

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

May 6, 2010

The Marlboro Township Council held its regularly scheduled meeting on May 6, 2010 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President LaRocca opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 11, 2010; mailed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Council Vice President Marder,  
Councilwoman Mazzola, Councilman Metzger  
and Council President LaRocca.  
Councilman Cantor was absent.

Also present were: Mayor Jonathan L. Hornik,  
Louis Rainone, Esq., Business Administrator  
Jonathan Capp, Municipal Clerk Alida Manco and  
Deputy Municipal Clerk Deborah Usalowicz.

Council President LaRocca moved Item #12 (Res. #2010-51 (Bond Release Highland Meadows Sect. 2B & 3 - Report from Council and Township Attorney on bond issues - tabled from 4/15). Birdsall Engineer James Priolo and Highland Meadows Attorney Kenneth Pape were present for the discussion. There was a question and answer session between Council members, Mr. Pape, and Mr. Priolo. After discussion, Council President LaRocca motioned to table Res. #2010-51 (Bond Release Highland Meadows Sect. 2B & 3 to a future agenda. This was seconded by Council Vice President Marder and passed on a roll call vote of 4 - 0 (Absent: Cantor).

Council President LaRocca motioned to add Res. # 2010-177 (Authorizing Professional Service Contract Amendment - Birdsall - Roadways at Highland Point Sections 2B and 3, Highland Meadows) to the agenda. This was seconded by Council Vice President Marder and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

The following Resolution #2010-177 (Authorizing Professional Service Contract Amendment - Birdsall - Roadways at Highland Point Sections 2B and 3) was introduced by reference, offered by Council Vice President Marder, seconded by Council President LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-177

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN BIRDSALL ENGINEERING, INC. AND THE TOWNSHIP OF MARLBORO FOR ENGINEERING SERVICES FOR SUB-BASE TESTING AND ANALYSIS OF ROADWAYS AT THE DEVELOPMENT KNOWN AS HIGHLAND POINT, SECTIONS 2B AND 3 - HIGHLAND MEADOWS, MARLBORO TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, the Township requires professional engineering services for sub-base testing and analysis of roadways (the "Professional Services") at a development known as Highland Point, Sections 2B and 3 - Highland Meadows, Marlboro Township New Jersey (the "Site"); and

WHEREAS, Birdsall Engineering, Inc. has provided a proposal dated May 4, 2010 (the "Proposal") describing the Professional Services in connection with the Site in detail; and

WHEREAS, the Township of Marlboro and Birdsall Engineering, Inc. have previously entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include the additional Professional Service for the Site for a fee not to exceed \$4,500.00; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # 0-01-6-288; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire Birdsall Engineering, Inc. to provide the required additional Professional Services for the Site; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, Birdsall Engineering, Inc. has previously completed and submitted a Business Entity Disclosure Certificate certifying that Birdsall Engineering, Inc. has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Chapter 18 or N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate the law will be made during the term of the contract.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that an Amendment to the Professional Services Contract between Birdsall Engineering, Inc. and the Township of Marlboro, to provide the additional Professional Services (as described and defined hereinabove) for the Site (as described and defined hereinabove), for an amount not to exceed \$4,500.00 be and is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally acceptable to the Township Attorney, the Amendment to the Professional Services Contract described herein; and

BE IT FURTHER RESOLVED, that this Amendment to the Professional Services Contract is awarded without competitive

bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$4,500.00; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that a copy of the Amendment to the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED, notice of award of this Amendment to the Professional Services Contract shall be published pursuant to law, and a certified copy of this Resolution shall be provided to each of the following:

- a. Birdsall Engineering, Inc.  
611 Industrial Way West  
Eatontown NJ 07724
- b. Mayor Jonathan L. Hornik
- c. Township Administrator
- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick & Cole, LLP

Councilwoman Mazzola recused herself and left the room. Council President LaRocca opened the Public Hearing on Ordinance # 2010-9 (Redevelopment Entron Property). After the public hearing was held and closed, and discussion held, the following Res. # 2010-156/Ord. # 2010-9 (Redevelopment Entron Property) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Metzger and passed on a roll call vote of 3 - 0 in favor. (Absent: Cantor, Mazzola).

RESOLUTION # 2010-156

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2010-9

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO ADOPTING A REDEVELOPMENT PLAN FOR THE ENTRON INDUSTRIES PROPERTY WHICH PROVIDES FOR THE USE OF THE ENTRON INDUSTRIES PROPERTY FOR MARKET RATE AND AFFORDABLE HOUSING AS WELL AS RETAIL AND OFFICE DEVELOPMENT CONSISTENT

WITH THE "ENTRON INDUSTRIES REDEVELOPMENT PLAN",  
PREPARED BY HEYER, GRUEL & ASSOCIATES,  
DATED FEBRUARY 5, 2010

which was introduced on April 15, 2010, public hearing held May 6<sup>th</sup>, 2010, be adopted on second and final reading this 6th day of May, 2010.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President LaRocca opened the Public Hearing on Ordinance # 2010-10 (Amend Swim Ord. - Volunteers). As there was no one who wished to speak, the Public Hearing was closed. The following Res. # 2010-157/Ord. # 2010-10 (Amend Swim Ord. - Volunteers) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola, and a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-157

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2010-10

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 265 OF THE CODE OF THE TOWNSHIP OF MARLBORO, "PARKS AND RECREATION FACILITIES", ARTICLE III, "MARLBORO SWIM CLUB", SECTION 265-17, "MEMBERSHIP IN FACILITY", SUB-SECTION 265-17(K), "DISCOUNT MEMBERSHIPS", TO AMEND FEES FOR DISCOUNTED MEMBERSHIPS IN THE MARLBORO SWIM CLUB AND MARLBORO AQUATIC CENTER FOR MEMBERS OF A VOLUNTEER FIRE COMPANY OR VOLUNTEER FIRST AID SQUAD

which was introduced on April 15, 2010, public hearing held May 6, 2010, be adopted on second and final reading this 6th day of May, 2010.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

The following Res. # 2010-158/Ord. # 2010-11 (Ord. Amending Chapter 125 - Constr. Codes, Uniform to create a new section 125-7 (Establishing Violations and

penalties on Contractors operating without permits) was introduced by reference, offered by Council Vice President Marder, seconded by Council President LaRocca and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-158

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2010-11

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF MARLBORO, "CONSTRUCTION CODES, UNIFORM", BY CREATING AND ESTABLISHING A NEW SECTION 125-7, "VIOLATIONS AND PENALTIES", TO SET FORTH PENALTIES FOR CONSTRUCTION WORK UNDERTAKEN WITHOUT A PERMIT

be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on May 20, 2010 at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2010-011

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF MARLBORO, "CONSTRUCTION CODES, UNIFORM", BY CREATING AND ESTABLISHING A NEW SECTION 125-7, "VIOLATIONS AND PENALTIES", TO SET FORTH PENALTIES FOR CONSTRUCTION WORK UNDERTAKEN WITHOUT A PERMIT

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 125, Construction Codes, Uniform, be and is hereby amended and supplemented to create and establish a new Section 125-7, Violations and Penalties, to set forth penalties for construction work undertaken without a permit as follows:

§ 125-7. Violations; Fees.

A. Any property owner, resident, State of Licensed Home Improvement Contractor, pursuant to N.J.S.A. 56:8-136 et seq.,

or other person regulated by the State as an architect, professional engineer, landscape architect, land surveyor, electrical contractor, master plumber, or any other person in any other related professional requiring registration, certification or licensure by the state, who is acting within the scope of practice of his profession (hereinafter collectively referred to as, "Licensed Professionals or Contractors"), who fails to pay the required fee and obtain a permit pursuant to §125-3, Fees, hereinabove, and who shall undertake or cause to undertake such construction work without a permit therefor shall be deemed to be in violation of this Chapter. Such violations shall, upon conviction thereof, be punishable by a minimum fine of \$250.00 for the first violation, \$500.00 for the second violation and \$1,000.00 for a third or subsequent violation, with the maximum fine not to exceed \$2,000.00, or imprisonment or community service for a term not to exceed ninety (90) days, or by both such fine and imprisonment or community service, in the discretion of the Municipal Court Judge. The continuation of such violation on each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation(s) may be punished as provided above for each separate offense.

B. Any Licensed Home Improvement Contractor or Licensed Professionals or Contractors who are convicted of violating the provisions of this Chapter with the date of the violation having taken place within one year of the date of a previous violation of this Chapter, and who were fined pursuant to §125-7(A), shall be sentenced by the Marlboro Township Municipal Court to an additional fine(s) as a repeat offender. The additional fine(s) imposed shall be calculated separately from the fine(s) imposed for such additional violation(s).

C. In accordance with the provisions of N.J.S.A. 40:49-5, the Township shall waive the imposition of additional fines as a repeat offender upon a property owner or resident for repeated violations of this Chapter within a one year period. Pursuant to §125-7(B), Licensed Home Improvement Contractors and Licensed Professionals or Contractors shall be subject to additional penalties and fines for subsequent violations of this Chapter within a one year period as repeat offenses, each such subsequent violation to be deemed a separate offense, as set forth in §125-7(B).

D. The Municipal Court Clerk shall forward a copy of all convictions issued pursuant to violations of this Chapter upon

Licensed Home Improvement Contractors and Licensed Professionals or Contractors to the New Jersey Department of Community Affairs.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed invalid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

The following Resolution #2010-136 (Bond Reduction Lucas Development/Commercial Court) was introduced by reference, offered by Councilman Metzger and seconded by Councilwoman Mazzola and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-136

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE  
GUARANTEES FOR THE SITE KNOWN AS COMMERCIAL COURT,  
MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for the release of Township held Performance Guarantees in the form of a bond and cash deposit for site improvements ("Public Improvements") on the Site known as "Commercial Court", Block 172, Lot 40.05, Marlboro, New Jersey, (the "Site") posted by Lucas Development, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated March 29, 2010 and revised April 29, 2010, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report does not recommend a release of the performance guarantees, but recommends that a partial

reduction be made in the current bond and cash deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's March 29, 2010 report, revised April 29, 2010.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a bond and cash deposit posted for the site known as Commercial Court shall be reduced as follows:

1. The Performance Guarantee Bond (Chubb Group of Insurance Companies, Bond #8191-81-99), in the original and present amount of \$180,000.00, shall be reduced by \$126,000.00, so that the remaining amount shall be \$54,000.00.
2. The Cash Deposit, in the original and present amount of \$20,000.00 shall be reduced by \$14,000.00, so that the amount to remain shall be \$6,000.00; and

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the posting of all review and/or inspection escrow fees required by the Planning Board and the resolution of any valid homeowners' complaints; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Lucas Development, LLC
- b. Chubb Group of Insurance Companies
- c. Mayor Jonathan L. Hornik
- d. Township Business Administrator
- e. Township Chief Financial Officer
- f. Township Engineer
- g. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2010-139 (Authorizing Contract Amendment CME - Morganville Senior Center) was introduced by reference, offered by Councilwoman Mazzola and seconded

by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-139

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL ENGINEERING SERVICES FOR WORK IN CONNECTION WITH THE IMPROVEMENTS TO THE MORGANVILLE SENIOR CENTER

WHEREAS, the Township requires professional engineering services consisting of survey, base maps, design, permitting and bidding work (the "Professional Services") in connection with improvements to the Morganville Senior Center which are being funded by a Monmouth County Community Development Block Grant (the "Project"); and

WHEREAS, CME Associates has provided a proposal dated February 16, 2010 (the "Proposal") for such Professional Services in connection with the Project; and

WHEREAS, the Township of Marlboro and CME Associates have previously entered into a Professional Services Contract, awarded under a non-fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services for the Project at a fee not to exceed \$10,600.00 for such additional Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # X-04-55-960-930; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire CME Associates to provide the required additional Professional Services for the Project in accordance with the Proposal; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, CME has previously completed and submitted a Business Entity Disclosure Certificate certifying that CME Associates has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Chapter 18 or N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate the law will be made during the term of the contract.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is hereby authorized to execute an Amendment to the Professional Services Contract, in a form legally acceptable to the Township Attorney, between CME Associates and the Township of Marlboro to provide the additional Professional Services (as described and defined hereinabove) for the Project (as described and defined hereinabove), in accordance with the Proposal (as defined hereinabove and attached hereto), pursuant to a non-fair and open process; and

BE IT FURTHER RESOLVED, that this Amendment to the Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$10,600.00 for such additional Professional Services for the Project as described in the Proposal; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification shall be placed on file with this Resolution;

BE IT FURTHER RESOLVED, that a copy of the Amendment to the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED, notice of award of this Amendment to the Professional Services Contract shall be published

pursuant to law, and a certified copy of this Resolution shall be provided to each of the following:

- a. CME Associates, 1460 Route 9 South, Howell, NJ 07731
- b. Mayor Jonathan L. Hornik
- c. Township Administrator
- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2010-159 (Referendum to Reduce Open Space Tax) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-159

A RESOLUTION REQUESTING THE PLACEMENT OF A REFERENDUM ON THE OFFICIAL BALLOT FOR THE NEXT GENERAL ELECTION OF NOVEMBER 2, 2010 AUTHORIZING A REDUCTION IN THE AMOUNT OR RATE OF THE ANNUAL LEVY OF THE OPEN SPACE, RECREATION, AND FARMLAND AND HISTORIC PRESERVATION TAX PURSUANT TO N.J.S.A. 40:12-15.7

WHEREAS, pursuant to previously approved referendums, there currently exists in the Township of Marlboro a Municipal Open Space, Recreation, Farmland and Historic Preservation Trust Fund pursuant to N.J.S.A. 40:12-15.7 with an annual levy approved by the voters in the amount of Two Dollars and 00/100 (\$2.00) per Ten Thousand Dollars and 00/100 (\$10,000.00) of assessed valuation of real property (\$0.02 per \$100.00)(hereinafter referred to as the "Open Space Tax"); and

WHEREAS, as a result of the Township wide revaluation of property tax assessments ordered by the Monmouth County Board of Taxation and the current economic and financial crisis, the Township of Marlboro has determined that it is appropriate to submit the question to the voters of the Township to determine by referendum whether the Open Space Tax should be reduced; and

WHEREAS, the Township Council desires to submit to the voters of the Township, pursuant to N.J.S.A. 40:12-15.7(d) a proposition amending the Open Space Tax previously approved by the voters which would provide for a reduction in the annual levy to be used for the purposes of the Municipal Open Space, Recreation, Farmland and Historic Preservation Trust Fund to One Dollar and 00/100 (\$1.00) per Ten Thousand Dollars and

00/100 (\$10,000.00)of assessed valuation of real property per year (\$0.01 per \$100.00).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the Township of Marlboro hereby requests that the Monmouth County Clerk of Elections place on the official ballot to be used in the next general election to be held on November 2, 2010 the following question:

Marlboro Township Question #1:

Should the Township of Marlboro Municipal Open Space, Recreation, Farmland and Historic Preservation Tax Levy be reduced from Two Dollars and 00/100 (\$2.00) per Ten Thousand Dollars and 00/100 (\$10,000.00)of assessed valuation (\$0.02 per \$100.00) to One Dollar and 00/100 (\$1.00) per Ten Thousand Dollars and 00/100 (\$10,000.00) of assessed valuation of real property per year)(\$0.01 per \$100.00)for Open Space, Recreation, Farmland and Historic Preservation purposes?

EXPLANATORY STATEMENT

Currently, the Township of Marlboro is authorized to annually collect an Open Space, Recreation, Farmland and Historic Preservation tax of Two Dollars and 00/100 (\$2.00) per Ten Thousand Dollars and 00/100 (\$10,000.00)of assessed valuation per year (\$0.02 per \$100.00)of real property per year. The referendum, if adopted, would reduce the Open Space, Recreation, Farmland and Historic Preservation tax levy to One Dollar and 00/100 (\$1.00) per Ten Thousand Dollars and 00/100 (\$10,000.00) of assessed valuation of real property per year (\$0.01 per \$100.00).

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to each of the following parties:

- a. Monmouth County Clerk of Elections;
- b. Monmouth County Board of Elections;
- c. Director, Division of Local Government Services, New Jersey Department of Community Affairs;

- d. Mayor Jonathan Hornik; and
- e. DeCotiis, Fitzpatrick & Cole, LLP

The following Resolution #2010-161 (Authorizing Contract Amendment CME - Survey/Sketch Drainage Easement B. 168, L. 1) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-161

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL LAND SURVEYING SERVICES FOR A PARTIAL OUTBOUND SURVEY AND A SKETCH OF A DRAINAGE EASEMENT AND DESCRIPTION FOR THE PROPERTY KNOWN AS BLOCK 168, LOT 1, 281 Route 79 MARLBORO TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, the Township requires professional land surveying services for a Partial Outbound Survey with Sketch of Drainage Easement and Description (collectively, the "Professional Services") at the property known as Block 168, Lot 1, 281 Route 79 Township of Marlboro, Monmouth County, New Jersey (the "Site"); and

WHEREAS, CME Associates has provided a proposal dated April 5, 2010 (the "Proposal") for such Professional Services in connection with the Site; and

WHEREAS, the Township of Marlboro and CME Associates have previously entered into a Professional Services Contract, awarded under a non-fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services (as defined hereinabove) for the Site at a fee not to exceed \$2,500.00 for such additional Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # X-04-55-965-999; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire CME Associates to provide the required additional Professional Services for the Site in accordance with the Proposal; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, CME has previously completed and submitted a Business Entity Disclosure Certificate certifying that CME Associates has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Chapter 18 or N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate the law will be made during the term of the contract.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is hereby authorized to execute, and the Clerk to witness, an Amendment to the Professional Services Contract, in a form legally acceptable to the Township Attorney, between CME Associates and the Township of Marlboro to provide the additional Professional Services (as described and defined hereinabove) for the Site(as described and defined hereinabove), in accordance with the Proposal (as defined hereinabove and attached hereto), pursuant to a non-fair and open process; and

BE IT FURTHER RESOLVED, that this Amendment to the Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$2,500.00 for such additional Professional Services for the Site as described in the Proposal; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that a copy of the Amendment to the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED, notice of award of this Amendment to the Professional Services Contract shall be published pursuant to law, and a certified copy of this Resolution shall be provided to each of the following:

- a. CME Associates, 1460 Route 9 South, Howell, NJ 07731
- b. Mayor Jonathan L. Hornik
- c. Township Administrator
- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2010-162 (Authorizing Contract City Connections - Website) was introduced by reference, offered by Council Vice President Marder, seconded by Councilwoman Mazzola a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-162

A RESOLUTION AUTHORIZING THE EXECUTION OF A  
CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND CITY  
CONNECTIONS FOR WEBSITE AND E-MAIL HOSTING SERVICES  
AND OTHER RELATED TECHNICAL SERVICES FOR THE  
TOWNSHIP OF MARLBORO WEBSITES

WHEREAS, the Township of Marlboro's Administration Department requires services for the provision of website and e-mail hosting and other related technical services, including development and maintenance, for the Township of Marlboro websites (collectively, the "Website Maintenance Services"); and

WHEREAS, City Connections submitted a proposal to provide the Website Maintenance Services for an amount not to exceed \$7,200.00, for a term beginning April 8, 2010 and ending December 31, 2010; and

WHEREAS, the Township's Administration Department has recommended that the Township Council authorize the execution of a contract between the Township of Marlboro and City Connections for the provision of the Website Maintenance Services; and

WHEREAS, pursuant to N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total of sum of \$17,500.00, such contract may be awarded by the governing body of the contracting unit without public advertising for bids therefor; and

WHEREAS, City Connections has completed and submitted a Business Entity Disclosure Certification certifying that City Connections has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Chapter 18 or to N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate Marlboro Township Code Chapter 18 or N.J.S.A. 19:44A-20.5 will be made during the term of the Township Engineer's contract; and

WHEREAS, the Township has been provided with City Connections' Disclosure of Campaign Contributions at least ten (10) days prior hereto, as required by P.L. 2005, c. 271.

WHEREAS, the Township Council finds that it would be in the best interest of the Township of Marlboro to enter into a contract with City Connections.

NOW, THERE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is authorized to execute a contract, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and City Connections for the provision of the Website Maintenance Services (as defined hereinabove) for an amount not to exceed \$7,200.00 for a term beginning April 8, 2010 and ending December 31, 2010; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is directed to file a Certificate of Availability of sufficient funds for this contract and to attach same to this Resolution; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification, Business Entity Disclosure of

Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. City Connections
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2010-163 (Authorizing GovDeals Auction) was introduced by reference, offered by Council Vice President Marder, seconded by Councilwoman Mazzola a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-163

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS  
MUNICIPAL PERSONAL PROPERTY NOT NEEDED FOR  
PUBLIC USE BY PUBLIC ON-LINE AUCTION

WHEREAS, pursuant to N.J.S.A. 40A:11-36, a municipality may, by resolution, authorize the sale of its personal property not needed for public use; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services ("DCA") has issued Local Finance Notice 2008-9 ("LFN-2008-9") which permits a municipality to sell its personal property not needed for public use on-line; and

WHEREAS, LFN-2008-9 sets forth procedural guidelines regarding the use of a on-line public auction for the sale of such municipal personal property not needed for public use; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro deem that it is in the best interests of the Township of Marlboro to sell the Township's personal property not needed for public use

using the on-line auction process set forth in LFN-2008-9; and

WHEREAS, govdeals.com is one of the internet based vendors approved by the DCA to carry out on-line auctions of municipal property not needed for public use.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that:

1. The Township hereby determines that its personal property described on Exhibit "A" attached hereto and made a part hereof and entitled "Surplus Property of the Township of Marlboro" and dated May 6, 2010 is personal property no longer needed for public use by the Township of Marlboro; and
2. The Township further determines that such surplus personal property listed on Exhibit "A" shall be sold by auction on-line by govdeals.com; and
3. The sale of such surplus property listed on Exhibit "A" shall be conducted pursuant to the procedures set forth in Local Finance Notice 2008-9; and
4. The terms and conditions of the Agreement between the Township of Marlboro and govdeals.com are available for public viewing at the website of govdeals.com and on file in the Clerk's Office of the Township of Marlboro; and
5. The Mayor or Business Administrator and Township Clerk are hereby authorized to execute and witness, respectively, the On-Line Auction Agreement and any other documents required to effectuate the sale of the Township's surplus personal property described in Exhibit "A"; and
6. The Township Clerk shall, pursuant to the terms of N.J.S.A. 40A:11-36, publish a legal newspaper advertisement informing the public as to the nature of the surplus property being sold and how to obtain more information on the internet based sale in the official

newspaper of the Township of Marlboro as follows:

- a. An announcement of the auction and that the item(s) shall be sold on-line;
- b. the internet address for the sale being advertised;
- c. the date and time of the auction and a general description of the surplus personal property intended to be sold, however specific information for particular items, such as the VIN number for vehicles, is not required is not required in the newspaper advertisement; and
- d. a statement that bidders must pre-register with the approved internet based vendor and the internet address with registration information.

7. Pursuant to N.J.S.A. 40A:11-36, sales shall be held not less than seven (7) nor more than fourteen (14) days after the latest publication of the advertisement.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. govdeals.com
- b. Mayor Jonathan Hornik
- c. Business Administrator
- d. Chief Financial Officer
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP
- f. Division of Local Government Services,  
Department of Community Affairs

EXHIBIT "A"  
DATED MAY 6, 2010

TOWNSHIP OF MARLBORO  
NOTICE OF SALE OF SUPPLUS MUNICIPAL PERSONAL PROPERTY

NOTICE IS HEREBY GIVEN that the Township of Marlboro will be conducting an internet auction of surplus equipment utilizing

the GovDeals website beginning 2010 and ending on various dates stated on the GovDeals website for items slated for auction. All bidders and other participants of this auction must agree that they have read and fully understand the Online Sales - Terms and Conditions listed on the website and agree to be bound thereby.

Website Host: GovDeals at [www.govdeals.com](http://www.govdeals.com). Click advance search under the search box, select New Jersey from the drop down menu, then select Marlboro Township from the seller drop down menu.

Inspection: Call Danny Schick, Jr. at 732-536-0200, ext. 1213, to schedule an appointment.

Registration is not required for viewing the website but is required for placing bids. Please see the website for instructions on registering.

Terms of Auction: All sales are final, sold "as is", "where is"; no warranties or guarantees, expressed or implied. The Township reserves the right to reject any bid or bidder and remove any item from auction.

Transactions: Payment must be made electronically through the GovDeals website. Acceptable forms of payment are: PayPal, Wire Transfer, Visa, Master Card, American Express and Discover. NO CASH, CHECKS OR MONEY ORDERS WILL BE ACCEPTED.

Removal: Within ten business days from the time an date of the Buyers Certificate, buyers must provide their own vehicles, equipment and manpower. A \$10.00 per day storage fee will assessed beginning the 11<sup>th</sup> day.

<b>Item</b>	<b>Condition</b>
Nikon Digital Camera	Obsolete
2 Training Trailers	Obsolete
Generator/FAA Donated	Obsolete
Panasonic Phone System and Phones	Obsolete
Meridian Phone System and Phones	Obsolete
Toshiba Phone System and Phones	Obsolete
3 Transcribers	Obsolete
Taylor Ice Cream Machine	Obsolete
Tax Assessor Books	Obsolete
1 Pallet of Various computer equipment	Obsolete

Englo Air Compressor 30 Gallon 240 volt	Obsolete
Cat 5 Cords	Obsolete

**Description**

Kids Schwinn Scrambler Blue/Green  
 Kids Diamondback Black/Blue  
 Kids GT Flame Green  
 Adult 2000 Pacific Silver  
 Navigator 100 Trek Black/Silver  
 Adult Mongoose Silver  
 Adult Mongoose Silver  
 Kids Magna Electro Blue/Black  
 Kids Mongoose Purple  
 Kids Magna Purple  
 Kids Eastern Blue  
 Adult Huffy Blue/Green  
 Adult Schwinn Red  
 Mongoose Frame Only Red  
 Kids Mongoose Silver  
 Kids Unknown Silver  
 Adult Mongoose Silver  
 Adult Rift Zone No Color  
 Adult Huffy Purple  
 Adult Magna Silver/Blue

The following Resolution #2010-164 (Authorizing Shared Services Agreement with Marlboro Township BOE - Summer Busing) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Metzger a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-164

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE MARLBORO TOWNSHIP BOARD OF EDUCATION FOR BUS TRANSPORTATION SERVICES OF CHILDREN TO AND FROM THE TOWNSHIP OF MARLBORO'S 2010 SUMMER RECREATION CAMP PROGRAM

WHEREAS, the Marlboro Township Board of Education (the "Board") owns/leases a fleet of school buses used to transport children to and from schools that comprise the Marlboro Township School District (the "District"); and

WHEREAS, the Township of Marlboro (the "Township") intends to operate a Summer Camp Recreation Camp Program ("Summer Camp") for the Township's resident children, who shall require transportation to and from the Township Recreation Center, as

well as transportation to and from the Township Recreation Center to other locations within the Township for Summer Camp activities (the "Transportation Services"); and

WHEREAS, pursuant to N.J.S.A. 18A:39-22, the Board is authorized to permit the use of school buses it owns or leases for the purpose of transporting children and adults participating in a recreation or other program operated by the municipality in which the Board's School District is located; and

WHEREAS, the Township and the Board desire to enter into a Shared Services Agreement to provide Transportation Services for the Summer Camp for the period commencing on or about June 28, 2010 and terminating on August 6, 2010; and

WHEREAS, the costs of the Transportation Services shall be paid by the Township to the Board as follows:

Transportation to and from the Township Recreation Center:

- (1) \$225.00 for each six week Summer Camp participant
- (2) \$190.00 for each five week Summer Camp participant
- (3) \$120.00 for each three week Summer Camp participant

For shuttle services comprising transportation of Summer Camp participants to and from the Township Recreation Center to other locations within the Township, including the Board's District schools and/or the Township Swim Club, on a daily basis: a total of \$80,000.00.

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes local units to enter into shared services agreements for the provision of services, including the transportation services contemplated herein; and

WHEREAS, the proposed Shared Services Agreement for the Transportation Services is on file in the Township Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-5(b); and

WHEREAS, the Mayor and Marlboro Township Council desire to enter into the proposed Shared Services Agreement with the Board pursuant to the above-described terms and conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute and witness, respectively, the proposed

Shared Services Agreement in a form substantially similar as that attached hereto for the provision of transportation services for the Marlboro Township Summer Camp Program for the term and conditions described hereinabove; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the shared services agreement authorized herein shall be filed with the Division of Local Government Services in the Department of Community Affairs for informational purposes; and

BE IT FURTHER RESOLVED, that a copy of the shared services agreement authorized herein shall be open to the public for inspection in the Township Clerk's Office; and

BE IT FURTHER RESOLVED that a duly certified copy of this resolution be forwarded to:

- a. Marlboro Township Board of Education
- b. Mayor Jonathan L. Hornik
- c. Township Business Administrator
- d. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2010-165 (Advising and Consenting Appointment of Business Administrator - Jonathan Capp) was introduced by reference, offered by Council Vice President Marder, seconded by Council President LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-165

A RESOLUTION CONFIRMING THE MAYOR'S  
APPOINTMENT OF JONATHAN CAPP AS BUSINESS  
ADMINISTRATOR FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro is in need of a Business Administrator; and

WHEREAS, Mayor Jonathan L. Hornik has appointed Jonathan Capp as the Business Administrator for the Township of Marlboro; and

WHEREAS, Jonathan Capp is qualified to perform the services as Business Administrator in accordance with the Township Code and State law; and

WHEREAS, pursuant to law, the appointment of Jonathan Capp as Business Administrator of the Township of Marlboro is subject to the advice and consent of the Township Council; and

WHEREAS, pursuant to N.J.S.A.40:69A-44, during his tenure of office as Business Administrator, Jonathan Capp may reside outside of the municipality.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that

1. The aforesaid recitals are incorporated herein by reference as if set forth at length.

2. The Township Council of the Township of Marlboro hereby confirms and gives its advice and consent to the appointment of Jonathan Capp as the Business Administrator for the Township of Marlboro; and

3. The Mayor and Township Clerk are hereby authorized to execute a contract with Jonathan Capp as Business Administrator; and

4. A certified copy of this resolution shall be provided to each of the following:

- a. Mayor Jonathan Hornik
- b. Jonathan Capp, Business Administrator
- c. DeCotiis, Fitzpatrick & Cole, LLP

The following Resolution #2010-166 (Authorizing Replacement Letters of Credit Chelsea Commons, LLC) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-166

RESOLUTION AUTHORIZING THE REPLACEMENT OF IRREVOCABLE  
STANDBY LETTERS OF CREDIT FOR THE SITE KNOWN  
AS CHELSEA COMMONS, L.L.C.

WHEREAS, the Developer, Chelsea Commons, L.L.C. (the "Developer") delivered an Irrevocable Standby Letter of Credit issued by Wachovia Bank, No. SM213159W in the amount of \$621,058.13, (the "Original LOC") for site improvements on property known as Block 132, Lots 12.01, 13 and 14, Township of Marlboro, New Jersey; and

WHEREAS, by Resolution 2009-80, the Township of Marlboro authorized the reduction of the performance guarantees; and

WHEREAS, Developer caused an amendment to the Original LOC to be issued in the amount of \$405,919.95 (the "Amended LOC"); and

WHEREAS, the Developer desires to replace the Original LOC and Amended LOC with two (2) replacement Irrevocable Standby Letters of Credit issued by Valley National Bank, Nos. OD100001484 and OD10001485 in the respective amounts of \$252,337.15 and \$154,181.00 (collectively, the "Replacement LOCs"); and

WHEREAS, Developer requests that the Township accept the Replacement LOCs and release and return the Original LOC and Amended LOC issued by Wachovia Bank to the Developer's Attorney, Terry R. Zuckerman of Pollack and Zuckerman; and

WHEREAS, the Township Council is amenable to the release and return of the Original LOC and Amended LOC issued by Wachovia Bank and the posting of the Replacement LOCs issued by Valley National Bank as guarantee of Developer's performance for the site improvements.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that it hereby authorizes the release and return of the Performance Guarantee in the form of an Irrevocable Standby Letter of Credit issued by Wachovia Bank, No. SM213159W in the amount of \$621,058.13, as amended by an Amending Letter of Credit issued by Wachovia Bank in the amount of \$405,919.95 for site improvements on the property known as Block 132, Lots 12.01, 13 and 14, Township of Marlboro, New Jersey, and the return of same to the Developer's Attorney, Terry R. Zuckerman of Pollack and Zuckerman; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro hereby authorizes the acceptance of the two replacement Irrevocable Standby Letters of Credit issued by Valley National Bank, Nos. OD100001484 and OD10001485 in the respective amounts of \$252,337.15 and \$154,181.00, for site improvements on the property known as Block 132, Lots 12.01, 13 and 14, Township of Marlboro, New Jersey; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Terry R. Zuckerman, Esq. of Pollack and Zuckerman
- b. Wachovia Bank
- c. Valley National Bank
- d. Mayor Jonathan L. Hornik
- e. Township Business Administrator
- f. Township Engineer
- g. Township Chief Financial Officer
- h. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2010-167 (MTMUA Termination of Participation in State Health Benefits Plan) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Metzger a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-167

RESOLUTION TO TERMINATE THE PARTICIPATION OF THE  
MARLBORO TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
IN THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM

WHEREAS by Ordinance approved December 17, 2009 the Township of Marlboro dissolved the Marlboro Township Municipal Utilities Authority; and,

WHEREAS the employees of the Marlboro Township Municipal Utilities Authority were participants in the New Jersey State Health Benefits Program; and,

WHEREAS the Township has provided for continuation in coverage for those employees of the MTMUA which have become employees of the Township; and,

WHEREAS it is necessary to terminate the participation of the Marlboro Township Municipal Utilities Authority in the New Jersey State Health Benefits program.

NOW THEREFORE, BE IT RESOLVED by the Municipal council of the Township of Marlboro as follows:

1. In accordance with the terms of the dissolution ordinance adopted by the Township of Marlboro, the Township of Marlboro hereby resolves to terminate the participation of the Marlboro Township Municipal Utilities Authority in the New Jersey State Health Benefits Program (including prescription drugs and/or dental plans) hereby cancelling coverage provided

by the New Jersey State Health Benefits Program for all active and retired employees of the Marlboro Township Municipal Utilities Authority.

2. The Township shall notify all employees of the former Marlboro Township Municipal Utilities Authority of the date of the termination of coverage under the program;

3. The Township understands that the Division of Pension and Benefits will notify the retired employees of the Marlboro Township Municipal Utilities Authority of the cancellation of their coverage.

4. The Marlboro Township Municipal Utilities Authority understands that all active participants will be notified by the Division of Pensions and Benefits and will be advised to contact the Township of Marlboro concerning a possible alternative health, prescription drug, and dental insurance program.

5. The Marlboro Township Municipal Utilities Authority understands that this Resolution shall take effect the 1<sup>st</sup> of the month following a sixty (60) day period beginning with the receipt of the resolution by the State Health Benefits Commission.

As the consent agenda, the following Resolutions were introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor): Res. #2010-168 ("Click It or Ticket" - May 24 - June 6, 2010), Res. #2010-169 (Refunds to WMUA - Various), Res. #2010-170 (Refunds to WMUA - Various), Res. #2010-171 (Redemption Tax Sale Certificates) and Res. #2010-173 (Raffle License Michael Puharic Memorial Fund).

RESOLUTION # 2010-168

RESOLUTION SUPPORTING THE CLICK IT OR TICKET  
MOBILIZATION OF MAY 24 - JUNE 6, 2010

WHEREAS, there were 586 motor vehicle fatalities in New Jersey in 2009; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by seat belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide "CLICK IT OR TICKET" seat belt mobilization from May 24 - JUNE 6, 2010 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 92.67% to 100%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

NOW THEREFORE, be it resolved that the Township of Marlboro declares its support for the "CLICK IT OR TICKET" seat belt mobilization both locally and nationally from May 24 - June 6, 2010 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

RESOLUTION # 2010-169

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$109,230.63 as per Schedule "A",

WHEREAS, the holders of the above-mentioned tax sale certificates are entitled to the amount of the sale plus interest and costs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$109,230.63 to be refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIENHOLDER</u>	<u>AMOUNT</u>
09-25	300 41	US Bank Corp. Trust	\$15,877.79
34	Duncan Dr.	Services	

			Tax Lien Service Group 2 Liberty Pl. 50 South 16 <sup>th</sup> Street Suite 1950 Philadelphia, PA 19102	
10-31	392.01	9	US Bank TLSG 50 S. 16 <sup>th</sup> St. Suite 1950 Philadelphia, PA 19102	461.61
17 Whistler Way				
10-46	132	20.03	Rainbow Associates, LLC P.O. Box 117 Morris Plains, NJ 07950	241.04
102 Haven Way				
10-48	251	38	Soheha P.O. Box 9416 Trenton, NJ 08650	195.78
99 Gordons Corner Rd.				
10-69	300	43	Marc Markowitz 238 Yellowknife Rd. Morganville, NJ 07751	465.71
38 Duncan Drive				
10-88	143.02	112	R. Rothman 411 Grand Avenue Englewood, NJ 07631	13,249.57
446 Boulder Dr.				
10-89	153	112	R. Rothman 411 Grand Avenue Englewood, NJ 07631	6,019.28
9 Marseille Terr.				
10-95	320	4	R. Rothman 411 Grand Ave. Englewood, NJ 07631	16,576.71
16 Jennifer Ct.				
10-104	268.04	21	US Bank Corporate Trust Services Tax Lien Service Group 2 Liberty Place 50 South 16 <sup>th</sup> Street Suite 1950	285.42
16 Crest Dr.				

Philadelphia, PA 19102

09-41	386	51	Royal Tax Lien	19,902.53
9 Lansdale Dr.			Services, LLC 179 Washington Lane Jenkintown, PA 19046	
10-152	270	100	Brian Walsh	549.37
25 Millay Rd.			111 Sandalwood Dr. Marlboro, NJ 07746	
10-14	178	290 C0132	U.S. Bank TLSG	456.45
132 Nathan Dr.			50 S. 16 <sup>th</sup> Street Suite 1950 Philadelphia, PA 19102	
10-93	243	6	R. Rothman	6,010.24
11 Liberty Rd.			411 Grand Ave. Englewood, NJ 07631	
10-49	270.01	14	Soheha	225.97
114 Janwich Dr.			P.O. Box 9416 Trenton, NJ 08650	
10-113	170	31	Nithi Services, LLC	1,032.63
Route 79			20 Almadera Dr. Wayne, NJ 07470	
10-163	170	32 QFarm	Vasyl or Maria Kavatsiuk	202.93
Route 79			449 Mountain Avenue Berkeley Heights, NJ 07922	
09-80	214.06	6	Richard Pisciotta	15,247.60
6 Breton Ct.			P.O. Box 234 Barnegat Light, NJ 08006	
09-82	238	2	Richard Pisciotta	10,325.74
52 Stockton Dr.			P.O. Box 234 Barnegat Light, NJ 08006	
10-59	299	165	Edison Tax Services,	1,904.26
563 Union Hill Rd.			LLC 1290 Wall St West Suite 301 Lyndhurst, NJ 07071	

TOTAL: \$109,230.63

RESOLUTION # 2010-170

WHEREAS, current sewer charges totaling \$4,385.24 have been paid by the lienholder of the Tax Sale certificates as per Schedule "A",

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$4,385.24 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

Cert #	Block	Lot	Qualifer	Sewer Account	Paid By	Property Location	Amount
08-17	196	36			Plymouth Park Tax Services	32 Overhill Drive	517.05
09-8	147	32.18			Plymouth Park Tax Services	20 Ellis Court	281.62
09-21	213	17			Richard Pisciotta	11 Quincy Street	754.33
09-40	380	23		15044	CCTS Capital LLC for US Bank	4 Cross Lane	375.05
09-41	386	51		9793	Crusader Lien Services	9 Lansdale Drive	386.17
09-52	160	66			CCTS Capital LLC for US Bank	415 Coral Court	499.17
09-64	178	2	C0315	11930	CCTS Capital LLC for US Bank	315 Devon Place	272.45
09-98	300.01	1		19456	CCTS Capital LLC for US Bank	204 Yellowknife Road	278.04
09-100	305	61		10474	CCTS Capital LLC for US Bank	44 Vista Drive	396.96
10-45	119.02	54			Rainbow Associates, LLC	8 Petra	166.01
10-47	360	25.16			Rainbow Associates, LLC	14 Livingston Court	166.00
10-90	184	80		6436	R. Rothman	5 Churchill Court	178.27
10-94	268.05	5		18558	R. Rothman	50 Apline Drive	114.12

\$ 4,385.24

RESOLUTION # 2010-171

WHEREAS, tax sale certificates sold at the 2010 Tax Lien Sale included delinquent sewer charges in the amount of \$52,862.69 as per Schedule "A",

WHEREAS, the above-mentioned tax sale certificates were bought by a third party,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$52,862.69 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

Cert #	Block	Lot	Qualifer	Sewer Account	Paid By	Property Location	Amount
10-96	101.01	1		23331	CCTS Capital LLC for US Bank	302 Provincial Drive	362.27
10-110	105	3		8404	Nithi Services, LLC	14 Thomas Lane	516.69
10-64	106	4		8289	N. or D. Remick Trustee	31 Wicker Place	509.23
10-145	106	6		15207	Brian Walsh	17 Thomas Lane	498.92
10-157	107	17		15207	Vasyl or Maria Kavatsiuk	Thomas Lane	896.47
10-111	108	20		8288	Nithi Services, LLC	8 Wicker Place	448.89
10-3	109	5		8407	US Bank for Pro Capital	42 Wicker Place	200.76
10-97	113	6		8256	CCTS Capital LLC for US Bank	20 John Street	382.86
10-98	116	2		9389	CCTS Capital LLC for US Bank	4 Nolan Road	596.45
10-5	119.02	48		18446	US Bank for Pro Capital	64 Bernadette Rd	496.06
10-45	119.02	54		18476	Rainbow Associates, LLC	8 Petra Drive	319.65
10-6	120	11		19169	US Bank for Pro Capital	117 Greenwood Road	206.51
10-75	120	20		8269	Frank J. Festa JR	58 Tennent Road	597.41
10-72	120.02	14		19196	FNA Jersey Lien Services	416 Ironwood Lane	522.04
10-99	120.02	23		18928	CCTS Capital LLC for US Bank	401 Ironwood Lane	200.76
10-7	122	2		8448	US Bank for Pro Capital	2 Orchard Parkway	499.43
10-73	123	2		8954	FNA Jersey Lien Services	3 Tennent Road	494.13
10-8	130	4		8276	US Bank for Pro Capital	9 Wilson Ave	639.17
10-158	130	1		8234	Vasyl or Maria Kavatsiuk	466 Route 79	517.28

10-146	133	7		23157	Brian Walsh	35 Wilson Ave	160.06
10-9	143.09	16		20784	US Bank for Pro Capital	619 Vale Drive	510.23
10-112	150	1		8669	Nithi Services, LLC	457 Route 79	422.77
10-76	160	45		21043	Frank J. Festa JR	207 Conway Court	499.29
10-38	171	36.02		23688	Nasom, LLC	57 Station Road	643.14
10-35	173	7	C0272	13452	Nasom, LLC	272 Fairfield Place	329.39
10-147	173	7	C0282	13481	Brian Walsh	282 Fairfield Place	435.16
10-10	173	7	C0386	13303	US Bank for Pro Capital	386 Hampton Place	498.62
10-77	173	7	C0392	13027	Frank J. Festa JR	392 Hampton Place	549.75
10-119	176	7	C0492	17393	Josef Hoffmann	492 Tivoli Court	133.55
10-168	176	7	C0528	18331	US Bank for Pro Capital	528 Tivoli Court	190.37
10-11	176	7	C0869	17238	US Bank for Pro Capital	869 Mariposa Court	504.70
10-128	176	98		13124	Royal Tax Lien	10 East Frances Ave	495.53
10-148	176.02	51		18339	Brian Walsh	61 Enclosure Drive	500.09
10-114	176.05	4		17669	Nithi Services, LLC	24 Enclosure Drive	289.81
10-120	178	2	C0009	12560	Josef Hoffmann	9 Bennington Place	374.81
10-14	178	290	C0132	21108	US Bank for Pro Capital	132 Nathan Drive	283.48
10-40	178	2	C0147	13411	Nasom, LLC	147 Tanglewood Place	200.76
10-101	178	2	C0155	13446	CCTS Capital LLC for US Bank	155 Tanglewood Place	181.09
10-12	178	2	C0271	12612	US Bank for Pro Capital	271 Stratford Place	643.14
10-13	178	2	C0469	11842	US Bank for Pro Capital	469 Hawthorne Place	371.17
10-130	178	290	C0178	21578	Royal Tax Lien	178 Nathan Drive	472.95
10-121	178	290	C0228	20665	Josef Hoffmann	228 Hidden Lake Drive	124.18
10-41	178	290	C0334	21493	Nasom, LLC	334 Bernard Drive	240.29
10-149	180	45		15459	Brian Walsh	4 Evan Drive	598.09
10-15	184	30		19375	US Bank for Pro Capital	111 Valesi Drive	516.99
10-90	184	80		6436	R. Rothman	5 Churchill Court	498.15
10-16	192	4		13251	US Bank for Pro Capital	35 Stony Hill Drive	499.77
10-150	193.02	3		21334	Brian Walsh	6 Drakes Hill Court	382.04
10-17	193.02	55		21180	US Bank for Pro Capital	6 Station Road	596.66
Cert #	Block	Lot	Qualifer	Sewer Account	Paid By	Property Location	Amount
10-122	193.06	11		21253	Josef Hoffmann	80 Station Road	500.09
10-103	195	6		9165	CCTS Capital LLC for	4 Peach Tree Court	497.51

					US Bank		
10-132	199	10		10389	Royal Tax Lien	2 Apple Tree Court	158.97
10-18	202	4		10720	US Bank for Pro Capital	75 Rockwell Circle	361.48
10-78	212	4		3306	Frank J. Festa JR	16 Lawton Road	371.17
10-151	214.01	30		19954	Brian Walsh	3 Breton Court	497.43
10-68	214.03	4		22717	Marc Markowitz	2 Lowery Lane	507.28
10-42	214.05	11		20262	Nasom, LLC	22 Graversham Drive	497.67
10-19	214.06	6		20046	US Bank for Pro Capital	6 Brenton Court	500.17
10-20	223	3		9386	US Bank for Pro Capital	10 School Road West	329.67
10-58	223	2		9529	Edison Tax Serivces	12 School Road West	329.67
10-80	225	80		4382	Frank J. Festa JR	12 Liberty Road	564.85
10-48	251	38		6328	Soheha	99 Gordons Corner Rd	168.78
10-123	252	11		5848	Josef Hoffmann	4 Ciafardini Court	297.99
10-21	255	21		7090	US Bank for Pro Capital	19 Georgian Bay Drive	517.29
10-22	255	36		5213	US Bank for Pro Capital	59 Church Road	510.37
10-23	262	14		4547	US Bank for Pro Capital	3 Bruce Road	499.38
10-24	263	3		4424	US Bank for Pro Capital	6 Bruce Road	314.10
10-81	264	21		4829	Frank J. Festa JR	11 Sudbury Road	500.54
10-115	264	27.01		23400	Nithi Services, LLC	27 Church Road	463.69
10-104	268.04	21		18224	CCTS Capital LLC for US Bank	16 Crest Drive	253.06
10-94	268.05	5		18558	R. Rothman	50 Apline Drive	504.85
10-25	270	71		4972	US Bank for Pro Capital	8 Robinson Road	496.57
10-39	270	15.50		20742	Nasom, LLC	112 Serpentine Drive	154.19
10-152	270	100		4877	Brian Walsh	25 Millay Road	511.83
10-49	270.01	14		21789	Soheha	114 Janwich Drive	158.97
10-27	275	45		5434	US Bank for Pro Capital	14 Longfellow Terrace	598.49
10-82	286	18		13676	Frank J. Festa JR	7 Longfellow Terrace	497.08
10-153	286	20		12993	Brian Walsh	11 Longfellow Terrace	498.84
10-4	288	14		4956	US Bank for Pro Capital	4 Emerson Dr	432.15
10-83	288	29	C0234	14978	Frank J. Festa JR	234 Ravenswood Road	498.95
10-116	288	29	C0455	14245	Nithi Services, LLC	455 Bayberry Court	496.24
10-105	290	7		4801	CCTS Capital LLC for US Bank	11 Lindsay Drive	499.21
10-196	295	13		9545	US Bank for Pro	23 Marc Drive	499.82

					Capital		
10-69	300	43		4914	Marc Markowitz	38 Duncan Drive	331.77
10-162	300	89		14200	Vasyl or Maria Kavatsiuk	46 Church Road	1,109.45
10-50	301	36		5425	Soheha	30 Duncan Drive	596.45
10-106	301	2		5162	CCTS Capital LLC for US Bank	32 Regina Road	242.54
10-84	305	73		8693	Frank J. Festa JR	26 Vista Drive	496.48
10-28	312	43		12322	US Bank for Pro Capital	18 Susan Drive	498.84
10-124	314	3		5473	Josef Hoffmann	31 Ottawa Road South	544.69
10-29	315	9		5168	US Bank for Pro Capital	50 Ottawa Road South	630.55
10-154	315	25		5226	Brian Walsh	177 Gordons Corner Rd	472.82
10-95	320	4		13728	R. Rothman	16 Jennifer Court	432.31
10-54	327	47		5496	Stuart Lasher	3 Hudson Bay Terrace	504.70
10-85	346	1		2786	Frank J. Festa JR	28 Collingwood Road	553.93
10-51	349	3		3053	Soheha	30 Amherst Road	160.14
10-135	351	5		8973	Royal Tax Lien	21-23 School Road West	1,019.09
10-136	353	1.01		6501	Royal Tax Lien	1 Brandon Road	596.45
Cert #	Block	Lot	Qualifer	Sewer Account	Paid By	Property Location	Amount
10-43	358	1.14		24338	Nasom, LLC	42 Witherspoon Way	327.75
10-117	359.01	19		24217	Nithi Services, LLC	28 Witherspoon Way	331.69
10-47	360	25.16		25537	Rainbow Associates, LLC	14 Livingston Court	498.98
10-30	373	15		11026	US Bank for Pro Capital	2 Harvest Court	455.70
10-125	374	2		11219	Josef Hoffmann	65 Homestead Circle	498.83
10-31	392.01	9		18731	US Bank for Pro Capital	17 Whistler Way	327.75
10-107	395	9		14451	CCTS Capital LLC for US Bank	1 Sycamore Court	598.51
10-70	396	1	C0234	16995	Marc Markowitz	234 Plum Drive	604.28
10-71	396	1	C0295	16260	Marc Markowitz	295 Plum Drive	598.49
10-118	396	1	C0252	16232	Nithi Services, LLC	252 Plum Drive	202.72
10-32	398	17		10318	US Bank for Pro Capital	1 Pine Lane	509.99
10-109	401	17		10752	CCTS Capital LLC for US Bank	26 Cannonade Drive	284.32
10-86	407	26		9823	Frank J. Festa JR	6 Swan Court	499.35
10-142	408	12		11858	Royal Tax Lien	23 Colts Run	322.37
10-87	412	307	C0007	20120	Frank J. Festa JR	7 Thrasher Court	551.77
10-143	412	159		12782	Royal Tax Lien	51 Manor Dirve	296.03

10-33	412.03	9		19702	US Bank for Pro Capital	18 Warbler Road	497.50
10-34	412.04	18		19998	US Bank for Pro Capital	25 Warbler Road	596.45
10-155	412.04	12		20083	Brian Walsh	40 Kingfisher Court	630.55
10-44	412.05	12		20756	Nasom, LLC	20 Kinglet Ave	500.09
							52,862.69

RESOLUTION # 2010-173

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 10-2010 (Off Premise 50/50) be and it is hereby granted to Michael Gerard Puharic Memorial Fund, Inc, P. O. Box 787, Matawan, NJ 07747.

BE IT FURTHER RESOLVED that said Raffle will be held on July 31, 2010 at 3:00 PM at YMCA Camp Arrowhead, Route 520, Marlboro, N. J. 07746.

The following Resolution #2010-175 (Setting Special Meeting - May 17<sup>th</sup> - 7 PM - Marlboro Board of Education and FRHSD Budgets) was introduced by reference, offered by Council Vice President Marder and seconded by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-175

BE IT RESOLVED by the Marlboro Township Council that a "Special" Council Meeting will be held on May 17, 2010 at 7:00 PM at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, N. J. 07746. The purpose of the special meeting is to discuss and take action on resolutions pertaining to the Marlboro Board of Education Budget and the Freehold Regional High School District Budget. Council will also take action on a resolution awarding a professional services contract to Withum, Smith & Brown for auditing review services in connection with the Township Council's review of the Marlboro Township Board of Education Budget and any other action deemed necessary. Citizen's Voice will be held.

The following Resolution #2010-176 (Emergency Temporary Appropriation) was introduced by reference, offered by Council President LaRocca, seconded by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-176

EMERGENCY TEMPORARY APPROPRIATION PRIOR TO  
ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of the fiscal year and before the adoption of the 2010 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2009 appropriations with the exception of debt service and obligations associated with seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2010 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$19,117,816.71 for the municipal budget, \$547,500.00 for the operations of the swim utility and \$4,216,396.00 for the operations of the water utility; and

NOW THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation will be provided for in the CY 2010 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**2010 TEMPORARY EMERGENCY APPROPRIATION - May 6, 2010**

<u>Current Fund</u>	2009 Appropriation	2010 Temporary Emergency Appropriation
Administration (30)		

Salary & Wages	160,000.00	142,500.00
Other Expenses	170,585.00	25,000.00
Office of the Mayor (10)		
Salary & Wages	60,500.00	30,250.00
Other Expenses	5,300.00	2,650.00
Ethics Commission		
Salary & Wages		
Other Expenses	500.00	250.00
Township Council (21)		
Salary & Wages	14,400.00	7,200.00
Other Expenses	2,000.00	1,000.00
Municipal Clerk (20)		
Salary & Wages	185,000.00	92,500.00
Other Expenses	61,000.00	30,500.00
Finance		
Salary & Wages	255,000.00	127,500.00
Other Expenses	23,000.00	15,000.00
Annual Audit	35,000.00	<b>25,000.00</b>
Central Computer Services		
Salary & Wages	84,000.00	42,000.00
Other Expenses	22,800.00	<b>20,000.00</b>
Tax Collector		
Salary & Wages	210,000.00	105,000.00
Other Expenses	56,650.00	28,325.00
Tax Assessor		
Salary & Wages	180,000.00	90,000.00
Other Expenses	88,800.00	44,400.00
Legal Services		
Other Expenses	400,000.00	200,000.00
Engineering Services		
Salary & Wages	255,000.00	127,500.00
Other Expenses	141,300.00	<b>75,150.00</b>
Economic Development		
Salary & Wages	2,000.00	1,000.00

Other Expenses	10,000.00	5,000.00
Grant Administration		
Salary & Wages		
Other Expenses	19,000.00	9,500.00
Cable Studio		
Salary & Wages		
Other Expenses	45,000.00	22,500.00
Inter- Governmental Relations		
Other Expenses	1,000.00	500.00
Homeland Security		
Salary & Wages	30,000.00	15,000.00
Other Expenses	28,500.00	14,250.00
Historic Sites Commission		
Other Expenses	1,000.00	500.00
Planning Board		
Salary & Wages	64,000.00	32,000.00
Other Expenses	34,800.00	17,400.00
Planning Board Contractual		
Other Expenses	31,400.00	15,700.00
Zoning Board		
Salary & Wages	158,000.00	79,000.00
Other Expenses	55,150.00	27,575.00
Liability Insurance	450,000.00	450,000.00
Workers Comp	600,000.00	600,000.00
Group Insurance	2,215,000.00	1,107,500.00
Unemployment Insurance	25,000.00	12,500.00
Police		
Salary & Wages	8,380,000.00	4,190,000.00
Other Expenses	363,000.00	181,500.00
Crime Prevention		
Other Expenses	23,405.00	11,702.50

School Educational Programs		
Other Expenses	13,900.00	6,950.00
Highway Safety		
Other Expenses	21,900.00	10,950.00
Emergency Management		
Salary & Wages	23,000.00	11,500.00
Other Expenses	16,850.00	8,425.00
Aid to Volunteer Ambulance Companies		
Other Expenses	60,000.00	0.00
Uniform Fire Safety Act		
Salary & Wages	133,500.00	66,750.00
Other Expenses	13,340.00	6,670.00
Municipal Prosecutors Office		
Salary & Wages	32,500.00	16,250.00
Streets and Road Maint		
Salary & Wages	1,555,000.00	777,500.00
Other Expenses	45,715.00	22,857.50
Snow Removal		
Salary & Wages	50,000.00	50,000.00
Other Expenses	372,290.00	769,390.00
Public Works – Other		
Salary & Wages	350,000.00	175,000.00
Other Expenses	66,020.00	33,010.00
Shade Tree Commission		
Salary & Wages		0.00
Other Expenses	2,000.00	1,000.00
Solid Waste Collection		
Salary & Wages	20,600.00	10,300.00
Other Expenses	704,124.00	352,062.00
Buildings & Grounds		
Salary & Wages	442,000.00	221,000.00
Other Expenses	232,140.00	116,070.00

Vehicle Maintenance		
Salary & Wages	415,000.00	207,500.00
Other Expenses	129,800.00	64,900.00
Community Services Act		
Other Expenses	94,700.00	0.00
Open space Committee		
Other Expenses	2,500.00	1,250.00
Public Health Services – Registrar		
Salary & Wages	6,500.00	3,250.00
Other Expenses	1,670.00	835.00
Drug Abuse Control		
Salary & Wages	10,000.00	5,000.00
Other Expenses	7,550.00	3,775.00
Environmental Health Services		
Salary & Wages	2,000.00	1,000.00
Other Expenses	5,000.00	2,500.00
Animal Control Services		
Other Expenses	55,000.00	27,500.00
Recreation		
Salary & Wages	410,000.00	205,000.00
Other Expenses	126,940.00	<b>95,000.00</b>
Park Maintenance		
Salary & Wages	515,000.00	257,500.00
Other Expenses	44,605.00	<b>40,000.00</b>
Municipal Library		
Other Expenses	16,200.00	8,100.00
Prior Year Bills	10,000.00	0.00
Accumulated Leave Compensation	1,000.00	0.00
Deficit in Animal control	1,929.19	0.00
Postage		
Other Expenses	60,000.00	30,000.00

Electricity	412,000.00	206,000.00
Street Lighting	674,000.00	337,000.00
Telephone	150,000.00	75,000.00
Water	24,000.00	12,000.00
Natural Gas	95,000.00	47,500.00
Sewer	10,400.00	5,200.00
Gasoline	336,500.00	<b>185,000.00</b>
Landfill Disposal Costs	222,200.00	111,100.00
PERS	345,000.00	679,885.00
FICA	1,000,000.00	500,000.00
Contingent	10,000.00	5,000.00
Municipal Court		
Salary & Wages	308,000.00	154,000.00
Other Expenses	125,140.00	62,570.00
Public Defender		
Salary & Wages	16,000.00	8,000.00
Other Expenses		
Affordable Housing		
Salary & Wages	4,000.00	2,000.00
Other Expenses	4,300.00	2,150.00
Police Dispatch 911		
Salary & Wages	660,000.00	330,000.00
Other Expenses	248,000.00	124,000.00
LOSAP		
Other Expenses	85,000.00	0.00
PFRS		
Other Expenses	916,058.50	1,905,039.00

SFSP Fire District Payments		
Other Expenses	14,229.00	0.00
Clean Communities Act	51,267.57	24,134.34
Monmouth Drug & Alcohol		
Grant Share	28,547.00	28,547.00
Local Share	7,136.00	7,136.00
Recycling tonnage Grant	40,370.49	51,127.94
DDEF	0.00	4,629.47
Body Armor Grant	6,970.90	1,625.00
2008 Green Communities Phase II Grant	3,000.00	0.00
Click It or Ticket	4,000.00	<b>4,000.00</b>
Handicapped Recreation Opportunities Grant		
Grant Share	2,100.00	0.00
Local Match	420.00	0.00
Alcohol Rehab Grant	1,124.46	788.96
NJ Forest Service Grant	0.00	6,967.00
Bond Principal	1,855,000.00	<b>1,518,000.00</b>
Bond Anticipation Notes	41,175.00	41,175.00
Bond Interest	567,500.00	<b>500,000.00</b>
Note Interest	183,610.00	197,675.00
Green Acres Trust - P & I	28,865.00	28,865.00
Capital Lease program		
Principal	274,200.00	<b>287,000.00</b>
Interest	43,569.00	<b>31,055.00</b>
Emergency Authorizations	305,000.00	0.00

Deferred Charges	0.00	
Reserve for Uncollected Taxes	1,900,000.00	0.00
Totals	32,021,046.11	19,117,816.71

**Swim Utility**

Salary & Wages	435,000.00	217,500.00
Other Expenses	604,762.50	300,000.00
Capital Outlay	60,000.00	30,000.00
Payment of Bond Principal	10,000.00	0.00
Payment of Bond Anticipation Notes		
Payment of Bond Interest	237.50	0.00
Fund Totals	1,110,000.00	547,500.00

**Water Utility**

Administration		
Salary & Wages	378,370.00	189,185.00
Fringe Benefits	122,135.00	61,067.50
Other Expenses	406,200.00	203,100.00
Cost of Providing Services		
Salary & Wages	494,650.00	247,325.00
Fringe Benefits	155,445.00	77,722.50
Other Expenses	4,260,503.00	2,130,251.50
Payment of Bond Principal	886,321.00	443,160.50
Payment of Bond Anticipation Notes		
Payment of Bond Interest	1,729,168.00	864,584.00
Fund Totals	8,432,792.00	4,216,396.00

There was a brief discussion with Council members and Louis Rainone, Esq. to amend the current meeting notice to change the meeting time from 8:PM to 7:PM. The following Resolution #2010-178 (Changing the Meeting Times for Township Council Meetings

to 7:00 PM) was introduced by reference, offered by Council President LaRocca by Council Vice President Marder and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2010-178

RESOLUTION CHANGING THE MEETING  
TIMES FOR THE TOWNSHIP COUNCIL MEETINGS

WHEREAS, by Resolution 2010-26, the Township Council of the Township of Marlboro adopted its dates for regularly scheduled meetings in 2010 and set their meeting times at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey; and

WHEREAS, at the May 6, 2010 Township Council meeting, it was determined to change the time for the regularly scheduled meetings from 8:00 p.m. to 7:00 p.m. to continue to be held at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey; and

WHEREAS, all of the other terms and conditions contained in Resolution 2010-26 except for changing the starting time of the meetings will remain in full force and effect.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that effectively immediately the starting time for meetings of the Township Council of the Township of Marlboro will be changed from 8:00 p.m. to 7:00 p.m. to continue to be held at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

BE IT FURTHER RESOLVED, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq., notice of this change in the starting time for meetings shall be mailed to the Asbury Park Press and the Star Ledger, posted on the bulletin board in the Township Municipal Building and posted on the Township's website; and

BE IT FURTHER RESOLVED, that formal action may continue to be taken at any workshop or regular meeting of the Township Council without any further notice.

At 11:20PM, Council Vice President Marder moved that the meeting go into executive session for reason of discussing litigation. This was seconded by Councilman Metzger, and as there was no

objection, the Clerk was asked to cast one ballot (Absent: Cantor).

RESOLUTION # 2010-174

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 6th day of May, 2010 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely litigation.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 20 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 11:40 PM, Council President LaRocca moved that the meeting be opened. This was seconded by Councilwoman Mazzola, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor).

At 11:41, Council Vice President Marder moved that the meeting be adjourned. This was seconded by Council President, LaRocca and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: JUNE 17, 2010

OFFERED BY: MARDER AYES: 4

SECONDED BY: MAZZOLA NAYS: 0

ABSTAIN: CANTOR

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ALIDA MANCO  
MUNICIPAL CLERK

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FRANK LAROCCA  
COUNCIL PRESIDENT