

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

June 16, 2011

The Marlboro Township Council held its regularly scheduled meeting on June 16, 2011 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Marder opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was faxed and e-mailed to the Asbury Park Press, the Star Ledger and News Transcript on January 10, 2011; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building, filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

The Clerk called the Roll.

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

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

Council Vice President Cantor moved that the minutes of May 5 & 19, 2011 be approved. This was seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor, with Councilwoman Mazzola abstaining.

Council President Marder opened the Public Hearing on Ord. #2011-10. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2011-214/Ordinance #2011-10 (Amending Chapter 356 - Water Use - Concerning Water Conservation) was introduced by reference, offered by Council Vice President Cantor, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-214

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

ORDINANCE # 2011-10

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 356, "WATER USE",
ARTICLE I, "WATER CONSERVATION", SECTIONS 356-1 THROUGH 356-5,
OF THE CODE OF THE TOWNSHIP OF MARLBORO, TO REVISE WATER
CONSERVATION MEASURES THROUGHOUT MARLBORO TOWNSHIP

which was introduced on May 19, 2011, public hearing held June 16, 2011,
be adopted on second and final reading this 16th day of June, 2011.

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

Council President Marder opened the Public Hearing on Ord. #2011-13.
After the Public Hearing was held and closed, the following
Resolution #2011-215/Ordinance #2011-13 (Appropriating \$275,000
for Improvements to Glenbrook Retaining Walls - COAH) was
introduced by reference, offered by Councilwoman Mazzola, seconded
by Councilman Metzger and passed on a roll call vote of 5 - 0 in
favor.

RESOLUTION # 2011-215

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

ORDINANCE # 2011-13

AN ORDINANCE APPROPRIATING \$275,000 FROM THE AFFORDABLE
HOUSING TRUST FUND TO FULLY FUND COSTS ASSOCIATED WITH
CAPITAL IMPROVEMENTS TO THE RETAINING WALLS LOCATED
AT GLENBROOK ESTATES

which was introduced on May 19, 2011, public hearing held June 16, 2011,
be adopted on second and final reading this 16th day of June, 2011.

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

Council President Marder opened the Public Hearing on Ord. #2011-14.
After the Public Hearing was held and closed, the following Resolution
#2011-216/ Ordinance #2011-14 (Amending Section 220-30 - Guaranties,
Inspections and Developer's Agreements) was introduced by reference,
offered by Councilman LaRocca, seconded by Council President Marder, and
passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-216

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

ORDINANCE # 2011-14

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF MARLBORO, SECTION 220-30 ENTITLED, "GUARANTIES, INSPECTIONS AND DEVELOPER'S AGREEMENTS" AND SECTION 220-169, "OFF-STREET PARKING", TO INCREASE FEES FOR DRIVEWAY INSPECTIONS

which was introduced on May 19, 2011, public hearing held June 16, 2011, be adopted on second and final reading this 16th day of June, 2011.

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

Council President Marder opened the Public Hearing on Ord. #2011-15. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2011-217/Ordinance #2011-15 (Amending Chapter 356 - Water Use - Concerning Water Emergencies) was introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Cantor, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-217

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

ORDINANCE # 2011-15

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 356, "WATER USE", ARTICLE IV "WATER EMERGENCIES", SECTIONS 356-17 THROUGH 356-19, OF THE CODE OF THE TOWNSHIP OF MARLBORO, TO REVISE WATER EMERGENCY MEASURES THROUGHOUT MARLBORO TOWNSHIP

which was introduced on May 19, 2011, public hearing held June 16, 2011, be adopted on second and final reading this 16th day of June, 2011.

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

The following Resolution #2011-218/Ordinance #2011-16 (Amending Chapter 94 - Animal Impoundment - Recoup of Fees) was introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Cantor, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-218

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

ORDINANCE # 2011-16

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 94 OF THE CODE OF THE TOWNSHIP OF MARLBORO, ENTITLED, "ANIMALS", ARTICLE II, "VICIOUS AND POTENTIALLY DANGEROUS DOGS", SECTION 94-11, "IMPOUNDING OF DOGS AND ANIMALS", SUB-SECTION 94-11(C), TO INCREASE THE REDEMPTION FEES AND TO INCLUDE PROVISIONS FOR REIMBURSEMENT OF FEES FOR IMPOUNDMENT/BOARDING OF DOGS OR OTHER ANIMALS

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 July 14, 2011 at 7:00 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 # 2011-16

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 94 OF THE CODE OF THE TOWNSHIP OF MARLBORO, ENTITLED, "ANIMALS", ARTICLE II, "VICIOUS AND POTENTIALLY DANGEROUS DOGS", SECTION 94-11, "IMPOUNDING OF DOGS AND ANIMALS", SUB-SECTION 94-11(C), TO INCREASE THE REDEMPTION FEES AND TO INCLUDE PROVISIONS FOR REIMBURSEMENT OF FEES FOR IMPOUNDMENT/BOARDING OF DOGS OR OTHER ANIMALS

94-11(C). The owner or custodian of any dog or other animal impounded within the provisions of this chapter shall be subject to the following provisions:

- (1) A redemption fee of \$25.00 shall be paid to redeem a dog or other animal so impounded, plus a fee of \$10.00 per day after the second day of impoundment.

(2) All costs incurred by the Township, including, but not limited to, the costs for the impoundment, boarding or veterinary care of any dog or other animal shall be paid by the owner or custodian.

(3) No dog shall be returned to the owner or claimant of said dog unless the dog shall have a current license and shall have complied with the rabies inoculations requirements as hereinafter provided and has paid the proper fees required.

(4) Notwithstanding the foregoing, as the discretion of the Animal Control Officer, an unlicensed dog or other animal may be released to the owner or custodian upon the condition that a license is obtained for the dog or other animal within ten (10) calendar days of the release.

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 #2011-219/Ordinance #2011-17 (Amending Chapter 271 - Peddling and Soliciting) was introduced by reference, offered by Councilman Metzger and seconded by Councilman LaRocca. After discussion, the resolution/ordinance was passed on a roll call vote of 3 - 0 in favor, with Council Vice President Cantor and Councilwoman Mazzola abstaining.

RESOLUTION # 2011-219

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

ORDINANCE # 2011-17

AN ORDINANCE AMENDING CHAPTER 271 PEDDLING AND SOLICITING

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 July 14, 2011 at 7:00 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 # 2011-17

AN ORDINANCE AMENDING CHAPTER 271 PEDDLING AND SOLICITING

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following section of the Marlboro Township Code be and is hereby supplemented to include additional license requirements:

§ 271-3 Application for license.

G. The applicant shall supply three photographs, two inches wide by two inches high, showing the head and shoulders of the applicant, before a permit shall be issued, and one photograph shall be attached to the permit.

H. Each applicant shall arrange an appointment with the private fingerprinting vendor authorized by the State of New Jersey Department of Education. Fingerprinting shall be at the cost of the applicant.

§ 271-5 Fees.

A. Upon filing of the application, a fee of \$50 shall be paid to the Business Administrator of the Township of Marlboro for the use of the Township of Marlboro to defray the cost of processing each application.

B. The license issued under this chapter shall bear the name and address of the person or organization of whose behalf the canvassing, soliciting, peddling or hawking is being made and the name of the person using the specific license, the date issued and the dates within which the holder may conduct such canvassing, soliciting, peddling or hawking. All licenses must be signed by the Business Administrator and must be conspicuously displayed by the individual using such license.

§ 271-10 Exceptions to regulations.

D. Any nonprofit, religious, charitable, civic or veterans organization, service club, volunteer fire or first aid company desiring to solicit or have solicited in its name money, donations or financial assistance of any kind or desiring to sell or distribute any item of literature or

merchandise for which a fee is charged shall be exempt from the provisions of § 271-3(H) and 271-5(A), provided that there is filed a sworn application in writing with the Business Administrator containing the following information:

- (1) Name and address of the organization.
- (2) Purpose for which the special permit is requested.
- (3) Names and addresses of the officers and directors of the organization.
- (4) Period during which solicitation is to be carried on.

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.

Councilwoman Mazzola recused herself and left the room. The following Resolution #2011-220/Ordinance #2011-18 (Authorizing Financial Agreement with Camelot at Marlboro Urban Renewal, LLC) was introduced by reference, offered by Councilman LaRocca, seconded by Councilman Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Mazzola).

RESOLUTION # 2011-220

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

ORDINANCE # 2011-18

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO AUTHORIZING
THE EXECUTION AND DELIVERY OF A FINANCIAL AGREEMENT
BY AND BETWEEN THE TOWNSHIP OF MARLBORO AND
CAMELOT AT MARLBORO URBAN RENEWAL, LLC

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 July 14, 2011 at 7:00 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 # 2011-18

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO AUTHORIZING
THE EXECUTION AND DELIVERY OF A FINANCIAL AGREEMENT
BY AND BETWEEN THE TOWNSHIP OF MARLBORO AND
CAMELOT AT MARLBORO URBAN RENEWAL, LLC

WHEREAS, the Township Council of the Township of Marlboro has adopted an ordinance approving and adopting the Entron Industries Redevelopment Plan (the "Redevelopment Plan") in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"); and

WHEREAS, the Redevelopment Plan relates to certain properties within the Township of Marlboro, specifically, Block 132, Lot 18 on the Official Tax Map of the Township of Marlboro, County of Monmouth, State of New Jersey, also known as 418 Route 79, Marlboro, New Jersey (collectively the "Redevelopment Area"); and

WHEREAS, on September 2, 2010, the Township of Marlboro and K-Land Corporation (the "Redeveloper") entered in that certain agreement (the "Redevelopment Agreement") governing the redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., the Township of Marlboro is authorized to provide for tax abatement within a redevelopment area and for payments in lieu of taxes; and

WHEREAS, the Redeveloper has created an urban renewal entity known as Camelot at Marlboro Urban Renewal, LLC (the "Urban Renewal Entity"); and

WHEREAS, the Urban Renewal Entity has submitted an application for the approval of an urban renewal project, as such term is used in the Long Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the "Exemption Application"), a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township of Marlboro and the Urban Renewal Entity have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute

a Financial Agreement, in a form substantially similar to that attached hereto as Exhibit "B" (the "Financial Agreement").

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that the Exemption Application as described and defined hereinabove and attached hereto as Exhibit "A", is hereby authorized, accepted and approved; and

BE IT FURTHER ORDAINED, that the Financial Agreement as described and defined hereinabove be and is hereby authorized to be executed and delivered on behalf of the Township of Marlboro by the Mayor in substantially the form attached hereto as Exhibit B, with such changes as the Mayor in his sole discretion, after consultation with such counsel and any advisors to the Township of Marlboro (collectively, the "Township Consultants") shall determine, such determination to be conclusively evidenced by the execution of the Financial Agreement by the Mayor as determined hereunder, and that the Township Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor as determined hereunder and to affix the corporate seal of the Township of Marlboro to the Financial Agreement; and

BE IT FURTHER ORDAINED, that the Mayor is hereby further authorized and directed to: (i) execute and deliver, and the Township Clerk is hereby further authorized and directed to attest to such execution and to affix the corporate seal of the Township of Marlboro to, any document, instrument or certificate deemed necessary, desirable or convenient by the Mayor or the Township Clerk, as applicable, in their respective sole discretion, after consultation with the Township Consultants, to be executed in connection with the execution and delivery of the Financial Agreement and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document; and (ii) perform such other actions as the Mayor may deem necessary, desirable or convenient in relation to the execution and delivery thereof; 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 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 final passage and publication in accordance with applicable law.

*Exhibits A and B are on file in the Clerk's office.

The following Resolution #2011-221/Ordinance #2011-19 (Authorizing Participation in Bond Financing Program) was introduced by reference, offered by Council Vice President Cantor and seconded by Councilman LaRocca. Discussion followed, during which Business Administrator Jonathan Capp explained the purchase of police cars through the MCIA financing. After discussion, the resolution/ordinance was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-221

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

ORDINANCE # 2011-19

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF MARLBORO, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

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 July 14, 2011 at 7:00 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 # 2011-19

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF MARLBORO, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED by the Township Council of the Township of Marlboro, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Township of Marlboro (the "Municipality") is hereby authorized to unconditionally and

irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

(a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issued to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$150,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;

(b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and

(c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

SCHEDULE A - EQUIPMENT LIST

Township of Marlboro

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
5 Police Cars	3	3	\$123,000

The following Resolution #2011-222/Ordinance #2011-20 (Authorizing Guaranty Bonds - MCIA) was introduced by reference, offered by Council Vice President Cantor, seconded by Councilman LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-222

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

ORDINANCE # 2011-20

ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF MARLBORO, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2011 (MARLBORO PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY

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 July 14, 2011 at 7:00 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 # 2011-20

ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF MARLBORO, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2011 (MARLBORO PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY

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

Section 1. Pursuant to Section 80 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et. seq., the Township of Marlboro, New Jersey (the "Municipality") is hereby authorized to unconditionally and irrevocably guaranty the principal payment of the punctual of and the interest on the Capital Equipment Lease Revenue Bonds, Series 2011 (Marlboro Project) (the "Bonds") of The Monmouth County Improvement Authority (the "Authority") Outstanding (as that term is defined in the

following described resolution) under the resolution of the Authority entitled "Capital Equipment Lease Revenue Bond Resolution (Marlboro Project)" (the "Bond Resolution") to be adopted in a form approved by counsel to the Municipality. The Authority plans to issue the Bonds to finance the acquisition and subsequent leasing of certain capital equipment to the Municipality pursuant to a lease and agreement to be entered into by the Authority and the Municipality (the "Lease"). Such guaranty shall be given in accordance with the guaranty agreement (the "Guaranty Agreement") between the Municipality and the Authority in substantially the form submitted to this Board, a copy of which is on file in the office of the Clerk of the Municipality, with such changes as may be approved by counsel to the office of the Clerk of the Municipality, with such changes as may be approved by counsel to the Municipality. The Mayor is hereby authorized to execute the Guaranty Agreement on behalf of the Municipality in substantially such form as submitted hereto and with such changes as may be approved by the Mayor, and the Clerk of the Municipality is hereby authorized to attest such signature affixing the seal of the Municipality. All representatives, officials and employees of the Municipality are hereby authorized to enforce and to implement the Guaranty Agreement.

Section 2. The following additional matters are hereby determined, declared, recited and state:

- (1) The maximum principal amount of the Bonds of the Authority hereby and hereunder to be guaranteed as to payment of principal and interest shall not exceed the sum of the amount necessary to acquire the Municipality's equipment as set forth in Schedule A which will be subject to the Lease and to pay the Municipality's share of the costs of issuance, but in no event shall such principal amount exceed \$150,000.
- (2) The Bonds shall mature within eleven years of the date of issue.
- (3) The Bonds shall remain Outstanding to their respective stated maturity dates and the guaranty authorized herein shall remain effective until all Bonds shall have been paid in full in accordance with their terms notwithstanding the occurrence of any other event.
- (4) The guaranty authorized herein may be made and this ordinance may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, N.J.S.A. 40A:2-1, et. seq., but the principal amount of any Outstanding Bonds shall be included after their issuance in the gross debt of the Municipality for the purpose of determining the indebtedness

of the Municipality under or pursuant to the Local Bond law. The principal amount of the Bonds included in the gross debt of the Municipality shall be deducted from the gross debt of the Municipality under and all for all the purposes of the Local Bond Law (a) from and after the time of issuance of the Bonds until the end of the fiscal year beginning next after the acquisition of the equipment to be financed from the proceeds of the Bonds and (b) in any Annual Debt Statement filed pursuant to the Local Bond law as of the end of such fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the Authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal of and the interest on all such Bonds, all bonds of the Municipality issued as provided under N.J.S.A. 40:37A-79 and all bonds of the Authority issued under the County Improvement Authorities Law.

Section 3. Upon payment of the principal of and the interest due on the Bonds by the Authority or by the defeasance of the Bonds pursuant to the Bond Resolution, the guaranty authorized herein will cease to exist and the gross debt of the Municipality shall be reduced to the extent that such Bonds cease to be Outstanding under the Bond Resolution.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption in accordance with the County Improvement Authorities Law and the Local Bond Law.

SCHEDULE A - EQUIPMENT LIST

Township of Marlboro

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
5 Police Cars	3	3	\$123,000

The following Resolution #2011-223 (Authorizing Participation - MCIA) was introduced by reference, offered by Council Vice President Cantor and seconded by Councilman Metzger. Business Administrator Jonathan Capp answered Council's questions. After discussion the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-223

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

WHEREAS, the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Local Unit"), desires to finance the cost of five (5) police cars (the "Local Unit Projects"); and

WHEREAS, the Local Unit desires to enter into a lease agreement (the "Lease Agreement") with the Monmouth County Improvement Authority (the "MCIA") to acquire and permanently finance the Local Unit Projects; and

WHEREAS, the Local Unit has reviewed the Bond Financing Program proposed by the MCIA, whereby the Local Unit would enter into the Lease Agreement 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 enter into the Lease Agreement through the Bond Financing Program of the MCIA; and

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. (a) The Local Unit reasonably expects to reimburse its expenditure of costs of the Local Unit Projects paid prior to the issuance of the bonds to be issued by MCIA pursuant to the MCIA's Bond Financing Program (the "MCIA's Bonds") with proceeds of the MCIA's Bonds.

(b) This resolution is intended to be and hereby is a declaration of official intent to reimburse the expenditures for cost of the Local Unit Projects paid prior to the issuance of the MCIA's Bonds with the proceeds of the MCIA's Bonds in accordance with Treasury Regulations Section 1.150-2.

(c) The maximum principal amount of the MCIA's Bonds expected to be issued to finance the Local Unit Projects is \$150,000, which Bonds may be issued in one or more series and in one or more transactions over the next three years.

(d) The costs of the Local Unit Projects to be reimbursed with the proceeds of the MCIA's Bonds will be "capital expenditures" in accordance with the meaning of Section 150 of the Internal Revenue Code of 1986, as amended (the "Code").

(e) No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the MCIA's Bonds used to reimburse costs of the Local Unit Projects, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds," including "sinking funds," "pledged funds," or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations Section 1.148-1) of the MCIA's Bonds or another issue of debt obligations of the MCIA or the Township, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations Section 1.148-1).

(f) All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the MCIA's Bonds is paid, or (ii) the date the Local Unit Projects is "placed in service" (within the meaning of Treasury Regulations Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 4. This resolution shall take effect immediately.

The following Resolution #2011-224 (Award of State Contract #A72467 for Police Vehicles) was introduced by reference, offered by Council Vice President Cantor, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-224

A RESOLUTION AUTHORIZING THE PURCHASE OF FIVE (5)
2011 FORD CROWN VICTORIA POLICE VEHICLES UNDER
STATE CONTRACT # A-72467 FROM WINNER FORD

WHEREAS, the Police Department submitted its 2011 capital plan which included a request for the replacement of police vehicles; and

WHEREAS, on February 17, 2011, the Municipal Council of the Township of Marlboro approved Resolution #2011-84 which authorized Township officials to secure financing for the purchase of five (5) police vehicles; and

WHEREAS, the Township of Marlboro Division of Police wishes to acquire five (5) 2011 Ford Crown Victoria police vehicles from Winner Ford ("Winner") under State Contract #A-72467 for the amount of \$122,495.00 pursuant to Winner's quote dated February, 24 2011; 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 to purchase five (5) police vehicles utilized by the Division of Police; and

WHEREAS, funds are available in Account 1-01-106-297 and have been certified to by the Chief Financial Officer of the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase five (5) 2011 Ford Crown Victoria police vehicles as described hereinabove from Winner Ford under State Contract #A-72467 for the amount of \$122,495.00 pursuant to Winner's quote dated February, 24 2011; and

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

- a. Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034
- b. Township Administrator
- c. Township Division of Police
- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution #2011-225 (Award of Bid Digital In-car Camera and Interview Room Solutions) was introduced by reference, offered by Council Vice President Cantor and seconded by Councilman Metzger. After discussion, the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-225

A RESOLUTION AWARDING CONTRACT TO L-3 MOBILE-VISION, INC.
FOR DIGITAL IN-CAR CAMERAS AND INTERVIEW ROOM
SOLUTIONS FOR MARLBORO TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Township of Marlboro as part of its 2011 capital program (106-2) authorized the purchase of DIGITAL IN-CAR CAMERAS AND INTERVIEW ROOM SOLUTIONS for the Police Department; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for DIGITAL IN-CAR CAMERAS AND INTERVIEW ROOM SOLUTIONS, and on May 10, 2011, received four (4) bids, as follows:

COMPANY	BID PRICE	Exceptions Taken
WATCH GUARD VIDEO, INC	180,951.75	Yes
ICOP DIGITAL, INC	207,250.04	Yes
L-3 MOBILE-VISION, INC	209,431.69	No
WPCS INTERNATIONAL, INC	242,413.00	No

WHEREAS, the bid submission of the apparent low bidder, WATCH GUARD VIDEO, INC, and second lowest bidder, ICOP DIGITAL, INC, contained numerous material exceptions to the bid specification requirements which has rendered them non-responsive; and

WHEREAS, the third lowest bidder, L-3 MOBILE-VISION, INC took no exception to any of the bid specification requirements; and

WHEREAS, the submission of L-3 MOBILE-VISION, INC has been determined to be responsive as detailed in a May 20, 2011 memo transmitted by the Chief of Police; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Police Department as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to L-3 MOBILE-VISION, INC whose address is 90 Fanny Rd., Boonton, NJ 07005 in an amount not to exceed \$209,431.69 for DIGITAL IN-CAR CAMERAS AND INTERVIEW ROOM SOLUTIONS; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with L-3 MOBILE-VISION, INC 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 the Chief Financial Officer has certified that sufficient funds in the amount of \$ 209,431.69 are available for the aforesaid contract in Capital Account X-04-55-968-913; and

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

- a. L-3 MOBILE-VISION, INC
- b. Mayor Jonathan Hornik
- c. Township Business Administrator
- d. Chief of Police
- e. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2011-226 (Authorizing Signatories for MTMUA Escrow Accounts) was introduced by reference, offered by Councilman Metzger, seconded by Council President Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-226

WHEREAS, the Township Council of the Township of Marlboro acted and passed Resolution #2011-37 earlier this year which established the Cash Management Plan for the Township, and

WHEREAS, the Cash Management Plan, among other things, established the official depositories of Township monies as well as designating the required signatures on each Township bank account, and

WHEREAS, the MTMUA Water Utility Escrow accounts, TD Bank account # 0000000011517 the "Master Account", and the escrow disbursement account TD Bank account #00007200113853 were not on the resolution and therefore the official Township signatories on these accounts were never established.

NOW, THEREFORE, BE IT RESOLVED that Section II of the 2011 Cash Management Plan entitled "Identification of Funds and Accounts to be Covered" be amended to include Water Utility Escrow Accounts.

BE IT FURTHER RESOLVED that the required signatures on the aforementioned accounts be changed to reflect the same two signatures as other Township bank accounts; the Mayor signature or facsimile and either Ulrich Steinberg as Chief Financial Officer or Jonathan Capp as Township Administrator.

The following Resolution #2011-227 (Renewal Liquor Licenses July 1, 2011 - June 30, 2012) was introduced by reference, offered by Council Vice President Cantor and seconded by Councilman Metzger. After discussion, the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-227

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following Liquor Licenses be and they are hereby renewed for the period beginning July 1, 2011 through June 30, 2012.

- | | |
|--|-----------------|
| 1. S & A Route 79, Inc.
T/A Crown Palace | 1328 33 005 008 |
| 2. Just Sports Bar & Grill | 1328 33 003 003 |
| 3. M. S. D. Enterprise, Inc.
T/A Martucci's Deli | 1328 44 009 003 |
| 4. Bella Vista Country Club | 1328 33 004 004 |
| 5. Worthwhile, Inc.
T/A Cambridge Spirits Unlimited | 1328 44 016 002 |
| 6. Briad Restaurant Group,L.L.C.
T/A TGI Fridays | 1328 33 017 002 |
| 7. J.R.J. Hospitality Inc.
T/A Nonna's | 1328 33 015 012 |
| 8. A.J.R. Restaurant Group
T/A Damon's Grill | 1328 33 018 001 |
| 9. Hituja Corp.
T/A Marlboro Buy Rite Liquors | 1328 44 001 006 |
| 10. Modern Star | 1328 33 020 001 |
| 11. B.T.A., LLC
T/A Pino's La Forchetta | 1328 33 008 008 |
| 12. Wickatunk Holdings LLC
T/A Andiron Inn | 1328 33 010 003 |
| 13. 476 Route 520 Corp. | 1328 33 003 012 |

T/A Samvera Restaurant

- | | |
|------------------------------------|-----------------|
| 14. Morganville Ind. Vol. Fire Co. | 1328 31 012 001 |
| 15. Morganville Vol. Fire Co. | 1328 31 013 001 |
| 16. IR Restaurant Group | 1328 33 007 004 |

BE IT FURTHER RESOLVED that pursuant to NJAC 13: 2-19.1, renewal of the aforementioned licenses shall not bar or abate any pending or anticipated disciplinary proceeding against any licensed establishment.

The following Resolution #2011-228 (Award of Contract Uniform Dry Cleaning/Alterations) was introduced by reference, offered by Councilman Metzger, seconded by Councilman LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-228

A RESOLUTION AWARDING CONTRACT TO SUNRISE CLEANERS FOR
MAINTENANCE OF POLICE UNIFORMS FOR THE MARLBORO
TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Township of Marlboro is contractually obligated to maintain the uniforms of its uniformed officers; and

WHEREAS, the Township of Marlboro authorized the acceptance of bids for MAINTENANCE OF POLICE UNIFORMS, and on April 21, 2011, received no bids therefor; and

WHEREAS, the Township of Marlboro authorized the acceptance of bids for MAINTENANCE OF POLICE UNIFORMS, and on May 5, 2011, received no bids therefor; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), if bids have been advertised pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4) on two occasions and no bids have been received on both occasions in response to the advertisement, such contract may then be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract; and

WHEREAS, the Township solicited quotations for the MAINTENANCE OF POLICE UNIFORMS, as follows:

COMPANY	QUOTATION
---------	-----------

Sunrise Cleaners, 460 County Road 520, Marlboro, NJ	Incumbent	\$1,770/mo. plus alterations
1 st Class Cleaners, 8 South Main Street, Marlboro, NJ		No Response
Marlboro Cleaners, 2 Ryan Road, Marlboro, NJ		No Response
Pine Cleaners, 184 Route 9 North, Marlboro, NJ		No Response

WHEREAS, Sunrise Cleaners is the incumbent vendor and has performed satisfactorily to date according to the Chief of Police; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Police Department as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Sunrise Cleaners whose address is 460 County Road 520, Marlboro, NJ FOR THE MAINTENANCE OF POLICE UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT in an amount not to exceed \$22,000.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with Sunrise Cleaners in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$22,000.00 are available for the aforesaid contract in 1-01-106-266.

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

- a. Sunrise Cleaners
- b. Mayor Jonathan Hornik
- c. Township Business Administrator
- d. Chief of Police
- e. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2011-229 (Authorizing Shared Services Agreement with Helmetta - Boarding of Animals) was introduced by reference, offered by Councilman Metzger and seconded by Councilwoman Mazzola. After discussion, the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-229

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF HELMETTA FOR ANIMAL IMPOUNDMENT
SERVICES THROUGH DECEMBER 31, 2012
PURSUANT TO N.J.S.A. 40A:65-1 ET SEQ.

WHEREAS, the Borough of Helmetta ("Borough") owns and operates a Municipal Animal Shelter; and

WHEREAS, the Township of Marlboro wishes to enter into a Shared Services Agreement with the Borough for the provision of animal impoundment services which includes full-time 24x7 boarding, feeding and medical care; and

WHEREAS, the Shared Services Act, N.J.S.A. 40A:65-1 et seq. authorizes local units (as defined in said Act), to enter into joint agreements for the provision of governmental services, including the animal impoundment services contemplated herein by adoption of a resolution therefor; and

WHEREAS, the proposed Shared Services Agreement for the provision of such animal impoundment 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, funds for the aforesaid purpose have been certified by the Chief Financial Officer in Animal Control Trust Account T-13-56-855-288.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, that the Mayor and Township Clerk are hereby authorized and directed to execute and witness, respectively, a Shared Services Agreement with the Borough of Helmetta for the provision of animal impoundment services through December 31, 2012, with two (2) optional one (1) year renewal periods; and

BE IT FURTHER RESOLVED, that, pursuant to the Shared Services Act, N.J.S.A. 40A:65-1, et seq., such Agreement shall be filed with and open to the public for inspection at the offices of the Town Clerk, and such Agreement shall take effect upon the adoption of appropriate resolutions by all parties thereto; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the Shared Services Agreement shall be

filed with the Division of Local Government Services in the Department of Community Services for informational purposes; and

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

- a. Borough of Helmetta
- b. Division of Local Government Services, Dept. of Community Services
- c. Mayor Jonathan L. Hornik
- d. Township Business Administrator

The following Resolution #2011-230 (Consenting to Proposed Monmouth County Water Quality Management Plan Amendment) was introduced by reference, offered by Council Vice President Cantor and seconded by Councilman LaRocca. Township Attorney Louis Rainone answered Council's questions. After discussion, the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-230

A RESOLUTION CONSENTING TO THE PROPOSED MONMOUTH COUNTY
WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Township of Marlboro desires to provide for the orderly development of wastewater facilities within Monmouth County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on May 2, 2011 for Proposed Amendment to the Monmouth County Water Quality Management Plan has been prepared by the Monmouth County Department of Planning;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Marlboro that:

1. The Township of Marlboro hereby consents to the amendment entitled "Proposed Amendment to the Monmouth County Water Quality Management

Plan, and publicly noticed on May 2, 2011, prepared by the Monmouth County Department of Planning, for the purpose of its incorporation into the applicable WQM plan(s).

2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

The following Resolution #2011-231 (Authorizing Amendment to Contract for Operation of Cable TV Station and Update) was introduced by reference, offered by Council Vice President Cantor and seconded by Councilman Metzger. There was a brief question and answer session between Council members and Business Administrator Jonathan Capp after which the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-231

A RESOLUTION AUTHORIZING AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC FOR THE PROVISION OF SERVICES FOR THE OPERATION OF TOWNSHIP OF MARLBORO'S CABLE TELEVISION STATION

WHEREAS, on March 3, 2011, the Township Council authorized a contract to be executed with CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC FOR THE PROVISION OF SERVICES FOR THE OPERATION OF TOWNSHIP OF MARLBORO'S CABLE TELEVISION STATION for a six (6) month period ending June 30, 2011 (R 2011-115); and

WHEREAS, pursuant to 40A:11-2(6), Professional Services are defined as services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field of artistic endeavor; and

WHEREAS, the Township of Marlboro is in need of professional services in connection with the provision of services for the programming and content on the Township's local access Cable TV Station (the "Creative Services") for the remainder of 2011; and

WHEREAS, such Creative Services constitute professional services that are exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, such Creative Services shall be rendered by Curt Ciumei of MV Digital Productions, LLC (also referred to collectively as the "Business Entity") under an amendment to the existing contract to be awarded pursuant to a non-fair and open process in accordance with the

provisions of N.J.S.A 19:44A-20.5 for a contractual lump sum amount not to exceed \$11,500.00 for a term not to exceed six (6) months; and

WHEREAS, the Chief Financial Officer of the Township of Marlboro has determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in Account Number 1-01-055-288 for an amount not to exceed \$11,500.00; 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 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; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire Curt Ciumei of MV Productions, LLC to provide the required professional Creative Services for the Township Cable TV Station; 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.

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

1. The Township Council of the Township of Marlboro, hereby authorizes and approves of an amendment to the Professional Services Contract with Curt Ciumei of MV Productions, LLC to provide Creative Services (as described and defined hereinabove) for the Township of Marlboro's local access Cable TV Station pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5 for a term beginning July 1, 2011 and ending December 31, 2011; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i), and shall provide for total compensation in a lump sum amount not to exceed \$11,500.00; and

3. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver the said amended Contract for the said Professional Services on behalf of and in the name of the Township of Marlboro; and

4. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

5. A copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

6. That notice of the award of this contract shall be published as required by law.

7. A certified copy of this Resolution shall be provided to each of the following:

- a. Curt Ciumei of MV Productions, LLC
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2011-232 (Authorizing Purchase Sign Material State Contract #54324) was introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-232

A RESOLUTION AUTHORIZING THE PURCHASE OF
SIGN MATERIAL FOR THE MARLBORO TOWNSHIP
DEPARTMENT OF PUBLIC WORKS
PURSUANT TO STATE CONTRACT #A54324

WHEREAS, the Township of Marlboro Department of Public Works has requested that the Township purchase sign material from Garden State Highway Products, 1740 East Oak Road, Vineland, New Jersey 08361, under State Contract #54324 for a total amount not to exceed \$21,000.00; 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 necessary to provide said material to the Township of Marlboro's Department of Public Works for their operational functions; and

WHEREAS, funds are available from Account Number 1-01-25-209 for the amount of \$21,000.00 and have been certified to by the Chief Financial Officer of the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase sign material from Garden State Highway Products, 1740 East Oak Road, Vineland, New Jersey 08361, under State Contract #A54324 for a total amount not to exceed \$21,000.00; and

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

- a. Garden State Highway Products
1740 East Oak Road, Vineland, New Jersey 08361
- b. Township Administrator
- c. Township Department of Public Works
- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick, & Cole, LLP

The following Resolution #2011-233 (Award of Bid - Repairs to Wells) was introduced by reference, offered by Councilman LaRocca, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-233

A RESOLUTION AWARDING CONTRACT TO A.C. SCHULTES, INC.
FOR THE REDEVELOPMENT OF WELLS #2, 3 and 4 FOR
THE MARLBORO TOWNSHIP WATER UTILITY

WHEREAS, the Township of Marlboro as part of its 2010 and 2011 capital programs (500-1) authorized the Redevelopment of Wells #2, 3 and 4 for the Marlboro Township Water Utility; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for Redevelopment of Wells #2, 3 and 4, and on June 7, 2011, received three (3) bids, as follows:

COMPANY		BID PRICE
A.C. SCHULTES, INC.	Woodbury Heights, NJ	330,718.00
LAYNE CHRISTENSEN COMPANY	Beverly, NJ	349,257.00
UNI-TECH DRILLING CO., INC.	Franklinville, NJ	498,470.00

WHEREAS, the submission of apparent low bidder, A.C. SCHULTES, INC. has been determined to be responsive as detailed in a June 9, 2011 memo transmitted by the Water Utility Engineer; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Administration and Water Utility Engineer as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to A.C. SCHULTES, INC. whose address is 864 S. Evergreen Avenue, Woodbury Heights, NJ 08097 in an amount not to exceed \$330,718.00 for the Redevelopment of Wells #2, 3 and 4;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with A.C. SCHULTES, INC. 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 the Chief Financial Officer has certified that sufficient funds in the amount of \$ 330,718.00 are available for the aforesaid contract in Water Utility Capital Accounts X-06-55-900-901 and X-06-55-901-901; and

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

- a. A.C. SCHULTES, INC.
- b. Mayor Jonathan Hornik
- c. Township Business Administrator
- d. Director of Public Works
- e. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2011-234 (Authorizing Alliance to Apply for 2012 Grant) was introduced by reference, offered by Councilman LaRocca, seconded by Council President Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-234

RESOLUTION AUTHORIZING THE MARLBORO TOWNSHIP
ALLIANCE TO PREVENT ALCOHOLISM AND DRUG
ABUSE TO APPLY FOR THE 2012 GRANT

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 2012 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 Resolution #2011-235 (Changing August 11, 2011 Meeting location to Greenbriar at Marlboro - 21 Clubhouse Lane) 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 # 2011-235

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Council meeting location for the regularly scheduled Council Meeting of August 11, 2011 be changed from Town Hall to the Greenbriar at Marlboro Clubhouse, 21 Clubhouse Lane, Marlboro, New Jersey.

BE IT FURTHER RESOLVED that the meeting will begin at 7:00PM.

As the consent agenda, the following Resolutions were introduced by reference, offered by Councilman Metzger, seconded by Council President Marder and passed on a roll call vote of 5 - 0 in favor: Res. #2011-236

(Redemption Tax Sale Certs. - Various), Res. #2011-237 (Redemption Tax Sale Certs. - Various), Res. #2011-238 (Raffle License Puharic Memorial Fund - On Premise 50/50), Res. #2011-239 (Raffle License Puharic Memorial Fund - On Premise Merchandise), Res. #2011-240 (Raffle License Marlboro Township American Youth Football Inc. - On premise 50/50), Res #2011-241 (Raffle License Marlboro Township American Youth Football Inc. - On premise Merchandise) and Res. #2011-242 (Water Installment Payment Plan - Bokkism).

RESOLUTION # 2011-236

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$26,830.22 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 \$26,830.22 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>
11-07 315 Devon Pl.	178/2 C0315	Nasdom, LLC 1527 E 35 th Street Brooklyn, NY 11234 Assessed Owners: Martin J. & Lynda A. Connell	282.65
11-40 139 Tennent Rd.	148/14	BJI Financial Group Inc. 111 Sandalwood Dr. Marlboro, NJ 07746 Assessed Owners: Leone & Laura Mancini	223.43
11-43 2 Lowery Ln.	214.03/4	BJI Financial Group Inc. 111 Sandalwood Dr. Marlboro, NJ 07746 Assessed Owners: Scott & Michelle Rotblat	1,017.72

09-39	371/289	US Bank CUST for CCTS Capital, LLC Tax Lien Service Gr. 2 Liberty Place 50 So. 16 th St. Ste. 1950 Philadelphia, PA 19102 Assessed Owners: Ralph & Nelida Gil-De-Rubio	15,471.55
11-83	173/7 C0386	Stonefield Investment Fund I, LLC 21 Robert Pitt Dr., #202 Monsey, NY 10952 Assessed Owner: Jason Tuttle	1,056.59
11-111	412.05/12	Changsheng Lu 4235 Coral Berry Path Apt. 204 Gurnee, IL 60031 Assessed Owners: Salvatore & Michelle Ciancio	558.46
10-63	193.13/85	Roland J. Lewis, Jr. 306 W. 13 th Street Ship Bottom, NJ 08008 Assessed Owner: Gloria Meiterman	5,486.89
11-52	396/1 C0121	BJI Financial Group Inc. 111 Sandalwood Drive Marlboro, NJ 07746 Assessed Owners: V. Shanmugam & G.V. Sundararaman	945.89
11-21	412/142	Rosehill Fund I, LLC 409 Milton Road Rye, NY 10580 Assessed Owners: Mark & Elissa Carlin	1,144.43

11-29	288/14	US Bank CUST for	642.61
4 Emerson Dr.		Pro Capital I, LLC	
		50 So. 16 th St., Ste. 1950	
		Philadelphia, PA 19102	
		Assessed Owners:	
		Steven & Cyndi Wolf	_____
		TOTAL:	\$26,830.22

RESOLUTION # 2011-237

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$219,334.66 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 \$219,334.66 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>
11-92	107/17	Changsheng Lu	\$ 868.54
10 Thomas Ln		4235 Coral Berry Path Apt. 204 Gurnee, IL 60031 Assessed Owners: George & Sarah Gardner	
09-9	153/62.06	PPTS Lockbox	135,845.02
319 Bayview Dr.		P.O. Box 5822 New York, NY 10087-5822 Assessed Owners: Ariel Bornstein & Samy Abadou	
09-29	339/80	PPTS Lockbox	48,641.22
22 Alison Ct.		P.O. Box 5822 New York, NY 10087-5822 Assessed Owners:	

		Marc Kanterman & Sheri Feder	
10-55		Stuart Lasher	3,577.16
5 Homestead Cir.		P.O. Box 83 Milltown, NJ 08850 Assessed Owners: G & T Qadah & A R Qadri	
11-3		L. Friedman	479.99
416 Ironwood Ln.		P.O. Box 744 Mt. Laurel, NJ 08054 Assessed Owners: Robert V. & Carol Brienza	
11-5	147/4.02	Nasdom, LLC	754.50
248 Spring Valley Rd.		1527 E 35 th Street Brooklyn, NY 11234 Assessed Owners: Thomas & Mary Lou Alber	
11-32	178/2 C0379	Virgo Municipal Finance Fund LP	473.52
379 Yorkshire Pl.		P.O. Box 1227 Hoboken, NJ 07030 Assessed Owner: LNV Corporation	
11-37	122/2	BJI Financial Group Inc.	656.77
2 Orchard Pkwy.		111 Sandalwood Dr. Marlboro, NJ 07746 Assessed Owner: Melissa Folgore	
11-50	312/43	BJI Financial Group Inc.	1,217.83
18 Susan Dr.		111 Sandalwood Dr. Marlboro, NJ 07746 Assessed Owners: Ralph A. & Roberta R. Fierro	
11-60	120.02/37.01	Income One	2,273.98
18 Wooleytown Rd.		1350 Beverly Rd. St. 115-316 McLean, VA 22101 Assessed Owner: Michael Bolen	

11-72	305/172	Alvero Acquisition Corp.	14,632.11
	6 Brunswick Dr.	1 Executive Blvd. Yonkers, NY 10701 Assessed Owners: Bruce S. & Kathleen A. Echhaus	
11-86	213/33	Stonefield Investment Fund I, LLC	990.51
	6 Maywood Dr.	21 Robert Pitt Dr.#202 Monsey, NY 10952 Assessed Owners: Lawrence & Margaret Patierno	
11-91	421/9.01	Stonefield Investment Fund I, LLC	1,674.51
	2 Lecarre Dr.	21 Robert Pitt Dr. #202 Monsey, NY 10952 Assessed Owner: Huma S. Hussain	
11-99	178/2 C0273	Changsheng Lu	720.37
	273 Stratford Pl.	4235 Coral Berry Path Apt. 204 Gurnee, IL 60031 Assessed Owner: Marina Rozenblat	
09-98	300.01/1	US Bank CUST for CCTS Capital, LLC	3,799.01
	204 Yellowknife Rd.	Tax Lien Service Group 50 South 16 th Street Suite 1950 Philadelphia, PA 19102 Assessed Owner: Nadir B. Gillani	
11-93	120/11	Changsheng Lu	1,442.22
	117 Greenwood Rd.	4235 Coral Berry Path Apt. 204 Gurnee, IL 60031 Assessed Owners: Robert & Anna Kot	

11-17	193.02/55	Rosehill Fund I, LLC	1,020.12
6 Station Rd.		409 Milton Road	
		Rye, NY 10580	
		Assessed Owner:	
		Federal Nat'l Mtg. Assoc.	

11-01	176/7 C1005	Josef Hoffmann	227.28
1005 Tarragon Ct.		326 Shady Lane	
		Trenton, NJ 08619	
		Assessed Owner:	
		Tara Long (Estate)	

TOTAL: \$219,334.66

RESOLUTION # 2011-238

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 13-2010 (On-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 30, 2011 at 4:00 PM at YMCA Camp Arrowhead, Route 520, Marlboro, N. J. 07746.

RESOLUTION # 2011-239

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 14-2010 (On-Premise Merchandise) 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 30, 2011 at 4:00 PM at YMCA Camp Arrowhead, Route 520, Marlboro, N. J. 07746

RESOLUTION # 2011-240

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 15-2011 (On Premise 50/50) be and it is hereby granted to Marlboro Township American Youth Football, 1979 Township Drive, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on the following dates and times:

August 18, 2011	6PM - 9 PM
September 11, 2011	9AM - 4 PM
September 25, 2011	9AM - 4 PM
October 2, 2011	9AM - 4 PM
October 9, 2011	9AM - 4 PM
October 30, 2011	9AM - 4 PM
November 26, 2011	9AM - 4 PM

at the Marlboro Municipal Complex, 1979 Township Drive,
Marlboro, N. J. 07746.

RESOLUTION # 2011-242

RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE
TOWNSHIP OF MARLBORO TO ENTER INTO AN INSTALLMENT
PAYMENT AGREEMENT FOR THE COLLECTION/PAYMENT
OF DELINQUENT WATER SERVICE CHARGES

WHEREAS, the provisions of *N.J.S.A. 40A:31-12* empower the governing body of a local municipal unit to authorize the payment and liquidation of delinquent water service charges on an installment basis in accordance with the provisions of *N.J.S.A. 54:5-19*; and

WHEREAS, the provisions of *N.J.S.A. 54:5-19* authorize installment payment agreements to be entered into between a municipal tax collector and the owner or owners of real property for the payment of property tax arrears and other charges that would constitute a lien against real property, including delinquent water service charges, provided that any such agreement is authorized by a general or special resolution, duly adopted by the municipal governing body, and provided, further, that the terms of any such agreement comply with the requirements and limitations set forth in *N.J.S.A. 54:5-19*; and

WHEREAS, Pallavi Bokkism, the owner of 389 Texas Road, which is designated as Block 147, Lot 15.01 on the Official Tax Map of the Township of Marlboro (hereinafter referred to as "Customer"), is a customer of the Marlboro Township Water Utility Division, receiving

water service under Account Number D02690 and Account ID Number 30661;
and

WHEREAS, Customer has a delinquent Account balance of \$1,602.32 (exclusive of accrued interest), which is attributable to water service for the quarterly period ended March 31, 2011, and which was due for payment by April 30, 2011; and

WHEREAS, Customer has asserted a financial hardship with respect to the payment of the aforementioned past due water charges and has made a request for an installment payment plan in order to retire and fully pay said obligation; and

WHEREAS, Kelly A. Hahn, the Marlboro Township Tax Collector has requested approval from the Township Council of the Township of Marlboro to enter into an installment payment agreement with Customer and has presented a proposed form of agreement to the Township Council for review and consideration; and

WHEREAS, the aforesaid installment payment agreement, a copy of which is attached hereto as Exhibit A, complies with the provisions of *N.J.S.A. 54:5-19*, in that the agreement makes adequate provision for:

- The complete payment of all arrearages within the maximum period of time specified in the statute;
- The accrual, assessment, and payment of all statutory interest, as well as all administrative and delinquent charges, to which the Township of Marlboro is entitled;
- The prompt payment of all installments of arrears, as well as the prompt payment of future water service charges as same become due and owing;
- The termination of the installment payment arrangement in the event of any default by the Customer in complying with the terms of the agreement, including failure to remit all payments promptly, in which event the lien for outstanding water service charges shall be enforced as provided by law; and
- The right and entitlement of the Township of Marlboro to pursue all statutory and lawful remedies against the Customer in the event of a default, including, without limitation, the

discontinuance of water service to the Customer's real property; and

WHEREAS, the Township of Marlboro wishes to acknowledge and accept the Customer's declaration of financial hardship, with the goal of collecting 100% of the amount due and owing to the Township in a reasonable, practical, and efficient manner;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Marlboro that authorization is hereby given to Kelly A. Hahn, the Tax Collector of Marlboro Township, to enter into an installment payment agreement with Customer for the payment of past due water service charges totaling \$1,602.32 (exclusive of accrued interest), with the form of the agreement being substantially similar to that attached hereto and made a part hereof as Exhibit A; and

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

- a. Jonathan L. Hornik, Mayor
- b. Randi Marder, Council President
- c. Jonathan A. Capp, Business Administrator
- d. Alida Manco, Township Clerk
- e. Kelly A. Hahn, Tax Collector
- f. Pallavi Bokkism (Customer)
- g. DeCotiis, Fitzpatrick & Cole, LLP

The following Resolution #2011-243 (Reject and Rebid - Temporary Personnel Agency Services for DPW) 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 # 2011-243

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR PROVISION OF TEMPORARY PERSONNEL AGENCY SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS (DPW) WITHIN THE TOWNSHIP OF MARLBORO

WHEREAS, on June 14, 2011, bids were opened for the provision of temporary personnel agency services for the Department of Public Works (DPW) within the Township of Marlboro; and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.2(a), failure to submit a guarantee at the time specified by the contracting unit for the receipt of bids shall be deemed a fatal defect that shall render the bid proposal unresponsive; and

WHEREAS, the sole proposal received from Broad Waverly Staffing, LLC did not contain the requested bid guarantee making it unresponsive.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that all bids heretofore received for the provision of temporary personnel agency services are hereby rejected pursuant to N.J.S.A. 40A:11-23.2(a).

BE IT FURTHER RESOLVED, that the Business Administrator is hereby authorized and directed to return the bid bond(s) or other security(ies) to the appropriate bidder(s).

The following Resolution #2011-244/Ordinance #2011-21 (Amend Section 220-99 - Temporary Political Signs) was introduced by reference, offered by Councilman LaRocca and seconded by Councilman Metzger. After a brief discussion, the resolution/ordinance was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2011-244

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

ORDINANCE #2011-21

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 220, "LAND USE AND DEVELOPMENT", ARTICLE III, "ZONING: STANDARDS AND REGULATIONS", SECTION 220-99, "SIGNS AND OUTDOOR ADVERTISING REGULATIONS SUB-SECTION 220-99(F), "TEMPORARY POLITICAL SIGNS" TO PROVIDE ADDITIONAL REGULATIONS THEREFOR

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 July 14, 2011 at 7:00 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 # 2011-21

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 220, "LAND USE AND DEVELOPMENT", ARTICLE III, "ZONING: STANDARDS AND REGULATIONS", SECTION 220-99, "SIGNS AND OUTDOOR ADVERTISING REGULATIONS SUB-SECTION 220-99(F), "TEMPORARY POLITICAL SIGNS" TO PROVIDE ADDITIONAL REGULATIONS THEREFOR

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that Chapter 220, Land Use And Development, Article III, Zoning: Standards and Regulations, Section 220-99, Signs and Outdoor Advertising Regulations, Sub-Section 220-99(F), Temporary Political Signs Shall be Permitted Under this Section Pursuant to the Regulations Set Forth Herein, of the Code of the Township of Marlboro be and is hereby amended and supplemented to provide additional regulations therefor, as follows:

§220-99(F) Temporary political signs shall be permitted under this section, pursuant to the regulations set forth herein.

Temporary political signs shall be defined as signs pertaining to federal, state, county or local candidates or questions to be voted upon by the residents of the Township at an upcoming election and shall be subject to the following conditions:

- (1) Temporary political signs shall not be placed within Township rights-of-way or other public property except as provided for in subsection (8) below;
- (2) Temporary political signs shall be placed not more than 45 days prior to the function, event or election to which it applies;
- (3) Temporary political signs must be removed not more than seven days after the function, event, or election to which it applies;
- (4) If any temporary political signs are placed on residential properties, consent of the property owners must be obtained;
- (5) If any temporary political signs are to be placed in the public right-of-way, then approval of such placement must be obtained from the Bureau of Traffic Safety;

(6) The combined total area of all such temporary political signs shall not exceed a total of 32 square feet on any one tax lot where such temporary signs are placed in the public right-of-way;

(7) No temporary political sign on private property shall be located or placed closer than within 50 linear feet of any other sign of the same candidate or campaign on any one tax lot; and

(8) Temporary political signs may be placed on or in the rights-of-way 200 hundred feet in each direction at the following intersections:

- (a) The intersections of County Route 520 with Gordon's Corner Road, Wyncrest Road, and Tennent Road;
- (b) The intersections of Robertsville Road with Wyncrest Road and Ryan Road;
- (c) Pleasant Valley Road and Conover Road;
- (d) Spring Valley Road and Tennant Road, and Gordon's Corner Road;
- (e) The entrance area to the Marlboro Swim Club located at the intersection of Gordon's Corner Road and Masepe Trail;
- (f) The intersection of Lloyd Road and Nolan Road;
- (g) The entrances to Greenbriar located on Robertsville Road and Club House Lane and Topanemus Road and Coventry Lane;
- (h) The intersection of Amboy Road and Texas Road;
- (i) The entrances to Mill Ponds and the Enclave located on Texas Road;
- (j) The intersection of Pleasant Valley Road and Reids Hill Road; and
- (k) The entrance to the Recreation Complex located on Vanderburg Road.

Temporary political signs located in the above intersections shall not be located or placed closer than within two hundred (200) linear feet of any other sign of the same candidate or campaign on any one corner and each candidate or campaign shall be limited to two (2) 32 square foot signs and two 4 foot square signs per intersection;

(9) No temporary political signs shall be permitted on Township property.

(10) The owner of the tax lots and/or the registrant for the signs, on which a temporary political sign is placed shall be responsible for its removal; and

ALIDA MANCO,
MUNICIPAL CLERK

RANDI MARDER,
COUNCIL PRESIDENT