of the two above amounts is \$62,223,001.

IN WITNESS WHEREOF, I have hereunder set my hand this 10th day of August 2009.

Section 4. The Township Acting Chief Financial Officer signing such notes is hereby authorized and directed to determine all matters in connection therewith not determined by this or a subsequent resolution and his signature upon said notes shall be conclusive evidence that all such matters have been so determined in manner and effect consistent with the form and substance of such notes. The Township Acting Chief Financial Officer is hereby authorized to sell said Tax Anticipation Notes of 2009 at public or private sale at not less than par and to deliver the same to the purchasers thereof upon receipt of the purchase price plus accrued interest from the dates of the notes to the date of delivery thereof and payment therefor.

Section 5. Said notes shall be general obligations of the Township and the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on said obligations, and, unless otherwise paid or payment provided for, taxes shall be levied in an amount sufficient to pay the principal of and interest on said obligations as the same shall become due and payable.

Section 6. The Township Acting Chief Financial Officer is authorized and directed to report in writing to this Township Committee at the meeting next succeeding the date when the sale of any of said notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full in the minutes of such meeting.

Section 7. This resolution shall take effect immediately.

REGULAR AGENDA FOR AUGUST 17, 2009

1. CERTIFICATE OF APPRECIATION/PROCLAMATION

- a. Employee of the Month for July 2009
- b. Proclamation for September 2009 as National Alcohol and Drug Addiction Recovery Month
- c. Proclamation Declaring Lawrence W. Werger Day in honor of his years of dedicated service as Public Works Director

2. MINUTES

- a. June 1, 2009 Executive Session
- b. June 1, 2009 Workshop Meeting
- c. June 15, 2009 Executive Session
- d. June 15, 2009 Regular Meeting

3. PUBLIC HEARING OF PROPOSED ORDINANCES

- a. 2009-2980 Ordinance Amending Chapter 127 of the Code of the Township Of Middletown to Address Imposition of Fees for Township-Sponsored Marketplaces

- b. 2009-2981 An Ordinance Authorizing The Vacation Of A Paper Road Located On Block 785, Lots 12, 13 & 14 Adjacent To Hartshorne Road, Middletown, Monmouth County, New Jersey
- c. 2009-2982 An Ordinance Of The Township Of Middletown Authorizing The Sale Of Surplus Land No Longer Needed For Public Use To Adjoining Property Owners Pursuant to N.J.S.A. 40A:12-13(B)(5)
- d. 2009-2983 Ordinance Authorizing The Leasing Of Certain Capital Equipment By The Township Of Middletown, New Jersey From The Monmouth County Improvement Authority And The Execution Of A Lease And Agreement Relating Thereto
- e. 2009-2984 An Ordinance Authorizing The Purchase By The Township Of Middletown Of Property Located At Block 795, Lot 17.11, Commonly Known As 54 Ironwood Court For The Purpose Of Preserving It As An Affordable Housing Unit

4. CONSENT AGENDA

- a. Payment of Bills
- b. Bingo and Raffles
- c. Volunteer Firefighter Applications

5. DISCUSSION FOR AUGUST 3, 2009

- a. Disability Insurance Option Presentation
- b. Flood Damage Prevention Ordinance
- c. 2009 Over the Limit Under Arrest Grant Funding
- d. Purchasing Items for Bid
 - i. Truck Wash
 - ii. Leaf Collection Services
- e. Ground Lease Amendment for Fire Academy
- f. Rt. 520/Acme Access Road Improvements
- g. Port Monmouth Flooding
- h. Energy Audit

Disability Insurance Option Presentation: James Nilligan discussed the State Disability plan as well the plan without town liability and employee contributions. Mr. Nilligan stated that employees save money and are paid sooner. Mr. Nilligan discussed savings to the Township as well. Mr. Nilligan spoke about the Hartford-Greg Fryser insurance premium. Mr. Nilligan discussed the reporting process which is telephonic so there is no paperwork. Additionally, it was discussed about the new family leave program and the possible depletion of those funds by the state in November.

Rt. 520/Acme Access Road Improvement: The committee discussed fire trucks/road projects and their impact on the budget. The Township Engineer discussed that road access would not impact the intersection at Swimming River Road and Rt. 520.

Port Monmouth Flooding: The Township Engineer discussed a possible pump station and underground storage. The Township Engineer discussed the cost estimates and phases of the project. Rob Keady of T&M discussed possible 1,000,000 in appropriations from Federal government but it is not funded. Mr. Keady discussed the DEP permits necessary as well as

requesting funds from Congressman Holt and Pallone. Mr. Keady discussed possible easements necessary for the project.

TOWNSHIP COMMITTEE COMMENTS:

Committeeman Fiore stated he was interested in the results of the Energy Audit and stated he looked forward to the results of the waste audit. Committeeman Fiore commented that the information on the disability for the insurance is good and potentially looking at a full scope insurance audit. Committeeman Fiore discussed the CAP improvements and 1.4 miles for recreation. Committeeman Fiore stated he supported the Acme Road access in Lincroft and the fixing the Port Monmouth Flooding.

Committeeman Byrnes requested planning for the CAP and operating budgets for the future. Committeeman Byrnes commended the insurance presentation. Committeeman Byrnes stated he was hopeful for the turf project with the Board of Education. Committeeman Byrnes stated he supported the Lincroft access road and felt that the county should be requested to perform additional improvements. Committeeman Byrnes stated he supported the progress on the Port Monmouth Flooding issue.

Committeeman Short stated that he supported the Acme access road as well as the Port Monmouth flooding solutions. Committeeman Short stated that he supported a strategic planning committee.

Deputy Mayor Scharfenberger stated he supported the flooding solutions for Pt. Monmouth. Deputy Mayor Scharfenberger commended T&M for their work noting they won the 2008 Charles M. Pike Award and the project of the year award for the GSP. Deputy Mayor Scharfenberger stated he hosted a round table meeting at the Elks for candidate Christie and Guadagno for Governor and Lt. Governor. Deputy Mayor Scharfenberger reminded residents of the upcoming Town Hall meeting for Congressman Holt on healthcare reform.

Mayor Brightbill discussed the phases of the Pt. Monmouth flooding project as well as funding and the plan. Deputy Mayor Brightbill requested that the professionals supply the future capital projects in the manner of the flooding project. Mayor Brightbill requested clarification of the proposed projects. Mayor Brightbill stated she supported the turf-field project and was awaiting confirmation of a meeting with the Board of Education. Mayor Brightbill commented on the volunteers of the Township and the great 911 response in River Plaza.

PUBLIC COMMENTS:

Jeannette Ronka, Monmouth Ave, Port Monmouth, thanked the Township Committee for cleaning the pipes but said the flooding is worse. Ms. Ronka encouraged the Township to go forward. Ms. Ronka stated she received a letter stating that \$3 million had been appropriated for the project.

Stan Rosenthal stated he was running as an independent candidate for Freeholder. Mr. Rosenthal questioned if there is anything pending before the County and questioned what could the County be doing for Middletown.

Andrew Bane, Leonardo, discussed the fire truck funding sources as well as the Pt. Monmouth flooding, the storm drains and grass clippings. Mr. Bane requested that a letter be written to Congressman Pallone requesting assistance. Mr. Bane stated that DEP permits were a lengthy process.

Joseph Daily, 633 Monmouth Ave., commented on the flooding situation which he recalls from the 1980's. Mr. Daily stated he supports the township on the progress against this nuisance flooding.

Carol Baker, 9 Rose St., Lincroft, thanked the Township Committee for the progress on the access road behind Acme. Ms. Baker stated the Township needs to respond to the county regarding funding. Ms. Baker stated a mid-block crosswalk should be requested from the County.

Abe Litenberg, Lincroft thanked the committee for moving forward with the access road and requested information on the source of the funding.

Bruce Stafford, 39 Brainard, requested a cross bar on the storm drains. The Township Engineer was requested to follow up. Mr. Stafford complained about grass being blown into the street. The Township Engineer updated the committee on the Broadway improvements as well as raising a section of the roads.

Charles Hausen, 622 Monmouth Ave., stated crossbars are missing on the sewers and debris is being swept into the storm drain.

Phil Nicolaus, 35 Turner Drive, Belford questioned the purchase of the Ironwood property. Mr. Nicolaus stated that the payment was for less than the value and it was selling for less than the value.

Dora Cristafulli, 10 Melrose Place, questioned when tax bills are coming. The Administrator stated they were mailed.

Mike Morris, Eri Drive, discussed a well study regarding contamination. Rob Keady of T&M Engineers stated that they are looking at the flow of groundwater and providing a report.

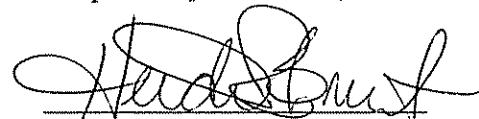
ADJOURNMENT:

Upon motion by Mayor Brightbill, seconded by Deputy Scharfenberger it was carried to adjourn the meeting at 9:57 p.m.

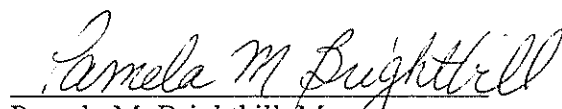
Roll Call Vote: Ayes: Byrnes, Fiore, Scharfenberger, Short, Mayor Brightbill
 Nays: None

Clerk Brunt stated motion carried to adjourn.

Respectfully submitted,


Heidi R. Brunt, Township Clerk

Approved by:


Pamela M. Brightbill, Mayor
Township of Middletown