

YOUR TOWN HALL

The workshop meeting was held in the Conference Room, which was filled to overflowing. People were sitting on the floor due to the lack of seating for the public and the room temperature was excessive because the day was unusually hot. The overflow crowd was remanded to the hallway for the duration of the meeting.

KNOWN ACTION ITEMS

There were two resolutions up for vote at this meeting. Resolution 10-144 was to authorize a temporary budget appropriation. This passed with a vote of 4-1, with Committeeman Brynes voting no. Resolution 10-145 was to authorize the sale of a condo that the Township purchased last fall to preserve it as an affordable housing unit. This resolution passed with a vote of 5-0.

The agenda for the May 17th meeting was read and the Committee went right into the discussion items. Action items for the May 17th meeting include the approval of minutes for the March 15, April 5 and April 19 Executive Session and Public Committee meeting. There will also be a public hearing on ordinance 2010-3005 which will amend the Township Code governing precious metals and gems.

Items for Discussion

A – Fire Department Audits

Administrator Tony Mercantante reviewed the topic saying that there was a previous ordinance voted on this year requiring the Township Fire Departments to provide a copy of their yearly audit in order to receive funding from the Township. He said that the Fire Departments wanted to amend the ordinance with some minor language changes. The Mayor asked if this includes everything that was spoken about previously. Mr. Mercantante

said it essentially changes the requirement from an audit to a check list that the Chiefs have to fill out to certify that their finances are in order.

Attorney Brian Nelson stated that the changes would comply with Sarbanes-Oxley Act of 2002.

B – Recycling Ordinance

Mr. Nelson said that this new ordinance would bring the town into conformance with the County plan. It will authorize businesses to use the recycling facility at Kanes Lane, which will allow the Township to generate more revenue from recycling. It will also require a standard size for containers that homeowners can use. The standard container size will not exceed the 32 gallon trash can.

The Mayor asked the Township Engineer/Director of Public Works, Ted Maloney, what the timetable would be in implementing this new ordinance. Mr. Maloney stated that it would probably go into effect in July and we will make announcements in Middletown Matters, on the Township Website and by other means.

Committeeman Byrnes added that the current garbage pickup is twice a week and the Township pays \$73 per ton of garbage that is dumped into the landfill. When recyclables are brought in the Township receives \$50 per ton, providing the Township with added revenue. He said that 50-60% of the refuse currently collected and disposed of in the landfill is recyclable and that some type of enforcement should be implemented to get more residents to be conscience about sorting their refuse. Mr. Byrnes went on to say that an educational program should be set up with the school system to educate the students better about recycling. He said that the children would be excellent motivators in helping the parents recycle. He also said that the schools should work in conjunction with the Township in the recycling effort.

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Committeewoman Brightbill stated that the Clean Communities Program receives grant monies from the State and it could be used to educate the students. She commented on the presentation by a magician at Harmony School and how educational it was as a vehicle to teach about recycling.

Mr. Byrnes suggested that the 2nd weekly garbage pickup could be used to collect recyclables. He added that this would eliminate the homeowner from storing the recyclables for a month.

Mr. Nelson added that the current Code Enforcement Department would be used to enforce the new ordinance.

C – Citizen Service Act – Mission Statement

Mr. Nelson explained that he has outlined the mission statements for the Commissions and Boards that currently do not have clear definitions.

Committeewoman Brightbill said that she knew that the Committee would not come to a conclusion that evening, but the Recreation Advisory Committee and the Recreation Master Plan Committee should be combined because they both serve the same purpose. She said that the by-laws are wonderful and that the Advisory Committee members should be moved into the Master Plan Committee.

The Mayor suggested that a Military Affairs Committee be formed to assist returning veterans. He was speaking to a retired military officer and he suggested that it would be good to have something like that in the town.

Mr. Nelson went on to say that the Citizen Service Act is to comply with the State Commission from last year. He said that it will also allow the removal of committee members due to irregular attendance and he wanted to get it done by July.

Committeeman Byrnes stated that a budget committee should be formed to review the budgets of the School Board, Sewage

Authority, Library and the Township. He said that it could consist of 2 Township Committee members, 3 members from the School Board and 2 from the general public that should have some Fortune 500 experience. This committee could focus on the School Board budget now and branch off to look at other entities for potential savings. He added that there are real immediate savings in combining grounds maintenance between the Township and School System. Mr. Byrnes stated that he had drafted a resolution for presentation and review, but the Clerk was out sick that day and it could not be distributed to the other Committee members.

The Mayor replied that he and Mrs. Brightbill met with the BOE earlier that afternoon and discussed everything that Mr. Byrnes just spoke of.

Mr. Mercantante agreed with Mr. Byrnes about meeting regularly with the School Board. They've met with Bill Doering, Karen Bilbao and 2 other BOE members that also included the mayor, Nick Trasente and Pam Brightbill. Lots of questions were asked and they will meet again on Thursday. Some things cannot be implemented because there is not enough time for instance, Building and Grounds and Health Insurance.

Sean Byrnes felt the BOE did a great job cutting the budget but doesn't believe without public input this will work. He commented that the meetings are taking place without proper notification. He said that he did have some ideas that he felt should be voiced at the meetings and that he did not have to be present. He said they need people outside the system to contribute.

Tony Fiore did not believe public contribution would make enough of a difference. He said they can't expect the general public to show up once a month and be effective.

Pam Brightbill said that 2 committee members and 4 BOE members met earlier today and the BOE is meeting tonight to discuss what

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took place earlier today. She said they have been through this before and have heard the sincerity before but this time it sounds genuine. She said this time they talked about things that should have been discussed long ago.

Sean Byrnes stated it would have been nice to know ahead of time about the meeting instead of after the fact so that he could provide his input. He said there were 2 press releases and a letter representing the entire Committee when the entire Committee has not discussed the impact of the School Board budget being voted down.

Tony Mercantante said they did talk about building maintenance today and it is hard to say what else could be mentioned. A Committee of this sort will not be effective in two weeks.

Sean Byrnes said the dialogue with the BOE has to be long range. He said the County and State will mandate recycling and small towns will not be able to afford this. He stated that the bigger towns like Middletown could step in and pick up the recyclables for them, thus generating revenue for the town.

D-Navesink Country Club Fireworks-

Request permit every year and they pay for enforcement like traffic control.

E-Community Development Consolidation Plan-

Township Planner, Jason Greenspan, explained the program and how it is in the 35th year. As part of the program the town is obligated to prepare a 5 year plan. He also said that this program is totally federally funded. The plan is mainly housing rehabilitation to help satisfy our COAH obligations and community structures like the Bayshore Rec, Middletown First Aid and the East Keansburg Fire House. Mr. Greenspan said that they are in the middle of the comment period with the County Consortium which consists of the towns of

Long Branch and Asbury Park, Howell and the County Community Development Programs.

Tony Mercantante said that a resolution will be on the agenda for the next meeting.

F-Renaming the Tonya Keller Recreation Center to the Tonya Keller Community Center

Mr. Mercantante said the by renaming the center will enable the town to have access to stimulus grant funds.

Jason Greenspan said that it has become a nexus for the Neighborhood Preservation Program. A new sign will be erected. A community garden will be installed, as well.

G-NJNG Franchise Resolution

Mr. Nelson will grant certain rights to NJNG. The current agreement from 1960 will expire this year. The new agreement will reduce the term from 50 years to 10 years.

H-Shadow Lake Bond Ordinance

Mr. Mercantante said that this project is still in the planning process and will be for a while. An Infrastructure Trust was also applied to finance the project. He suggested that we cancel the bond ordinance because it will not be used this year. He added that we have incurred some expenses against the bonds for design, engineering and permitting, but we won't lose anything by retiring.

Mr. Nelson tried to push the DEP last year to get around environmental constraints but they would not budge. The DEP did provide some alternative solutions but they are not financially feasible.

Mr. Byrnes asked if the trust was going to pay for the bonds.

Tony Mercantante said the \$3.8M bond has already been issued. He stated that the Trust Fund was going to fund it, but the bond had to be taken out against the Trust Fund.

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Mr. Byrnes then asked how much of the bond money is remaining and where it resides.

CFO Nick Trasente said that a few hundred thousand has been used and the remaining balance is in a capital fund. He said that we could use it to pay down debt service or use it for another project.

Mrs. Brightbill said they can't get permits to get rid of dredge materials.

Tony Mercantante said the costs are excessive but we will pursue our approach until it passes but that is not likely.

Nick said they will do this with other ordinances to free up funds and apply it towards other projects in the coming years.

The Mayor said the DEP is in such a state of flux that it is tough to move anything through there.

Mr. Massell asked to be brought up to date because this was an issue before he was elected.

Tony Mercantante said that placing the contaminated materials on Stevenson Park is a ultra technicality because the DEP considers the park and the lake two different properties. The Town contends that the sediment in Shadow Lake came from Stevenson Park and that the DEP has allowed contaminated materials to be moved to another portion of the property in other cases. Mr. Mercantante said that hopefully they will take the reasonable choice.

I-School Board Budget Amendment

Mr. Mercantante said that this is on the agenda to let everyone know that the meeting was held today and the next meeting has to be held very quickly and is scheduled for this Thursday.

The Mayor said that the meeting was very productive but there is not as much wiggle room as we thought.

Mr. Byrnes wanted to know if the Town is going to have public meetings to discuss cuts.

Mr. Nelson said there were no public meetings scheduled and that people can comment on the meeting tonight.

Mr. Byrnes asked if we should think about having a public meeting.

Mrs. Brightbill said she is not in favor of public meetings because the committee is doing well the way it is now. She is not sure what a public meeting would do. She said that this is the process that is in place and should continue.

Mr. Byrnes said the public went to the polls and turned down the budget. The BOE has already cut employees and the public would like to know what is next.

Mrs. Brightbill said that they are hearing this behind the scenes. The last time she went through this she asked what they could do.

Mr. Trasente said the Town can make recommendation but they don't have to listen and that they are only recommending a dollar amount.

Mr. Fiore said they could cut something else after suggesting that music be cut. What is cut is up to BOE. The Town can suggest line items to cut, but in the end it is up to them to do the cutting. He said that in this sense it is futile to hold a public meeting.

Mr. Byrnes said a public meeting would be good to present what was agreed to.

Mr. Trasente said ideas were presented and they still have to discuss them and agree.

Mr. Byrnes said when we decide on that number we should know what it represents.

Mr. Trasente said it will be specific, but they don't have to stick to it.

The Mayor said a lot was discussed and was productive. He said that everyone will be aware of it before the final recommendations are made. He's been getting emails all week.

Mr. Fiore met with Tony Mercantante and Nick Trasente to cover tax collection deadlines. Currently the Town allows 30 days after due date to pay taxes. He said the vast majority of taxes are collected through escrow

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and that banks hold onto the money until the last minute resulting in interest income to be down every year.

Mr. Trasente said less cash is around every year. The County and BOE payments are due on the 17th, two weeks before the Town has it. People are taking advantage of this because it is allowed.

Mr. Fiore said we should tighten controls on the due date as soon as possible.

Mr. Trasente said a notice will be sent out with the next tax bills and a resolution will be voted on at the 5-17 meeting.

Mr. Nelson said at the last workshop meeting we discussed that the Monmouth Housing Alliance only applied to units for sale and now rentals are included. This will be on the next meetings' agenda for a vote.

COMMITTEE COMMENTS

Committeeman Sean Byrnes acknowledged the passing of Joe Azzolina and commented on his public service and what a generous human being he was. Mr. Byrnes received a letter from a Supreme Court Justice once stating that he should get to know Mr. Azzolina.

The BOE budget is in the forefront and Mr. Byrnes commended the years of service that those former BOE members present served and what a great job they did. It is a job that few people want and he knows that they were very hard working. Mr. Byrnes said that he reviewed the budget package and it will be quite a job to cut it back. He said the tax levy is the same as the last 2 years and we have to remember that it is really about what is best for the children. He said we should look at this as more than just a one town approach. A 2% savings would provide \$0 increase. He said that a one year wage freeze would be nice, but it is not going to solve long range savings. There are very knowledgeable people in town that can help.

He asked the Committee to provide better transparency due to the laws against a quorum meeting without announcing the meeting. This is a big reason why he has been pushing these committees to help so they can provide solutions. He mentioned that \$72 a ton for garbage is way out of line and that recycling is the way to go.

Committeeman Steve Massell echoed Sean's comments about Joe Azzolina who was a close family friend. They spent holidays together and Steve said he was a nice guy and it is a great loss. Steve then remarked on the school budget and agreed with Sean that it is difficult and challenging and they need to put their heads together to get through it.

Committeewoman Brightbill was encouraged to have the next BOE meeting on Thursday. She said that it looks like working together is going to happen. She then said that "Jersey Fresh" was Joe Azzolina's idea. He was always a help especially with "The Great Race." She asked Ted Maloney how up to date the brush pickup schedule was. Ted said they are about half way done in town. They are in the Bayshore now A,B,C,D. The Town is allowed to put the collected leaves and brush at the Belford compost site. He said that this is seven acres of county owned property and the Town uses a couple of acres to compost leaves. We will chip the brush down there, which will save us a lot in trucking it back to Kanes Lane. He said that we will have plenty of mulch this year. We received the DEP permit really quick. Mrs. Brightbill then said "Rude Awakening" is in full swing and that it is an amazing free program and all are welcome to attend.

Committeeman Fiore agreed with sentiments about Joe Azzolina whom he met a few years ago. He said that anyone with that much time in public service deserved credit. Mr. Fiore went on to say that he is meeting with the CFO, Administrator and Township Committee. Regarding shared services we lose the benefit

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when current employees work in other towns. One employee is doing building inspection and another fire inspection. He believes tax collection should be reined in. He echoed the same thought as Sean Byrnes regarding BOE members in that it is a very tiring and trying job.

Mayor Scharfenberger said he and Joe Azzolina didn't always see eye to eye but they mended some fences during past public events. He said Joe will be remembered for quite a while. The Mayor said that he jousting with the teachers union, but to him it is a very good solution to a difficult problem. According to the calculations that he was given it would save about \$2.9M. When the teachers had a 4.3% increase this year it is hard to go to those that voted and asked them to pay more. Other meeting attendees said it was a done deal. Reality is that a pay freeze is necessary. He has asked the union to have teachers vote on it. The freeze will not solve long term problems but will get us through this year. He then commented that the Governor's Supreme Court appointee is spectacular. The judge that is stepping down was part of the COAH problem and has philosophical differences with the Governor. Two Saturday's ago was the Lincroft Little League Parade. The Poricy Park cleanup had great turn out with many volunteers.

PUBLIC COMMENTS

Carol Belky was very emotional with the school budget because her husband and her job are on the line. She said Tony Fiore mentions cutting music and her child is in the band at H.S. South. The BOE acknowledges these groups but the Township Committee doesn't know what is involved. She said nothing else was said about what was cut except that Shared Services are involved. The Committee states the BOE has final say but the people have been told the Committee has it. Advanced Placement classes are supposedly being cut and will be if music is

cut now. The Mayor said if the teachers union agrees to the wage freeze then no programs will be cut. Tony Fiore apologized about his music comment. He said the Committee does not have jurisdiction to say what to cut. They only provide a dollar amount and a rationale for that amount. The Mayor then told Ms. Belky to stay after the meeting and they will discuss what else took place at the BOE meeting.

Marie Boccasino thanked Sean Byrnes for his consideration in getting the community more involved to bring in fresh ideas. She has been talking with the BOE about bringing in revenue. Recycling efforts would benefit schools tremendously. The Mayor held that we've been looking at this for years with the "Green Initiative" program and are long term solutions, but for the short term he emphasized that the reality is in the Union's court. Ms. Belky went on to say the long term is as important as the short term. Being proactive can't lose and that every phase is important.

Dawn Diorio said she was at the meeting last Wednesday with the BOE and wanted to know why the meeting today wasn't open to the public as the BOE decided. She is aware of Sunshine laws but also knows that they can be waived for an emergency. The Mayor said there were conflicts with schedules. Dawn said the BOE is very receptive to having public meetings. The BOE has a budget awareness committee and the members show up. She said there is a rumor about putting together the teachers increase with a potential number to cut the budget. She wanted to know if the Mayor has received a reply from MTEA.

The Mayor said that he had and they said there will be no wage freeze. He said a wage freeze is going to have the least impact. He said that he has a response to their response.

Ms. Diorio said it is good to get that out, but a public forum is the way to go. She said that she will be active in the future in changing the antiquated laws that fund the school system

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because failed budgets will not lower taxes and the State funding formulas needs to be changed. The Mayor said that he was appointed to the legislative committee of the League of Municipalities to review legislation.

Jeff Blumengold recommended moving workshop meetings from this small room when a prescribed number of people attend. He heard the issue of the 30 days on cash flow and thought about providing some incentive for people to prepay their taxes in advance. The BOE issue puts the Mayor in a unique position by accepting in his own mind that a pay freeze is the way to go, but this should not be the goal. The goal should be if BOE did the job with cuts, then the educators should all give a little of their compensation for the greater good. The Mayor said that that was pie in the sky. Mr. Blumengold then said that they all serve as elected officials and should be aware of all the meetings. He said the Township Committee is in a pickle to provide recommendations and don't have the authority to see them implemented. He said we should have outside help to provide more thought process to get the most out of each dollar.

The Mayor said that that is exactly what they are doing. He stated that we are at a crossroad and are facilitating the changes and adjusting to them. The Mayor said that he had no idea that the school budget was going down.

Mr. Blumengold said that you would have to be blind and on another planet if you did not see that coming.

The Mayor said that Mr. Blumengold was right. The meeting today was informational and educational. He said that he did not know a lot about the school board process before today and that Mrs. Brightbill has more experience in this matter. He said that it was more of an educational thing for them to learn what they can legally do.

Mr. Blumengold said that they let a lot of time lapse and the sense of urgency was there

a year ago. The Town let 5-8 months go by when that time could have been used to get more approaches in solving what is trying to be done in two weeks.

Mr. Byrnes said that Mr. Blumengold's point about outside facilitation is absolutely on the money. The Town is a \$200M operation and we would benefit from people that run \$200M size operations and some of the things that they learned. He said that he introduced a resolution, when he was first elected, where the Township and the BOE would bring in a strategic consulting firm to help in allocating resources.

Mr. Blumengold stated that he was not talking about a 3-5 year plan but about some concrete direction for the benefit of the Committee that represents the difficult decisions that are pending.

Jim Grenafege said he thinks it is deplorable that Sean Byrnes was not aware of the meeting taking place with the BOE and that all Committee members should have known. He said that an Atlantic Highlands Herald letter states that the task of cutting the budget goes to the Township Committee. Mr. Grenafege wanted to know if the Committee had given the Mayor authorization to write this letter. The Mayor said that he was not, but contacted the Committee members but did not hear back from all of them.

Pat Walsh asked what amount of the Shadow Lake bond ordinance had been spent. Mr. Mercantante instructed her to call his office for the figures. Mrs. Walsh then said how the bond ordinance for the purchase of Chris' Deli didn't go through and now the Shadow Lake ordinance is going by the wayside because planning was not done first with these projects. Mrs. Walsh asked about the transparency that is mentioned numerous times in Middletown Matters. She said that the Committees' email addresses are no longer on the Township website. Pat stated that the meeting with BOE was not announced and wanted to know why

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they are afraid of having a public meeting when discussing the BOE. She said there is great public concern here and asked why the Township Committee can't agree to represent the people that elected them.

The Mayor thanked Mrs. Walsh for her comments and called the next person.

Andrew Bane asked who decides what branches get cut after a big storm. Ted Maloney said JCPL will take care of it, otherwise the Township will decide. Tony Mercantante said they have certain routes to follow and they take care of critical areas first.

Don Watson asked if the Township has figured out what additional information the DEP has asked for regarding the soil contamination at and around Town Hall. Rob Keady, from T&M, responded and said that a vapor intrusion test was required and performed over the last weekend and those results will be back in about two weeks. The DEP is also requiring that additional wells be installed at the site and an estimate for those costs will be sent to the administrator for approval.

The Mayor made a motion to close the meeting and a second was received.

Resolution No. 10-144

RESOLUTION FOR TEMPORARY EMERGENCY APPROPRIATION

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 2010 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 temporary emergency resolutions adopted in the Year 2010 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$33,896,998 for the Current Fund, \$2,192,022 for the Solid Waste District, \$251,610 for the Swim Utility, 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:

SEE ATTACHED EXHIBIT A

2. That said emergency temporary appropriations will be provided for in the 2010 budget under the appropriate titles.

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

Exhibit A Temporary Budget Request 5/03/2010		
Account Number	Description	Amount
Current Fund		
0-01-20-100-100-100	A&E S&W	\$15,850
0-01-20-100-100-200	A&E O&E	2,200
0-01-20-100-101-100	Purchasing S&W	3,850
0-01-20-110-100-101	Township Committee S&W	2,300
0-01-20-120-100-100	Township Clerk S&W	5,300
0-01-20-120-100-200	Township Clerk O&E	1,300
0-01-20-120-101-200	Elections O&E	13,000
0-01-20-130-100-100	Finance S&W	17,600
0-01-20-130-100-200	Finance O&E	2,800
0-01-20-135-100-220	Finance Audit Prior Year	25,000
0-01-20-140-100-100	MIS - S&W	10,600
0-01-20-140-100-200	MIS - O&E	5,000
0-01-20-145-100-100	Collector - S&W	11,700
0-01-20-145-100-200	Collector - O&E	15,000
0-01-20-145-101-200	Collector - Tax Title Lines	4,000
0-01-20-150-100-100	Assessor S&W	13,500
0-01-20-155-100-200	Legal O&E	40,500

0-01-21-180-100-100	Planning - S&W	14,600
0-01-21-180-101-100	Planning Board S&W	200
0-01-21-185-100-100	Zoning Board - S&W	700
0-01-22-195-100-100	Inspections - S&W	13,550
0-01-23-210-100-200	Insurance Claims	25,000
0-01-23-215-100-200	Workers Comp	120,000
0-01-23-220-100-200	Insurance Health Premiums	1,255,000
0-01-25-240-100-100	Police S&W	500,000
0-01-25-240-100-200	Police O&E	5,000
0-01-25-252-100-101	Emergency Management S&W	1,000
0-01-25-260-100-200	First Aid O&E	14,450
0-01-25-265-100-200	Fire O&E	12,000
0-01-25-265-101-200	Uniform Fire Safety O&E	2,050
0-01-25-445-100-200	Fire Hydrant Services	75,000
0-0-25-265-100-200	Fire O&E	8,000
0-01-25-275-100-100	Prosecutor S&W	1,750
0-01-26-290-100-100	Streets & Roads - S&W	114,000
0-01-26-290-100-200	Streets & Roads - O&E	29,000
0-01-26-305-100-100	Recycling S&W	10,900
0-01-26-305-100-200	Recycling O&E	110,000
0-01-26-315-100-200	Vehicle Maintenance - O&E	20,000
0-01-27-330-100-100	Health S&W	20,500
0-01-27-330-100-200	Health O&E	11,000
0-01-27-330-101-100	Alliance S&W	700
0-01-27-330-101-200	Alliance O&E	-1,364
0-01-27-340-100-624	Dog Control O&E	5,000
0-01-27-345-100-100	Public Assistance - S&W	3,500
0-01-28-370-100-100	Parks & Recreation - S&W	57,500
0-01-28-370-100-200	Parks & Recreation - O&E	42,500
0-01-28-380-100-238	Parks Beach Maintenance	6,000
0-01-29-390-100-100	Library S&W	65,300
0-01-29-390-100-200	Library O&E	500,000
0-01-31-430-200-200	Utilities - O&E	20,000
0-01-31-440-200-200	DPW Telephone - O&E	5,000
0-01-31-445-200-273	PBG - Water	10,000
0-01-31-446-200-200	PBG - Natural Gas	10,000
0-01-31-460-200-200	Fuels - O&E	90,000
0-01-36-472-200-284	Statutory Social Security	9,000
0-01-37-480-200-221	Insurance Judgements/Settlements	10,000
0-01-42-101-202-100	Interlocal Agreement Mon Cty SCAT S&W	5,700
0-01-43-490-100-100	Court S&W	6,600
0-01-45-930-200-300	Debt Service - Bond Interest	500,000
	TOTAL	\$3,898,636

Swim Utility		
0-01-55-501-000-100	Swim Utility S&W	\$60,000
	TOTAL	\$60,000

Solid Waste District		
0-15-26-305-000-200	SWD Disposal Fees	\$200,000
	TOTAL	\$200,000

RESOLUTION NO. 10-145

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**AUTHORIZING THE SALE BY THE TOWNSHIP OF MIDDLETOWN OF
PROPERTY LOCATED BLOCK 795, LOT 17.11, COMMONLY KNOWN AS
54 IRONWOOD COURT IN THE TOWNSHIP OF MIDDLETOWN FOR THE
PURPOSE OF PRESERVING IT AS AN AFFORDABLE HOUSING UNIT**

WHEREAS, pursuant to the Fair Housing Act, the Township of Middletown (the "Township") has adopted a Housing Element and Fair Share Plan (the "Plan") for the administration of affordable housing units within its borders to protect the Township from builder's remedy litigation; and

WHEREAS, the Township purchased an affordable housing unit located at Block 795, Lot 17.11 on the official Tax Map of the Township, commonly known as 54 Ironwood Court, Middletown, New Jersey (the "Unit") from Patricia Merse for the COAH specified price of \$156,924.00 so as to retain the Unit as part of its Affordable Housing Plan; and

WHEREAS, the Township has identified a prospective purchaser of the Unit Judith Concorso that meets the income eligibility requirements and consents to purchasing the Unit subject to affordable housing restrictions so as to preserve the Unit as affordable housing unit in the Township's Plan; and

WHEREAS, it is the recommendation of the Township's Director of Planning and Township Administrator to sell the Unit for the COAH specified price of \$156,924.00 in order to preserve the Unit as affordable housing and recover the associated costs incurred in purchasing the Unit.

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 the Affordable Housing Authority in accordance with N.J.S.A. 52:27D-325 is authorized to contract and take all necessary actions required to sell the affordable housing unit located at Block 795, Lot 17.11 on the official Tax Map of the Township, commonly known as 54 Ironwood Court, Middletown, New Jersey to Judith Concorso at the COAH specified price of \$156,924.00 so as to retain the Unit as part of its Affordable Housing Plan.

BE IT FURTHER RESOLVED that the Mayor, Township Clerk and Township Attorney are authorized to execute the appropriate contract and all documents necessary to effectuate the sale of the affordable housing unit as set forth herein.

BE IT FURTHER RESOLVED that if any sentence, paragraph or section of this resolution, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action an sentence,

paragraph or section of this resolution shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this resolution.

BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon passage according to law.