

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

September 30, 2010

The Marlboro Township Council held a Special Council Meeting on September 30, 2010 at 7:00 P.M. at the Rosemont Clubhouse, 246 Everton Blvd., 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 special meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on August 24, 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 and placed on the township website.

The Clerk called the Roll.

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

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

Councilman Metzger moved that the minutes of August 24, 2010 be approved. This motion was seconded by Councilwoman Mazzola and passed on a roll call vote of 5-0.

The following Res. # 2010-359/Ord. # 2010-24 (Authorizing Easement and Right of Way Agreement New Jersey Natural Gas) was introduced by reference, offered by Council Vice President Marder, seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-359

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

ORDINANCE # 2010-24

AN ORDINANCE AUTHORIZING THE EXECUTION OF EASEMENT AND RIGHT-OF-WAY AGREEMENTS FROM THE TOWNSHIP OF MARLBORO AS SUCCESSOR-IN-INTEREST TO THE MARLBORO TOWNSHIP MUNICIPAL UTILITIES AUTHORITY TO THE NEW JERSEY NATURAL GAS COMPANY FOR THE PURPOSE OF INSTALLATION, OPERATION AND MAINTENANCE OF A GAS PIPELINE AND TO JERSEY CENTRAL POWER & LIGHT COMPANY AND VERIZON OF NEW JERSEY, INC. FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF UNDERGROUND PRIMARY WIRE

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 October 21, 2010 at 7:00 p.m. at the Marlboro Greens Clubhouse, 1 Ivy Hill Drive, Englishtown, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2010-24

AN ORDINANCE AUTHORIZING THE EXECUTION OF EASEMENT AND RIGHT-OF-WAY AGREEMENTS FROM THE TOWNSHIP OF MARLBORO AS SUCCESSOR-IN-INTEREST TO THE MARLBORO TOWNSHIP MUNICIPAL UTILITIES AUTHORITY TO THE NEW JERSEY NATURAL GAS COMPANY FOR THE PURPOSE OF INSTALLATION, OPERATION AND MAINTENANCE OF A GAS PIPELINE AND TO JERSEY CENTRAL POWER & LIGHT COMPANY AND VERIZON OF NEW JERSEY, INC. FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF UNDERGROUND PRIMARY WIRE

WHEREAS, the Township of Marlboro ("Township") is successor to the Marlboro Township Municipal Utilities Authority ("MTMUA"); and

WHEREAS, the Township, as successor-in-interest to the MTMUA, is the owner of properties known as: Block 171, Lot 71 (formerly Block 33, Lots 26, 27 & 28) on the Official

Tax Map of the Township of Marlboro, and commonly known as Harbor Road, Marlboro, New Jersey, ("Property One"), and Block 170, Lot 29 on the Official Tax Map of the Township of Marlboro, New Jersey ("Property Two"); and

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon") has entered into a Lease Agreement with the MTMUA to construct a telecommunications facility on a portion of the Property; and

WHEREAS, the New Jersey Natural Gas Company ("NJNG"), a public utility regulated by the New Jersey Board of Public Utilities, requires an easement and right of way over, under and through a portion of Property One for the purpose of installing, operating and maintaining a pipeline or pipelines, for the transportation of gas transportable by pipeline or for other purposes, such pipeline(s) including such surface or subsurface pipeline appurtenances and facilities required for the operation or maintenance of such pipeline(s) as further described on the Easement and Right-of-Way Agreement attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, Verizon has obtained a building permit from the Township to construct the telecommunications facility on Property One, and has requested that the Township execute the Easement and Right-of-Way Agreement with NJNG so that Verizon may file a permit with the New Jersey Department of Environmental Protection; and

WHEREAS, Verizon shall amend its site plan application for the telecommunications facility to provide for the construction of a stealth tower in lieu of a monopole as previously approved; and

WHEREAS, Jersey Central Power & Light Company and Verizon of New Jersey, (collectively, "JCP&L/Verizon") require a Right-of-Way over, through and under a portion of Property Two to install, operate and maintain underground primary wire from existing Jersey Central Power & Light Company facilities to a newly placed pad mounted transfer located near the proposed communications tower, as further described on the Right-of Way Agreement attached hereto and made a part hereof as Exhibit "B"; and

WHEREAS, pursuant to The Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., the Township of Marlboro

has the power to convey an easement upon any real property;  
and

WHEREAS, the Township Council finds that it would be in the best interest of the Township of Marlboro to convey the necessary Easements and Rights-of-Way to the NJNG and JCP&L/Verizon.

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

(1) an Easement and Right-of-Way to the New Jersey Natural Gas Company over, under and through a portion of the property known as Block 171, Lot 71 (formerly Block 33, Lots 26, 27 & 28) on the Official Tax Map of the Township of Marlboro, and commonly known as Harbor Road, Marlboro, New Jersey, ("Property One") for the purpose of installing, operating and maintaining a pipeline or pipelines, for the transportation of gas transportable by pipeline or for other purposes, such pipeline(s) including such surface or subsurface pipeline appurtenances and facilities required for the operation or maintenance of such pipeline(s) as further described on the Easement and Right-of-Way Agreement attached hereto and made a part hereof as Exhibit "A", for minimal compensation therefor, be and is hereby authorized and approved; and

(2) the Mayor and Township Clerk are hereby authorized to execute and witness an Easement and Right-of-Way Agreement, in a form substantially similar to that attached hereto and made a part hereof as Exhibit "A", conveying the aforescribed Easement and Right-of-Way over a portion of Property One from the Township of Marlboro to the New Jersey Natural Gas Company; and

(3) a Right-of-Way to Jersey Central Power & Light Company and Verizon of New Jersey, Inc. over, under and through a portion of the property known as Block 170, Lot 29 on the Official Tax Map of the Township of Marlboro, and commonly known as Harbor Road, Marlboro, New Jersey, ("Property Two") to install, operate and maintain underground primary wire from existing Jersey Central Power & Light Company facilities to a newly placed pad mounted transfer located near the proposed communications tower, as further described on the Right-of Way Agreement attached hereto and made a part hereof as Exhibit "B", for minimal

compensation therefor, be and is hereby authorized and approved; and

(4) the Mayor and Township Clerk are hereby authorized to execute and witness a Right-of-Way Agreement, in a form substantially similar to that attached hereto and made a part hereof as Exhibit "B", conveying the aforescribed Right-of-Way over a portion of Property Two from the Township of Marlboro to the Jersey Central Power & Light Company and Verizon of New Jersey, Inc.; and

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 apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

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; and

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

Exhibits A & B on file in Clerk's office.

The following Res. # 2010-360/Ord. # 2010-25 (Authorizing Police Antenna Co-location on Tower at Wilson Ave. in Matawan) was removed from the agenda.

The following Res. # 2010-361 (Authorizing Participation in MCIA and Application to Local Finance Board for Consent to Issue Refinancing Bonds) was introduced by reference, offered by Council Vice President Marder, seconded by Council President LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-361

RESOLUTION OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S

PARTICIPATION IN THE BOND FINANCING PROGRAM OF  
THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND  
AUTHORIZING APPLICATION TO LOCAL FINANCE BOARD  
FOR ITS CONSENT TO ISSUE REFUNDING BONDS

WHEREAS, the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Local Unit"), has previously authored the issuance of bonds or notes to finance the costs of various capital improvements (the "Local Unit Projects"); and

WHEREAS, the Local Unit desires to issue bonds to refund the bonds that were issued to permanently finance the Local Unit Projects; and

WHEREAS, the Local Unit has reviewed the Bond Financing Program proposed by The Monmouth County Improvement Authority (the "MCIA"), whereby the Local Unit would issue Refunding Bonds (collectively, the "Local Unit Bonds") through the Bond Financing Program of the MCIA; and

WHEREAS, the Local Unit believes that participation in the MCIA's Bond Financing Program will benefit the Local Unit due to reduced interest costs as a result of a guaranty by the County of Monmouth, State of New Jersey (the "County Guaranty") on the debt service of the MCIA Bond Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of economic crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Bonds through the Bond Financing Program of the MCIA; and

WHEREAS, such Local Unit Bonds shall be issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-51 et seq.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF MARLBORO THAT:

Section 1. The Local Unit hereby authorizes the Local Unit's participation in the MCIA Bond Financing Program.

Section 2. The Local Unit consents to the MCIA's application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of

Community Affairs (the "Local Finance Board") in connection with the Bond Financing Program.

Section 3. The Local Unit authorizes the filing of an application to the Local Finance Board for its consent to issue its Local Unit Bonds.

Section 4. The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the MCIA and is further authorized to execute one or more bond purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with counsel to the Local Unit.

Section 4. This resolution shall take effect immediately.

The following Res. # 2010-362 (Authorizing Services in Connection with 2010 Bond Sale) was introduced by reference, offered by Councilman Cantor, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-362

A RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT BETWEEN WISS & COMPANY, LLP AND THE TOWNSHIP OF MARLBORO FOR THE PERFORMANCE OF CERTAIN AGREED-UPON PROCEDURES AND SERVICES IN CONNECTION WITH THE PROPOSED 2010 ISSUANCE OF GENERAL IMPROVEMENT BONDS

WHEREAS, in response to a Request for Proposals for Audit and Related Services, the Municipal Council approved Resolution 2010-13 on January 7, 2010 awarding a contract to Wiss & Company, LLP for preparation of the 2009 statutory audit for an amount not to exceed \$45,000.00; and

WHEREAS, the Township of Marlboro requires additional services related to the 2009 audit in order that the necessary certifications be made to the investment community and rating agencies in connection with the proposed 2010 issuance of General Improvement Bonds (the "Professional Services"), same to be

appointed pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such Professional Services are to be performed and rendered by a person or persons licensed and authorized by law to practice public accounting in the State of New Jersey, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, Wiss & Company, LLP currently serves as the Auditor for Marlboro Township and recently completed the Report of Audit for December 31, 2009; and

WHEREAS, the Township received a proposal from Wiss & Company, LLP (the "Business Entity") dated September 16, 2010 (the "Proposal") for the Professional Services, which sets forth the terms and conditions under which such Professional Services are to be rendered by the Business Entity for an additional amount not to exceed \$5,000.00; and

WHEREAS, it has been determined that the total value of the contract exceeds \$17,500.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Capital Account X-04-55-967-999 for this purpose; and

WHEREAS, the Business Entity has completed and submitted a Business Entity Disclosure Certification certifying that the Business Entity 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 the Business Entity's Disclosure of Campaign Contributions at least ten (10) days prior hereto, as required by P.L. 2005, c.271.

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 a Professional Services Contract Amendment, in a form legally acceptable to the Township Attorney, between Wiss & Company, LLP and the Township of Marlboro to provide the above described and defined Professional Services, pursuant to a non-fair and open process; and

BE IT FURTHER RESOLVED, that this Professional Services Contract Amendment is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide that the total fee for the Additional Services as described hereinabove shall not to exceed \$5,000.00; and

BE IT FURTHER RESOLVED, that a copy of the Professional Services Contract Amendment and this Resolution shall be made available for public inspection in the Township Clerk's Office; and

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

- a. Mayor Jonathan Hornik
- b. Township Administrator
- c. Wiss & Company, LLP
- d. DeCotiis, FitzPatrick & Cole, LLP

Councilwoman Mazzola recused herself and left the room.

The following Res. # 2010-363 (Authorizing Partial Refund Non-residential Development Fees - Timber Hill Assoc.) was introduced by reference, offered by Councilman Cantor, seconded by Councilman Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Mazzola).

RESOLUTION # 2010-363

A RESOLUTION OF THE MARLBORO TOWNSHIP  
TOWN COUNCIL PARTIALLY REFUNDING

NON-RESIDENTIAL DEVELOPMENT FEES PREVIOUSLY  
PAID BY TIMBER ASSOCIATES, LLC

WHEREAS, Timber Associates, LLC (hereinafter "the Developer"), is the owner and developer of commercial real property which is identified as Lot 15, Block 360.02, in the Township of Marlboro, State of New Jersey, with said property being commonly known as 2 Timber Lane (hereinafter "the Property");

WHEREAS, on February 15, 2007, the Developer and the Township of Marlboro entered into a developers' agreement for the construction of 48,135 square feet of office and warehouse space along with associated parking, lighting, landscaping and drainage improvements;

WHEREAS, the foregoing developers' agreement provided for the payment of development fees by the Developer in an amount of one percent (1%) "of the equalized assessed value of the [P]roperty.";

WHEREAS, the Developer, having obtained all appropriate and necessary municipal approvals, did in fact make the foregoing improvements;

WHEREAS, the Developer, on or about June 19, 2008, paid a non-residential development fee in the amount of \$49,200 to the Township of Marlboro by way of check number 1019;

WHEREAS, the Developer, on or about December 29, 2008, was given an equalized assessed value of \$4,786,944 for the Property;

WHEREAS, on or about July 19, 2010, the Township of Marlboro adjusted the equalized assessed value of the Property—in conjunction with the Developer's application for a certificate of occupancy for the Property—to the amount of \$3,972,700 of which one percent (1%) of that amount would be \$39,727;

WHEREAS, based on the July 19, 2010, adjusted equalized assessed value, the appropriate amount of the non-residential development fee which should have been charged to the Developer should have been \$39,727 (\$3,972,700 X 1%);

WHEREAS, based upon the foregoing the Developer overpaid to the Township of Marlboro the appropriate non-residential development fee in the amount of \$9,473 (\$49,200-\$39,727);

WHEREAS, based on the foregoing overpayment by the Developer it is entitled to a refund of \$9,473 with said sum being paid from the Marlboro Township Affordable Housing Trust Fund;

WHEREAS, the refund of \$9,473 can be made at this time without awaiting approval of a proposed spending plan which was submitted to the Council On Affordable Housing ("COAH") along with Marlboro Township's Revised Housing Element and Fair Share Plan which was filed with the COAH on July 23, 2010;

NOW, THEREFORE, BE IT RESOLVED, that the Developer is entitled to a refund of \$9,473 from Marlboro Township's Affordable Housing Trust Fund as a result of an overpayment of the appropriate non-residential development fee as to the Property (\$49,200 - \$39,727 = \$9,473);

BE IT FURTHER RESOLVED, that the Chief Financial Officer and the Municipal Housing Liaison are hereby permitted to authorize the disbursement of the sum of \$9,473 from the Marlboro Township Affordable Housing Trust Fund to the Developer;

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

- a. Hon. Mayor Jonathan L. Hornik
- b. Timber Associates, LLC
- c. Kenneth W. Biedzynski, COAH Special Counsel
- d. Engineering Department, Marlboro Township
- e. Chief Financial Officer
- f. Thomas P. Howley, Municipal Housing Liaison; and
- g. DeCotiis, FitzPatrick & Cole, LLP, Township Attorney.

The following Res. # 2010-364 (Authorizing Agreement Mon. County - SCAT) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-364

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE  
COUNTY OF MONMOUTH, FOR SPECIAL CITIZENS  
AREA TRANSPORTATION SYSTEM (SCAT) SERVICES  
TO ELIGIBLE PERSONS

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth (hereinafter, "the County") has established the Special Citizens Area Transportation System (hereinafter, "SCAT"); and

WHEREAS, the Township of Marlboro has requested that the County provide services to eligible residents and wishes to enter into a Shared Services Agreement with the County for the provision of transportation services to eligible residents of Marlboro Township for the year 2011; and

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 SCAT is on file in the Township Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-5(b); and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the proposed shared services agreement in a form similar as that attached hereto for the provision of transportation services pursuant to the "Special Citizens Area Transportation System" ("SCAT") to eligible residents of Marlboro Township for the year 2011; 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. Monmouth County
- b. Mayor Jonathan L. Hornik
- c. Township Business Administrator
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2010-365 (Award of State Contract - Ammunition) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-365

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #A75931  
TO EAGLE POINT GUN SHOP FOR THE PURCHASE OF AMMUNITION  
FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, the Township of Marlboro Police Department is in need of ammunition for qualifications and range training; and

WHEREAS, the Marlboro Police Department has recommended that the Township purchase the ammunition from Eagle Point Gun Shop, 1707 Third Street, Thorofare, New Jersey 08086 under State Contract #A75931 in an amount not to exceed \$21,838.75; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Police Department to obtain the ammunition from Eagle Point Gun Shop; and

WHEREAS, funds are available in Account 0-01- -106-262 for an amount not to exceed \$21,838.75 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said ammunition;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the ammunition from Eagle Point Gun Shop, 1707 Third Street, Thorofare, New Jersey 08086 under State Contract #A75931 in an amount not to exceed \$21,838.75; and

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

- a. Eagle Point Gun Shop
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick & Cole, LLP

The following Res. # 2010-366 (Award of Bid - Police Uniforms) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-366

A RESOLUTION AWARDING CONTRACT TO THIS & THAT  
UNIFORMS FOR THE SUPPLY OF POLICE UNIFORMS  
TO THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the Supply of Uniforms to the Township of Marlboro Police Department, and on August 17, 2010, received two (2) bids therefor; and

WHEREAS, the two (2) bids received are summarized as follows:

Company	Location	Bid Amount
This & That Uniforms	Pleasantville, NJ	\$ 222,602.00
Red the Uniform Tailor	Lakewood, NJ	\$ 195,825.55

WHEREAS, following a review of the bids, as described in a memo dated August 30, 2010 from the Chief of Police, it has been determined that the submission of the lowest bidder for the Supply of Police Uniforms is non-responsive in that the required samples were not supplied for inspection; and

WHEREAS, it has been determined that the submission of the second lowest bidder for the Supply of Police Uniforms is responsive; and

WHEREAS, the Police Department has recommended the award of contract to This & That Uniforms, the second lowest bidder; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract in Account 0-01- -106-266 in the amount of \$45,000.00; and

WHEREAS, the bid specifications contain a provision whereby the Township may renew the contract for an additional one (1) year period on the same terms and conditions as specified in the bid proposal.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to This & That Uniforms, 1500 S. New Road, Pleasantville, NJ 08232 for the Supply of Police Uniforms for the Township of Marlboro Police Department, for a contract amount not to exceed \$45,000.00 per year for a term of one year, with an option for an additional one (1) year period on the same terms and conditions specified in the bid proposal; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness a contract with This & That Uniforms, 1500 S. New Road, Pleasantville, NJ 08232 in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

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

- a. This and That Uniforms
- b. Mayor Jonathan Hornik

- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Police Chief
- f. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2010-367 (Amend Contract CME - Morganville Senior Center) was introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-367

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

WHEREAS, the Township of Marlboro received a \$80,152.00 grant from the Federal Community Development Block Grant program for Improvements to the Morganville Senior Center; and

WHEREAS, the Township of Marlboro authorized the receipt of bids for improvements to the Morganville Senior Center (the "Project") on September 8, 2010 and a recommendation for award has been submitted for consideration; and

WHEREAS, the Township is need of construction management services in order to complete the Project; and

WHEREAS, CME Associates has provided a proposal dated August 18, 2010 (the "Proposal") for such Professional Services in connection with the Project; and

WHEREAS, the Township of Marlboro and CME Associates have 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 Professional Services (as defined hereinabove) for the Project at a fee not to exceed \$3,500.00 for such 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-04-55-962-909; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with 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 a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include professional engineering services Township by way of its Township Engineers to perform construction management services in connection with Improvements to the Morganville Senior Center ("Professional Services"), at a fee not to exceed \$3,500.00 for such Professional Services, as further described and set forth in CME's Proposal dated August 18, 2010 ("Proposal"), 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 Professional Services Contract described herein; and

BE IT FURTHER RESOLVED, that this 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 \$3,500.00 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; and

BE IT FURTHER RESOLVED, that a copy of 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 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 Res. # 2010-368 (Award of Bid - Improvements to Morganville Senior Center) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-368

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT  
TO A. TAKTON CONCRETE CORP. FOR IMPROVEMENTS  
TO THE MORGANVILLE SENIOR CENTER

WHEREAS, the Township of Marlboro received a \$80,152.00 grant from the Federal Community Development Block Grant program for Improvements to the Morganville Senior Center; and

WHEREAS, the Township of Marlboro authorized the receipt of bids for improvements to the Morganville Senior Center (the "Services") and on September 8, 2010 received seven (7) bids therefor; and

WHEREAS, the seven (7) bids received were as follows:

Vendor Name	City	St	Zip	Total
A. Takton Concrete Corp.	South River	NJ	08882	32,905.00
A&H Contracting MNC General Contracting	Manalapan	NJ	07726	34,000.00
AMC Industries Diamond Construction	Old Bridge	NJ	08857	34,999.40
Lucas Construction Group	Holmdel	NJ	07733	37,652.75
Bell Mill	Brick	NJ	08723	38,200.00
	Morganville	NJ	07751	44,350.00
	Belleville	NJ	07109	73,555.50

WHEREAS, the Township Engineer has reviewed the bids received and has advised that A. Takton Concrete Corp. is the low bidder, and has recommended that the Contract for Services be awarded to A. Takton Concrete Corp., 13 Tice Avenue, South River, New Jersey 08882; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$32,905.00 are available in Account G-07-41-810-301 for the Services; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid for Improvements to the Morganville Senior Center for the Township of Marlboro Department of Public Works be and is hereby awarded to A. Takton Concrete Corp., 13 Tice Avenue, South River, New Jersey 08882 for a contract amount not to exceed \$32,905.00; and

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

- g. A. Takton Concrete Corp.
- h. Mayor Jonathan L. Hornik
- i. Township Administrator
- j. Township Director, Dept. of Public Works
- k. Township Chief Financial Officer
- l. DeCotiis, FitzPatrick & Cole, LLP

The following Res. # 2010-369 (Authorizing Grant - Marlboro Twp. Alliance - 2011 Middle School - after school program - HOT - Hands Off Tobacco) was introduced by reference, offered by Council Vice President Marder and seconded by Councilman Metzger. After discussion, the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-369

RESOLUTION AUTHORIZING THE MARLBORO TOWNSHIP  
ALLIANCE TO PREVENT ALCOHOLISM AND DRUG ABUSE  
TO APPLY FOR THE 2011 GRANT - "One Time Only"

WHEAREAS, the Marlboro Township Alliance to Prevent Alcoholism and Drug Abuse provides a wide range of educational services to the residents of Marlboro Township for the prevention of alcohol and drug abuse; and

WHEREAS, the Alliance to Prevent Alcoholism and Drug Abuse requires funding from the Monmouth County Board of Alcohol and Drug Abuse Services in order to continue to provide these services to the residents of the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Township Council of the Township of Marlboro that the appropriate municipal officials be and are hereby authorized to execute the 2011 "One Time Only" DEDR Application for Funds and Services on behalf of the Alliance to Prevent Alcoholism and Drug Abuse for the purpose of obtaining funding for the provision of programs for the prevention of and education regarding alcohol and drug abuse, a copy of which is on file in the Township Clerk's office and available for public inspection; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to forward executed copies of the Agreement to the Monmouth County Board of Alcohol and Drug Abuse Services.

The following Res. # 2010-370 (Authorizing Revocable Property Use Licenses) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-370

A RESOLUTION AUTHORIZING THE MAYOR'S EXECUTION OF REVOCABLE PROPERTY USE LICENSES FOR ENCROACHMENTS WITHIN THE MUNICIPAL RIGHT-OF-WAY FOR THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, the Township of Marlboro has, from time to time, received requests from property owners for permission to encroach upon municipal right-of-way in order to construct a fence, or decorative driveway stanchion or other similar property enhancement; and

WHEREAS, the Township of Marlboro is willing to review such requests and grant same on a case-by-case basis, provided that: (1) the size of any proposed encroachment is minimal; (2) the property owner indemnifies and holds harmless the Township of Marlboro from and against any and all damages, claims, suits and judgments, including costs and fees arising from such property owner's use within such municipal right-of-way; and (3) such property owner shall maintain the municipal right-of-way at their sole cost and expense; and

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the Mayor and Clerk are hereby authorized to, respectively, execute and witness, Revocable Property Use Licenses for Encroachments within the Municipal Right-of-Way of the Township of Marlboro, as same may be approved by the Township Zoning Officer, Engineer and Attorney, and provided that: (1) the size of any proposed encroachment is minimal; (2) each such Revocable License shall indemnify and hold the Township of Marlboro harmless from and against any and all damages, claims, suits and judgments, including costs and fees arising from such property owner's use within such municipal right-of-way; and (3) such property owner shall maintain the municipal right-of-way at their sole cost and expense; and

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

- a. Mayor Jonathan Hornik
- b. Township Business Administrator
- c. Township Zoning Officer
- d. Township Engineer
- e. DeCotiis, FitzPatrick & Cole, LLP

The following Res. # 2010-371 (Authorizing Discharge of Mortgage - 6 Laurel Lane - Zawistowski) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-371

A RESOLUTION OF THE TOWNSHIP OF MARLBORO TOWN COUNCIL  
AUTHORIZING A DISCHARGE OF THE MORTGAGE AND MORTGAGE  
NOTE DATED AUGUST 28, 2002, ON A PROPERTY LOCATED  
AT 6 LAUREL LANE, MARLBORO, NEW JERSEY, AND  
OWNED BY CAROLE ANN ZAWISTOWSKI

WHEREAS, the Township of Marlboro has implemented a housing rehabilitation program in the Township, which was administered in accordance with the New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) and the administrative rules of the Council on Affordable Housing; and

WHEREAS, as part of the foregoing rehabilitation program Marlboro has in fact provided rehabilitation assistance to various residents of The Township of Marlboro; and

WHEREAS, as a condition of the rehabilitation program residents who were offered financial assistance must retain ownership of their units for a period of six (6) years from the date of such assistance and if they do so, the financial assistance (which is in the form of a forgivable loan), shall be discharged and forgiven; and

WHEREAS, Carole Ann Zawistowski took title to a certain mortgaged premises by means of a deed from Stanley Zawistowski, husband of Carole Ann Zawistowski, by deed

dated June 28, 1984, and recorded in the Monmouth County Clerk's Office on July 10, 1984, in Deed Book 4491, Page 268; and

WHEREAS, the address of the aforesaid property is commonly known as 6 Laurel Lane, Marlboro, New Jersey; and

WHEREAS, Carol Ann Zawistowski made application for rehabilitation assistance for her home and she was granted such assistance and repairs and/or improvements were made to her home as a consequence of the foregoing rehabilitation program; and

WHEREAS, Carol Ann Zawistowski acquired the foregoing real property in fee simple; and

WHEREAS, the purpose of the foregoing rehabilitation services and funding was to correct defects in the premises at 6 Laurel Lane, Marlboro, New Jersey, and to bring said home up to applicable code standards; and

WHEREAS, the Township of Marlboro agreed to defer payments in the amount of \$7,370.00 in furtherance of this rehabilitation; and

WHEREAS, the Township of Marlboro loaned the aforesaid sum \$7,370.00 to Carole Ann Zawistowski (with no interest being charged) in furtherance of the foregoing rehabilitation project; and

WHEREAS, receipt of the forgivable loan is evidenced by the Mortgage Note dated August 28, 2002, to The Township of Marlboro, which secured the cost of the rehabilitation; and

WHEREAS, the homeowner Carole Ann Zawistowski similarly signed a mortgage on August 28, 2002, to secure the indebtedness related to the foregoing rehabilitation project; and

WHEREAS, the foregoing mortgage was recorded in the Monmouth County Clerk's Office in Book 8221, page 5431 on April 24, 2003; and

WHEREAS, the term of the Mortgage and Mortgage Note was due and payable six (6) years from the date of the signing of the loan which is August 28, 2008; and

WHEREAS, the expiration of the note term has been reached which was six (6) years; and

WHEREAS, the note for \$7,370.00 was forgivable if the terms and conditions of the Rehabilitation Deferred Loan Agreement, Mortgage Note and Mortgage were met; and

WHEREAS, Carole Ann Zawistowski has demonstrated by Affidavit that

1. She continues to own and occupy 6 Laurel Lane, Marlboro, New Jersey, as her primary residence and has done so for at least the past six (6) years since August 28, 2002;
2. She has complied with all terms and conditions of the Mortgage Note and Modification Agreement, Rehabilitation Deferred Loan Agreement, and, the Marlboro Township Housing Rehabilitation Program guidelines and procedures;
3. She promptly paid all taxes, levies and assessments on the property;
4. She has not utilized the property as a rental property;
5. She has kept the property in good repair and has not permitted deterioration of the property;
6. She has maintained extended coverage insurance in an amount at least equal to the amount of the mortgage;
7. She has utilized the property in compliance with all the laws, ordinances and other requirements of any governmental authority; and

WHEREAS, Stanley Zawistowski died prior to Carole Ann Zawistowski signing the note; and

WHEREAS, as a result of the death of Stanley Zawistowski, Carole Ann Zawistowski is the Surviving Tenant by the Entireties; and

WHEREAS, as Carole Ann Zawistowski is the sole owner of the home at 6 Laurel Lane, Marlboro, New Jersey; and

WHEREAS, Carole Ann Zawistowski desires a discharge of the foregoing lien against her home solely; and

WHEREAS, the Marlboro Township Town Council finds that there is good cause for the release of the foregoing mortgage and note;

NOW, THEREFORE, BE IT RESOLVED that the Hon. Mayor Jonathan L. Hornik is hereby authorized to sign the attached Discharge of Mortgage on the aforesaid property;

BE IT FURTHER RESOLVED that subsequent to signature said Discharge of Mortgage on the aforesaid property, the discharge will be recorded in the Monmouth County Clerk's Office.

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

- a. Mayor Jonathan L. Hornik
- b. Township Business Administrator, Jon Capp
- c. Thomas P. Howley, Municipal Housing Liaison
- d. Township Attorney, DeCotiis, Fitzpatrick, & Cole, LLP

As the consent agenda, the following Resolutions were introduced by reference, offered by Council Vice President Marder, seconded Councilman Cantor and passed on a roll call vote of 5 - 0 in favor: Res. # 2010-372 (Widow of Veteran Exemption - B. 288, L. 29), Res. # 2010-373 (Redemption Tax Sale Certs - Various), Res. # 2010-374 (Refunds for Overpayments - Various) and Res. # 2010-377 (Raffle License Marlboro Middle School On Premise 50/50).

RESOLUTION # 2010-372

WHEREAS, the Tax Assessor has granted a %100 disabled widow of veteran exemption for Eleanor Mac Connell, Block 288 Lot 29, located at 273 Sunshine Court,

WHEREAS, this exemption became effective March 28, 2010 and taxes were paid for the second quarter of 2010, the above-mentioned taxpayer's mortgage company is due a refund of \$732.00, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of 732.00 to the above-mentioned taxpayer and cancel same.

RESOLUTION # 2010-373

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$37,471.23 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 \$37,471.23 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>
08-10 813 Turquoise Trail	155/20.30	Fidelity Tax, LLC P.O. Box 5707 Ft. Lauderdale, FL 33310	\$36,702.60
10-147 282 Fairfield Rd.	173/7 C0282	Brian Walsh 111 Sandalwood Dr. Marlboro, NJ 07746	768.63
TOTAL:			<u>\$37,471.23</u>

RESOLUTION # 2010-374

WHEREAS, the attached list in the amount of \$3,332.35 known as Schedule "A", is comprised of amounts representing overpayments for 2010 taxes,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to refund the above-mentioned overpaid amounts as per the attached Schedule "A",

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>2010 REFUND</u>
288/29	C0273	Eleanor MacConnell 273 Sunshine Circle Englishtown, NJ 07726	\$ 732.00
225/55		Fred H. & Claire M. Kronenfeld 55 River Drive Marlboro, NJ 07746	2,600.35
TOTAL:			<u>\$3,332.35</u>

RESOLUTION # 2010-377

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 25-2010 (On Premise 50/50) be and it is hereby granted to Marlboro Middle School PTO, 355 County Road 520, Marlboro, NJ 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on November 16, 2010 from 7 - 9 PM at 95 North Main Street (Marlboro High School), Marlboro, NJ 07746.

The following Res. # 2010-378/Ord. # 2010-26 (Refunding Bond Ordinance) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-378

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

ORDINANCE # 2010-26

REFUNDING BOND ORDINANCE OF THE TOWNSHIP  
OF MARLBORO, IN THE COUNTY OF MONMOUTH,  
NEW JERSEY, PROVIDING FOR THE REFUNDING OF  
CERTAIN BONDS OF THE TOWNSHIP AND APPROPRIATING  
AN AMOUNT NOT EXCEEDING \$8,790,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED

\$8,790,000 REFUNDING BONDS OF THE TOWNSHIP  
OF MARLBORO FOR FINANCING THE COST THEREOF

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 October 21, 2010 at 7:00 p.m. at the Marlboro Greens Clubhouse, 1 Ivy Hill Drive, Englishtown, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance

ORDINANCE # 2010-26

REFUNDING BOND ORDINANCE OF THE TOWNSHIP  
OF MARLBORO, IN THE COUNTY OF MONMOUTH,  
NEW JERSEY, PROVIDING FOR THE REFUNDING OF  
CERTAIN BONDS OF THE TOWNSHIP AND APPROPRIATING  
AN AMOUNT NOT EXCEEDING \$8,790,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED  
\$8,790,000 REFUNDING BONDS OF THE TOWNSHIP  
OF MARLBORO FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), is hereby authorized to refund all or a part of the Township's (i) \$518,000 of the Township's Bonds dated December 1, 1997, maturing on December 1 in the year 2011, such bonds being subject to redemption on any date on or after December 1, 2008 at a redemption price of 100% of the maturing principal, plus accrued interest to the redemption date; (ii) \$3,183,000 of the Township's Bonds dated December 1, 2001, maturing on December 1 in the years 2012 through 2016, inclusive, such bonds being subject to redemption on any date on or after December 1, 2011 at a redemption price of 100% of the maturing principal, plus accrued interest to the redemption date; (iii) \$2,282,000 of the Township's Bonds dated December 1, 2002, maturing on December 1 in the years 2013 through 2018, inclusive, such bonds being subject to redemption on any date on or after December 1, 2012 at a redemption price of 100% of the maturing principal, plus accrued interest to the redemption date;

and (iv) \$1,277,000 of the Township's Bonds dated December 18, 2003, maturing on December 1 in the years 2014 through 2018, inclusive, such bonds being subject to redemption on any date on or after December 1, 2013 at a redemption price of 100% of the maturing principal, plus accrued interest to the redemption date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not to exceed \$8,790,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purpose of the refunding is to provide for savings in the debt service payable by the Township with respect to its outstanding obligations.

Section 5. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

At 8:10PM, 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: October 21, 2010

OFFERED BY: Metzger                      AYES:     5

SECONDED BY: Marder                      NAYS:     0

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ALIDA MANCO  
MUNICIPAL CLERK

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FRANK LaROCCA  
COUNCIL PRESIDENT