

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

June 7, 2012

The Marlboro Township Council held its regularly scheduled meeting on June 7, 2012 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council Vice President Metzger 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 to the Asbury Park Press, the Star Ledger and News Transcript on January 9, 2012; 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. Notice of the time change was sent to the above on May 14<sup>th</sup>.

The Clerk called the Roll.

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

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

Councilman LaRocca moved that the minutes of May 3, 2012 be approved. This was seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

Councilman LaRocca moved that the minutes of May 17, 2012 be approved. This was seconded by Councilwoman Marder and passed on a roll call vote of 3 - 0 in favor, with Councilman LaRocca abstaining (Absent: Cantor).

Council Vice President Metzger opened the Public Hearing on Ord. #2012-14 (Amend Chapter 190 - Games of Chance). As there was no one who wished to speak, the Public Hearing was closed. The following Res. #2012-222/Ord. #2012-14 was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-222

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

ORDINANCE # 2012-14

AN ORDINANCE AMENDING CHAPTER 190 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "GAMES OF CHANCE" TO DESIGNATE THE MUNICIPAL CLERK AS THE ISSUING AUTHORITY

which was introduced on May 17, 2012, public hearing held June 7, 2012, be adopted on second and final reading this 7<sup>th</sup> day of June, 2012.

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

Council Vice President Metzger opened the Public Hearing on Ord. #2012-15 (Amending Section 4-100 - Youth Exchange Advisory Committee - to include Wujiang, China). As there was no one who wished to speak, the Public Hearing was closed. The following Res. #2012-223/Ord. #2012-15 was introduced by reference, offered by Council woman Marder, seconded by Councilwoman Mazzola and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-223

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

ORDINANCE # 2012-15

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4, ADMINISTRATION OF GOVERNMENT, ARTICLE XIX, AGENCIES AND BOARDS, SECTION 4-100, YOUTH EXCHANGE ADVISORY COMMITTEE, OF THE CODE OF THE TOWNSHIP OF MARLBORO TO INCLUDE WUJIANG, CHINA AND OTHER CITIES OR REGIONS DESIGNATED BY THE MAYOR AND TOWNSHIP COUNCIL

which was introduced on May 17, 2012, public hearing held June 7, 2012, be adopted on second and final reading this 7<sup>th</sup> day of June, 2012.

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

Council Vice President Metzger opened the Public Hearing on Ord. #2012-16 (Amending Chapter 206 - Jewelry, Gems and Precious Metals) As there was no one who wished to speak, the Public Hearing was closed. The following Res. #2012-224/Ord. #2012-16 was introduced by reference, offered by Councilwoman Marder, seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-224

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

ORDINANCE # 2012-16

AN ORDINANCE AMENDING CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "JEWELRY, GEMS AND PRECIOUS METALS

which was introduced on May 17, 2012, public hearing held June 7, 2012, be adopted on second and final reading this 7<sup>th</sup> day of June, 2012.

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

Council Vice President Metzger opened the Public Hearing on Ord. #2012-17 (Amending Chapter 171-4 - Fees for Copies of Public Records). As there was no one who wished to speak, the Public Hearing was closed. The following Res. #2012-225/Ord. #2012-17 was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Mazzola and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-225

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

ORDINANCE # 2012-17

AN ORDINANCE AMENDING CHAPTER 171 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "FEES" TO AMEND SECTION 171-4, "FEES FOR COPIES OF PUBLIC RECORDS FROM MUNICIPAL PROSECUTOR AS PART OF DISCOVERY PROCESS

which was introduced on May 17, 2012, public hearing held June 7, 2012, be adopted on second and final reading this 7<sup>th</sup> day of June, 2012.

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

Council Vice President Metzger opened the Public Hearing on Ord. #2012-18 (Making Provisions of Subtitle One of Title 39 applicable Camelot at Marlboro Urban Renewal, LLC). As there was no one who wished to speak, the Public Hearing was closed. The following Res. #2012-226/Ord. #2012-18 was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and passed on a roll call vote of 3 - 0 in favor, with Councilwoman Mazzola abstaining (Absent: Cantor).

RESOLUTION # 2012-226

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

ORDINANCE # 2012-18

AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO CAMELOT AT MARLBORO URBAN, LLC. DEVELOPMENT AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

which was introduced on May 17, 2012, public hearing held June 7, 2012, be adopted on second and final reading this 7<sup>th</sup> day of June, 2012.

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

The following Resolution #2012-227/Ordinance #2012-19 (Amend Chapter 337 - Trees) was introduced by reference, offered by Councilwoman Marder, seconded by Councilwoman Mazzola, and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-227

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

ORDINANCE # 2012-19

AN ORDINANCE AMENDING CHAPTER 337 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "TREES"

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 12, 2012 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 # 2012-19

AN ORDINANCE AMENDING CHAPTER 337 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "TREES"

WHEREAS, pursuant to Section 337-19 of the Code of the Township of Marlboro a tree escrow fund has been established; and

WHEREAS, the Township Council of the Township of Marlboro desires to expand the uses that funds in the tree escrow fund may be used for.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Marlboro that Chapter 337 entitled "Trees" of the Code of the Township of Marlboro, Section 337-19 entitled fees is hereby amended to provide for a new section 337-19 (G), Uses of Tree Escrow Fund, as follows:

337-19(G) Uses of Tree Escrow Fund,

Notwithstanding anything contained herein to the contrary, the tree escrow fund established herein may be used for any or all of the following purposes:

1. Planting of new and/or replacement trees on public property.
2. Planting of new and/or replacement trees on private property provided the necessary consent(s) and authorization of the property owners(s) has been obtained.
3. Maintenance, trimming and care of trees on public property.
4. Removal of dead and/or dying trees on public property.
5. Removal of dead and/or dying trees on private property provided the necessary consent(s) and/or authorizations(s) of the property owner(s) has been obtained.

6. Cutting and trimming trees on public property.
7. Ameliorating any dangers to life, health or public safety caused by any tree(s).

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 provisions 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.

The following Resolution #2012-229 (Liquor License Renewals) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-229

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, 2012 through June 30, 2013.

- |    |   |                 |
|----|---|-----------------|
| 1. | S & A Route 79, Inc.<br>T/A Crown Palace            | 1328 33 005 008 |
| 2. | Just Sports Bar & Grill                             | 1328 33 003 003 |
| 3. | M. S. D. Enterprise, Inc.<br>T/A Martucci's Deli    | 1328 44 009 003 |
| 4. | Bella Vista Country Club                            | 1328 33 004 004 |
| 5. | Worthwhile, Inc.<br>T/A Cambridge Spirits Unlimited | 1328 44 016 002 |
| 6. | Briad Restaurant Group,L.L.C.<br>T/A TGI Fridays    | 1328 33 017 002 |
| 7. | J.R.J. Hospitality Inc.<br>T/A Nonna's              | 1328 33 015 012 |
| 8. | A.J.R. Restaurant Group<br>T/A Damon's Grill        | 1328 33 018 001 |

9.	Hituja Corp. T/A Marlboro Buy Rite Liquors	1328 44 001 006
10.	B.T.A., LLC T/A Pino's La Forchetta	1328 33 008 008
11.	476 Route 520 Corp. T/A Samvera Restaurant	1328 33 003 012
12.	IR Restaurant Group	1328 33 007 004
13.	Exit 123 Liquors, LLC	1328 44 021 001
14.	Brooks Edge Plaza, LLC	1328 33 019 001
15.	Morganville Ind. Vol. Fire Co.	1328 31 012 001
16.	Morganville Vol. Fire Co.	1328 31 013 001
17.	Wickatunk Holdings LLC	1328 22 010 003

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 #2012-230 (Place to Place Transfer - Just Sports - Fireside) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilwoman Marder, and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-230

RESOLUTION OF THE TOWNSHIP OF MARLBORO AUTHORIZING  
A PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION  
LICENSE NUMBER 1328-33-003-003 ISSUED TO JUST SPORTS  
BAR & GRILL, INC T/A FIRESIDE BAR & GRILL

WHEREAS, application was made to the Township of Marlboro ("Township") by Just Sports Bar & Grill, Inc. T/A Fireside Grill and Bar ("Applicant") for a place to place transfer of Plenary Retail Consumption License Number 1328-33-003-003 ("License") presently held by Just Sports Bar & Grill to permit the expansion of the licensed premises.

WHEREAS, the Township Council of the Township of Marlboro has reviewed the application and all supporting documentation and finds it appropriate to approve the place to place transfer of the aforesaid plenary retail consumption license to permit the expansion of the licensed premises.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the application by Just Sports Bar & Grill, Inc T/A Fireside Grill and Bar for a place to place transfer of Plenary Retail Consumption License Number 1328-33-003-003 presently held by Just Sports Bar & Grill, Inc. T/A Fireside Grill and Bar to permit the expansion of the licensed premises, be and is hereby is approved.

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

- a. Just Sports Bar & Grill, Inc. T/A Fireside Bar and Grill, 122 S. Main Street, Marlboro, NJ 07746
- b. Township Administrator
- c. Township Building Department
- d. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2012-231 (Authorizing Agreement Employee Life Ins/LTD Policy) was introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President Metzger, and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-231

A RESOLUTION APPROVING GROUP LIFE, AD&D AND LONG TERM  
DISABILITY COVERAGE PROGRAM FOR EMPLOYEES OF THE  
TOWNSHIP OF MARLBORO WITH DEARBORN NATIONAL  
FOR THE YEAR BEGINNING JULY 1, 2012

WHEREAS, the Township of Marlboro currently provides Group Life, AD&D and Long Term Disability coverage for its eligible employees under a program administered by Standard Insurance Company; and

WHEREAS, the Standard Insurance Company notified the Township that the premium would increase for the renewal year beginning July 1, 2012; and

WHEREAS, in an effort to provide the most cost effective coverage for the Township's eligible employees, the Township authorized its insurance consultant, North American Insurance Management Corporation ("NAIMC"), to obtain competitive quotes for group life and LTD coverage; and

WHEREAS, NAIMC contacted three (3) insurance companies for Group Life and Disability coverage; and

WHEREAS, the Township received a proposal which matched the current plan design from Dearborn National for a one year amount

of \$21,566 based upon current eligible employee counts, \$4,706 less than the current proposal from the Standard Insurance Company; and

WHEREAS, the proposal from Dearborn National offers a two (2) year rate guarantee; and

WHEREAS, after a review of the proposals, NAIMC has recommended that the Township authorize group Life, AD&D, Long Term Disability coverage with Dearborn National; and

WHEREAS, the Township concurs with the recommendation of its insurance consultant; and

WHEREAS, contracts for the purchase of insurance coverage and consultant services may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(m), in accordance with the requirements for extraordinary unspecifiable services.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Marlboro that it hereby authorizes the Mayor to execute and the Clerk to witness, any documents necessary to enter into an agreement with Dearborn National for the provision of Group Life, AD&D and LTD coverage for the Township of Marlboro's eligible employees for the period July 1, 2012 - June 30, 2013 at an estimated total annual cost of \$21,566.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$13,000.00 estimated for the period July 1, 2012 - June 30, 2013 are available in 2-01-100-286.

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

- a. North American Insurance Management Corporation
- b. Dearborn National
- c. Mayor Jonathan Hornik
- d. Marlboro Township Chief Financial Officer

The following Resolution #2012-232 (Authorizing Engineering Services for Road & Drainage Improvements - CME) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilwoman Marder, and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-232

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 ROAD AND DRAINAGE IMPROVEMENTS IN THE  
TOWNSHIP OF MARLBORO

WHEREAS, the Township is undertaking various road and drainage improvements within the Township including the reconstruction and repaving of Vanderburg Road Phase II and Texas Road ("the Project") approved as part of its 2011 (060-5) and 2012 (060-1, 060-3, 060-6, 105-4, 122-7) Capital Programs; and

WHEREAS, the Township is need of design, bid phase and construction services in order to complete the required road and drainage improvements; and

WHEREAS, CME Associates has provided proposals dated May 24, 2012 (the "Proposals") 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 \$176,000.00 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 in the amount of \$176,000.00 are available for this purpose from Capital Accounts # C-04-07-012-909, # C-04-12-008-999, # C-04-11-002-909, # C-04-12-008-955 and # C-04-12-008-966; 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 by way of its Township Engineers IN CONNECTION WITH ROAD AND DRAINAGE IMPROVEMENTS IN THE TOWNSHIP OF MARLBORO ("Professional Services"), at a fee not to exceed \$176,000.00 for such Professional Services, as further described and set forth in CME's Proposals dated May 24, 2012, 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 \$176,000.00 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 Assoc., 1460 Route 9 South, Howell, NJ 07731
- b. Mayor Jonathan L. Hornik
- c. Township Chief Financial Officer

The following Resolution #2012-233 (Bond Release Carbone Properties - Block 119, Lot 34) was introduced by reference, offered by Council Vice President Metzger, seconded by Councilman LaRocca, and passed on a roll call vote of 3 - 0 in favor, with Councilwoman Mazzola abstaining (Absent: Cantor).

RESOLUTION # 2012-233

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES  
FOR THE SITE KNOWN AS CARBONE PROPERTIES, BLOCK 119,  
LOT 34 (FALSON LANE), MARLBORO TOWNSHIP, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for the release of a Township held Performance Guarantee in the form of a performance bond and Cash Guarantee in the form of a cash deposit for site improvements ("Public Improvements") on the property known as CARBONE PROPERTIES SUBDIVISION, Falson Lane, Block 119, Lot 34, Marlboro, New Jersey, (the "Site") posted by Scott and Daniel Carbone, (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated May 23, 2012 regarding the completion of the Public Improvements at the Site, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Performance Guarantee, in the form of a performance bond, No. 4558 issued by Service Insurance Company in the original amount of \$57,122.28 and the present amount of \$17,137.00 and Cash Guarantee, in the form of a cash deposit in the original amount of \$7,508.28 plus accrued interest posted by the Developer and being held by the Township, be released in their entirety, conditioned upon the payment of all outstanding inspection fee charges to the time of bond release and the posting of a two (2) year fifteen percent (15%) maintenance bond in the amount of \$7,934.00 ; and

WHEREAS, the Township Council now wishes to accept the recommendation of the Township Engineer concerning the aforesaid Performance Guarantees.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the current Performance Guarantee for the Site (as defined and described hereinabove), Performance Bond No. 4558 by The Service Insurance Company in the original amount of \$57,122.28 and present amount of \$17,137.00, and Cash Guarantee for the Site (as defined and described hereinabove) in the original amount of \$7,508.28 plus accrued interest posted by the Developer (as defined and described hereinabove) and being

held by the Township, be released in their entirety, conditioned upon the payment of all outstanding inspection fee charges to the time of bond release and the posting of a two (2) year fifteen percent (15%) maintenance bond in the amount of \$7,934.00; and

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

- a. Scott and Daniel Carbone
- b. Mayor Jonathan L. Hornik
- c. Township Business Administrator
- d. Township Engineer
- e. Chief Financial Officer
- f. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2012-234 (Cash Bond Release Freemont/ 110 Mountainside View - Block 154, Lot 1.05) was introduced by reference, offered by Councilwoman Marder, seconded by Councilwoman Mazzola, and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-234

RESOLUTION AUTHORIZING RELEASE OF A CASH GUARANTEE FOR  
A PROPERTY KNOWN AS BLOCK 154, LOT 1.05, ALSO KNOWN AS  
110 MOUNTAINSIDE VIEW, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for release of the Township held Cash Guarantee in the form of a cash deposit for site improvements ("Private Improvements") on the Site (the "Site") and property known as Block 154, Lot 1.05, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Freemont Home Corp./Luther Gueyikian (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated April 3, 2012, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the current Cash Guarantee in the amount of \$1,500.00 which sum has been posted by the Developer as cash, and is being held by the Township, may be released in its entirety with no restrictions; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid Cash Guarantee.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Cash Guarantee posted in connection with site improvements for Block 154, Lot 1.05, 110 Mountainside View, Marlboro Township, New Jersey shall be released in its entirety; and

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

- a. Freemont Home Corp./Luther Gueyikian
- b. Asset Management Consultants
- c. Mayor Jonathan L. Hornik
- d. Township Business Administrator
- e. Township Chief Financial Officer
- f. Township Engineer
- g. DeCotiis, FitzPatrick & Cole, LLP

As the consent agenda, the following Resolutions were introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor): Res. #2012-235 (Redemption Tax Sale Certs - Various), Res. #2012-236 (Refunds for Overpayments - Various), Res. #2012-237 (Refunds to WMUA - Various), Res. #2012-238 (Tax Court Judgment Refund B. 420.02, Lot 13 - Rizk), Res. #2012-239 (Tax Court Judgment Refund B. 420.02, Lot 14 - Wang), Res. #2012-240 (Tax Court Judgment Refund B. 157, Lot 3.15 - Dalal), Res. #2012-241 (Tax Court Judgment Refund B. 155, Lot 4.02), Res. #2012-242 (Tax Court Judgment Refund B. 154, L 1.23), Res. #2012-243 (Refunds of Hydrant Meter Deposits - Various), Res. #2012-244 (Refunds to MTWUD - Various), Res. #2012-245 (Inactive Escrow Accounts), Res. #2012-246 (Authorizing Water Installment Agreement - Shoshan), Res. #2012-247 (Raffle License Michael Gerard Puharic Memorial Fund - Off premise 50/50), Res. #2012-248 (Approving Close Out Change Order and Acceptance of Improvements - Union Hill Road), Res. #2012-249 (Approving Close Out Change Order and Acceptance of Improvements - Vanderburg Road Phase I).

RESOLUTION # 2012-235

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$160,510.91 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 \$160,510.91 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>
2012-056 20 Emerald Dr.	184.01/27	Ace Plus LLC 1416 Ave. L Brooklyn, NY 11230 Assessed Owners: Guralnik, Felix & Larisa Brushtin	\$1,262.28
08-17 32 Overhill Dr.	196/36	Plymouth Park Tax Services, LLC P.O. Box 2288 Morristown, NJ 07962-2288 Assessed Owner: Lisa Maggio	74,673.67
12-039 100 Igoe Rd. & QFarm	157/34.04	Sergei Sharapov 11 Hereford Dr. Princeton Jct, NJ 08550 Assessed Owner: Laurence Pesce	9,681.96
12-064 1 Cumberland Ct.	206.03/1	Bulkwark Systems, LLC 22 Emily Road Manalapan, NJ 07726 Assessed Owner: Kevin T. Connors	1,161.75
12-033 390 Route 79	153/8	US Bank CUST for Pro Capital I, LLC 50 S 16 St., Ste. 1950 Philadelphia, PA 19102 Assessed Owner: Gregory Glowacka	184.13
12-048 893 Crimson Ct.	176/7 C0893	KCTS Investments LLC 4C Colfax Manor Roselle Park, NJ 07204 Assessed Owners: Scott M. Savins & Maureen M. Rogers	1,293.60
12-073 8 Carter Dr.	251/4	Trade Money LLC 29 Palisades Road Old Bridge, NJ 08857	229.64

Assessed Owners:  
Mitchell & Carol  
Auerbach

10-136 353/1.01 160Royal Tax Lien Services 33,034.76  
1 Brandon Rd. 179 Washington Lane  
Jenkintown, PA 19046  
Assessed Owners:  
Joseph Mucci &  
Antonia Dinuzzo

12-072 243/6 Actlien Holding Inc. 801.61  
11 Liberty Rd. 10 Westminster Rd.  
Rockville Centre, NY  
11570  
Assessed Owners:  
Robert Mack & Toby Shylit

12-077 261/10 Rosehill Fund I, LLC 34,464.05  
91 Church Rd. P.O. Box 503  
Rye, NY 10580  
Assessed Owners:  
Marvin & Ronnie Lebowitz

12-093 301/36 Bulkwark Systems, LLC 1,145.86  
30 Duncan Dr. 22 Emily Road  
Manalapan, NJ 07726  
Assessed Owners:  
Louis & Patricia Morelli

10-149 180/45 Brian Walsh 2,577.60  
4 Evan Dr. 111 Sandalwood Dr.  
Marlboro, NJ 07746  
Assessed Owner:  
Cindy Wolkoff

TOTAL: \$160,510.91

RESOLUTION # 2012-236

WHEREAS, the attached list in the amount of \$1,276.58 known as Schedule "A", is comprised of amounts representing overpayments for 2012 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>2012 REFUND</u>
299	146.01	Mc Intosh, Raymond 17 Bauers Lane Morganville, NJ 07751	\$ 1,276.58

RESOLUTION # 2012-237

WHEREAS, tax sale certificates sold at the 2012 Tax Lien Sale included delinquent sewer charges in the amount of \$30,227.05 as per Schedule "A",

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$30,227.05 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

<u>TSC#</u>	<u>BLOCK/LOT</u>	<u>SEWER ACCT.</u>	<u>ASSESSED OWNERS/ PROPERTY LOCATION</u>	<u>AMOUNT</u>
12-4	105/3	8404	Actlien Holding Inc. 14 Thomas Lane	\$532.23
12-5	107/1	8402	Singh Real Estate 29 Wicker Place	660.08
12-16	116/21	8598	Ridgeback Ventures, LLC 19 Lloyd Road	529.74
12-17	119.01/72	18811	US Bank CUST for Pro Capital, LLC 400 Perry Street	204.50
12-18	119.02/7	18073	Ridgeback Ventures, LLC 14 Bernadette Road	527.86
12-19	120/11	19169	Inna or Jack Gelin 117 Greenwood Road	532.15
12-20	120.02/14	19196	Actlien Holding Inc. 416 Ironwood Lane	663.76
12-40	160/66	22818	KCTS Investments, LLC 415 Coral Court	414.49

12-41	173/7 C0284	13647	KCTS Investments,LLC 284 Fairfield Place	459.65
12-42	173/7 C0340	13345	Nasdom, LLC 340 Mayfair Place	244.50
12-43	173/7 C0386	13303	KCTS Investments,LLC 386 Hampton Place	532.35
12-46	176/7 C0815	17351	US Bank CUST for Pro Capital, LLC 815 Mariposa Court	551.77
12-47	176/7 C0869	17238	Nasdom, LLC 869 Mariposa Court	130.52
12-48	176/7 C0893	17208	KCTS Investments,LLC 893 Crimson Court	614.02
12-49	176/7 C1005	18131	Actlien Holding, Inc. 1005 Tarragon Court	598.49
12-50	178/2 C0155	13446	Actlien Holding Inc. 155 Tanglewood Place	471.99
12-51	178/2 C0189	11877	Bulkwark Systems, LLC 189 Nantucket Place	638.25
12-52	178/2 C0287	12567	Inna or Jack Gelin 287 Stratford Place	466.24
12-53	178/2 C0315	11930	Nasdom, LLC 315 Devon Place	527.25
12-54	184/30	19375	Rosehill Fund I,LLC 111 Valesi Drive	255.50
12-55	184/80	6436	C&E Tax Lien Fund I 5 Churchill Court	564.54
12-56	184.01/27	10019	Ace Plus, LLC 20 Emerald Drive	527.11
12-57	193/19	14933	US Bank CUST for Pro Capital, LLC 44 Amagansett Drive	289.71
12-58	193.02/3	21334	Ace Plus, LLC 6 Drakes Hill Court	514.12

12-59	193.02/ 54.19	20807	Ace Plus, LLC 31 Pueblo Court	242.54
12-61	193.05/5	19512	HEMCO Capital, LLC 5 Hemingway Court	852.74
12-62	193.13/122	24924	Rosehill Fund I, LLC 109 Scarborough Way	662.14
12-63	195/6	9165	Actlien Holding, Inc. 4 Peach Tree Court	717.79
12-64	206.03/1	20047	Bulkwark Systems, LLC 1 Cumberland Court	420.56
12-65	213/29	3297	Actlien Holding Inc. 14 Maywood Drive	375.09
12-68	214.03/4	22717	MTAG Serv. CUST ACTF II NJ Inc. 2 Lowery Lane	532.36
12-69	219/3	23916	Inna or Jack Gelin 26 Hudson Street	215.04
12-70	223/12	20671	Actlien Holding, Inc. 13 North Main Street	371.17
12-71	225/80	4382	Inna or Jack Gelin 12 Liberty Road	663.52
12-72	243/6	5771	Actlien Holding, Inc. 11 Liberty Road	327.75
12-74	251/38	6328	Actlien Holding, Inc. 99 Gordons Corner Rd.	504.69
12-75	253/8	6066	Actlien Holding, Inc. 45 Truman Drive	371.07
12-76	255/36	5213	Inna or Jack Gelin 59 Church Road	532.34
12-78	262/14	4547	Inna or Jack Gelin 3 Bruce Road	532.35
12-79	263/3	4424	Bulkwark Systems, LLC 6 Bruce Road	694.42

12-80	266/11	5247	Ace Plus, LLC 2 Halifax Drive	601.32
12-81	268.04/21	18224	HEMCO Capital, LLC 16 Crest Drive	255.25
12-83	270/71	4972	Actlien Holding Inc. 8 Robinson Road	667.03
12-84	271/1	4552	Bulkwark Systems,LLC 22 Riley Road	669.69
12-85	286/20	12993	KCTS Investments,LLC 11 Longfellow Terrace	626.77
12-86	288/14	4956	MTAG Serv. CUST ACTF II NJ Inc. 4 Emerson Drive	532.21
12-87	288/29 C0354	14386	Ridgeback Ventures,LLC 354 Sunshine Court	237.72
12-88	288/29 C0416	15821	MTAG Serv. CUST ACTF II NJ Inc. 416 Bayberry Drive	161.80
12-89	288/29 C0455	14245	Bulkwark Systems, LLC 455 Bayberry Drive	465.57
12-91	300/79	18853	Inna or Jack Gelin 239 Yellowknife Road	544.84
12-92	301/2	5162	MTAG Serv. CUST ACTF II NJ Inc. 32 Regina Road	377.37
12-93	301/36	5425	Bulkwark Systems,LLC 30 Duncan Drive	217.68
12-95	312/43	12322	Inna or Jack Gelin 18 Susan Drive	532.24
12-97	339/27	11029	Bulkwark Systems,LLC 9 Stone Lane	371.17
12-98	351/5	8973	Actlien Holding, Inc. 21-23 School Road West	1,134.11
12-102	358/1.14	24338	Actlien Holding, Inc. 42 Witherspoon Way	527.42

12-103	360/25.16	25537	Nasdom, LLC 14 Livingston Court	294.07
12-106	371/32	11778	Ace Plus, LLC 20 Stone Lane	158.92
12-107	373/15	11026	Bulkwark Systems, LLC 2 Harvest Court	487.79
12-108	380/23	15044	Rainbow Assoc. LLC 4 Cross Lane	517.85
12-110	396/1 C0135	15380	Actlien Holding Inc. 135 Tangerine Drive	689.83
12-111	412/142	12409	Clarence Smith 8 Crestview Court	531.04
12-112	412/307 C0037	21968	Stuart Lasher 37 Thrasher Court	158.97
TOTAL:				\$30,227.05

RESOLUTION # 2012-238

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$ 2739.63 for the year 2010 and \$3,793.07 for the year 2011 for Block 420.02 Lot 13, located at 8 Diamond Hill Road, assessed to Rizk, Mandy & Jacqueline,

WHEREAS, the 2010 and 2011 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$6,532.70.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$6,532.70 to Rizk, Mandy & Jacqueline.

RESOLUTION # 2012-239

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$ 2,872.29 for the year 2010 and \$ 5,293.60 for the year 2011 for Block 420.02 Lot 14, located at 10 Diamond Hill Road, assessed to Wang, Weimin & Lihong Jia,

WHEREAS, the 2010 and 2011 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$8,165.89.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$8,165.89 to Wang, Weimin & Lihong Jia.

RESOLUTION #2012-240

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$3,650.51 for the year 2011 for Block 157, Lot 3.15, located at 19 Embry Farm Road, assessed to Dalal, Karambir & Seema,

WHEREAS, the 2011 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$3,650.51.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$3,650.51 to Dalal, Karambir & Seema.

RESOLUTION # 2012-241

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$5,419.40 for the year 2011 for Block 155 Lot 4.02, located at 2 Via Vento, assessed to Kirsch, Eric & Lori,

WHEREAS, the 2011 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$5,419.40.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$5,419.40 to Kirsch, Eric & Lori.

RESOLUTION # 2012-242

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$1,900.15 for the year 2011 for Block 154 Lot 1.23, located at 415 Fawns Run, assessed to Levine, Jonathan,

WHEREAS, the 2011 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$1,900.15.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$1,900.15 to Levine, Jonathan.

RESOLUTION # 2012-243

WHEREAS, the attached list in the amount of \$584.96 known as Schedule "A", is comprised of amounts representing refund of hydrant meter deposits,

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>Hydrant Meter Serial#</u>	<u>WATER CUSTOMER</u>	<u>AMOUNT</u>
007790605	Marlboro Distributors A/K/A Marlboro A.G.& A.W P.O. Box 146 Morganville, NJ 07751	\$ 584.96

RESOLUTION # 2012-244

WHEREAS, tax sale certificates sold at the 2012 Tax Lien Sale included delinquent water charges in the amount of \$2,616.30 as per Schedule "A",

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned water charges in the amount of \$2,616.30 be refunded to the M.T.W.U.D.

SCHEDULE "A"

<u>TSC#</u> <u>ACCT.</u>	<u>BLOCK/LOT</u> <u>PROPERTY</u>	<u>WATER</u> <u>LOCATION</u>	<u>ASSESSED OWNERS/</u>	<u>AMOUNT</u>
12-19	120/11	27394	Inna or Jack Gelin 117 Greenwood Road	165.24
12-22	122/27.02	25936	Bulkwark Systems LLC 493 Route 79	244.68
12-27	146/36	32820	US Bank CUST for Pro Capital, LLC 321 Tylers Lane	56.48
12-28	146/39	31111	US Bank CUST for Pro Capital, LLC 460 Texas Road	23.31
12-29	147/4.02	31190	Nasdom, LLC 248 Spring Valley Rd.	171.47
12-30	147/37	25799	Stuart Lasher 164 Tennent Road	85.65
12-31	148/14	23985	Actlien Holding Inc. 139 Tennent Road	161.29

12-33	153/8	24185	US Bank CUST for Pro Capital, LLC 390 Route 79	117.13
12-34	153/62.06	84265	FNA Jersey Lien Services 319 Bayview Drive	144.20
12-41	173/7 C0284	52231	KCTS Investments, LLC 284 Fairfield Pl.	145.36
12-44	176/7 C0603	58071	Nasdom, LLC 603 Windflower Ct.	249.98
12-45	176/7 C0713	54430	Josef Hoffmann 713 Snowdrop Ct.	27.65
12-47	176/7 C0869	55031	Nasdom, LLC 869 Mariposa Ct.	55.78
12-49	176/7 C1005	58346	Actlien Holding 1005 Tarragon Ct.	163.47
12-50	178/2 C0155	49461	Actlien Holding 155 Tanglewood Pl.	243.93
12-52	178/2 C0287	50121	Inna or Jack Gelin 287 Stratford Pl.	139.66
12-56	184.01/27	44128	Ace Plus, LLC 20 Emerald Dr.	56.20
12-64	206.03/1	46319	Bulkwark Systems, LLC 1 Cumberland Ct.	64.19
12-73	251/4	43660	Trade Money, LLC 8 Carter Dr.	163.64
12-93	301/36	11891	Bulkwark Systems, LLC 30 Duncan Dr.	52.42
12-96	320/4	13747	Stuart Lasher 16 Jennifer Ct.	84.57
			TOTAL:	<u>\$2,616.30</u>

RESOLUTION # 2012-245

RESOLUTION AUTHORIZING CANCELLATION, TRANSFER  
OR RETURN OF INACTIVE ESCROW ACCOUNTS

WHEREAS, certain escrow accounts have remained inactive in the Engineering Department in the Township of Marlboro, Monmouth County, State of New Jersey, for an extended period of time, and

WHEREAS, the Engineering Department has advised that certain accounts can be cancelled to operations, transferred to trust pending refund, or refunded to applicant, and

WHEREAS, some of the dormant account balances are less than ten dollars (\$10) and should be cancelled.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Marlboro, Monmouth County, State of New Jersey, hereby authorizes the cancellation, transfer, or return of the inactive escrow accounts as depicted in the attached schedule identified as Exhibit A.

EXHIBIT A

<b>Project ID</b>	<b>Balance</b>	<b>Project Name</b>	<b>Applicant</b>
<b>ESCROWS - ZONING INACTIVE</b>			
RETURN:			
ZB93-5637	\$150.45	Ientile	James R. Ientile Inc.
ZB93-5653	\$76.70	Pavia	Anthony Pavia
ZB96-5749	\$44.24	Scherer	Steven Scherer
ZB97-5784	\$63.65	Aquazzino	Peggi & Joseph Aquazzino
ZB97-5786	\$300.75	Faiella	Alphonse Faiella
ZB97-5792	\$145.00	Kaplan	Eric Kaplan
ZB97-5801	\$145.00	Garfinkel	Eric Garfinkel
ZB97-5802	\$362.50	Peremem	Ilya Peremem
ZB97-5805	\$92.75	Beaton	Spencer J. Beaton
ZB98-5854	\$48.10	Ientile	James R. Ientile
ZB00-5938	\$101.95	Kennis	Roni Kennis
ZB01-6000	\$127.20	Pagnanelli	Brian S. Pagnanelli
ZB01-6008	\$267.86	Meiterman Holdings	Meiterman Holdings Inc.
ZB01-6009	\$17.76	Tomas Holdings	Tomas Holdings Inc
ZB02-6044	\$42.35	Brukman	Vitaly Brukman
ZB02-6051	\$297.60	Gray	Maria Gray & Peter J. Barc
ZB02-6061	\$103.07	Buchman	Adam B. Buchman
ZB03-6121	\$17.75	Barbagallo	John Barbagallo
ZB03-6122	\$1,012.95	Melito	Joseph Melito
ZB03-6130	\$315.74	Brownstone Commons	Brownstone Commons @ Marlboro
ZB03-6131	\$54.00	Caldon	Kimberly Caldon
ZB04-6136	\$66.50	Gill	Richard W. Gill
ZB04-6137	\$468.50	Affrunti	Michelle Affrunti
ZB04-6140	\$442.00	Baez	Diego Baez
ZB04-6146	\$448.50	K Hovnanian	K Hovnanian @ Marlboro IX

ZB04-6149	\$52.00	Esposito	Richard Esposito
ZB04-6151	\$10.25	Oskowsky	Alan Oskowsky
ZB04-6152	\$187.00	Ferraina	Vincent Ferraina
ZB04-6162	\$468.50	Mugavero	Joseph & Joann Mugavero
ZB04-6163	\$1,724.50	Insurance Auto Auctions	Insurance Auto Auctions, Inc.
ZB04-6174	\$683.00	Castle Point	Toll NJ III,LP
ZB04-6177	\$20.00	Visone	Kathleen Visone
ZB04-6184	\$10.00	Strouse	David S. Strouse, JR.
ZB04-6186	\$7,359.43	Public Warehousing	A+ Public Warehousing, LLC
ZB04-6186A	\$2,072.23	Public Warehousing	A+ Public Warehousing, LLC
ZB05-6191	\$471.75	Carbone	Patricia & Charles Carbone
ZB05-6194	\$289.50	Damato	Felicia Damato
ZB05-6197	\$188.29	Fava	Carl Fava
ZB05-6198	\$23.87	Royal Pine @ Marlboro	Royal Pines @ Marlboro, LLC
ZB05-6201	\$676.04	Four Seasons @ Marlboro	K Hovnanian Shore Acquisitions
ZB05-6202	\$271.00	Pickus	Evan N. Pickus
ZB05-6204	\$2,798.09	Hindu American Temple	Hindu American Temple & Cult.
ZB05-6205A	\$752.48	Shamrock Lawn & Land.	Shamrock Lawn & Landscape, Inc
ZB05-6209	\$54.50	Lichtenthal	Stacey Lichtenthal
ZB05-6222	\$52.25	Rush	Leslie Rush
ZB05-6225	\$322.85	Tennent Acres	Villas @ marlboro, LLC
ZB06-6238	\$294.47	Bzura	Bruce Bzura
ZB06-6239	\$756.75	Collura	Joseph Collura
ZB06-6243	\$366.25	Spade	William E. Spade
ZB06-6245	\$22.00	Gonzales	Avon Gonzales
ZB06-6276	\$1,698.86	Shalom Torah Center	Shalom Torah Center
ZB07-6298	\$1,656.01	lentile	James lentile
ZB07-6311	\$53.52	Ayyala	Krishna & Laxmi Ayyala
ZB07-6314	\$17.00	Bonura	Dominick Bonura
ZB08-6315	\$1,257.00	Marlboro Auto Wreckers	Marlboro Auto Wreckers
ZB08-6316	\$943.00	Morganville Auto Wreckers	Morganville Auto Wreckers
ZB08-6317	\$145.00	Schechter	Schechter Enterprises
ZB08-6318	\$307.00	17 Hawkins Corner Road	Vladimir DeLevi
ZB08-6322	\$35.78	Perri	John Perri, Jr.
ZB08-6323	\$97.50	Erickson	Joann Erickson
ZB08-6327	\$195.00	Berry	William J. Berry Jr.
ZB08-6332	\$253.00	Spatola	Michael Spatola
ZB08-6343	\$625.50	Route 520	Sunrise Development, Inc.
ZB09-6359	\$185.00	Salovic	Bilal Salovic
ZB09-6365	\$16.50	Edinburgh Place 443	George Allyn
ZB09-6371	\$348.77	TDA Capital	TDA Capital, LLC
ZB09-6376A	\$29.75	Land Baron	Land Baron, LLC
ZB10-6377	\$16.50	Vaysman	Alex Vaysman
ZB10-6379	\$196.75	Garden State Com. Bank	NY Community Bank
ZB10-6381	\$374.25	Nigro	Marco Nigro
ZB10-6385	\$10.25	Hersey	Alan Hersey
ZB10-6389	\$261.55	Pinhas	Ivan Pinhas
ZB10-6395	\$1,287.75	DeLevi	Vladimir DeLevi
ZB10-6399	\$63.50	Grande - Rodeo Drive	Michael Grande
ZB10-6400	\$118.50	Milora - Sinclair Court	Paul Milora
ZB10-6404	\$52.50	V. Ferraina's	V. Ferraina's LLLV
ZB10-6409	\$307.00	Neustater	Joanne Neustater
ZB11-6410	\$87.50	Bellone	Kathleen Bellone
ZB11-6417	\$53.00	Vitale	Alisa & John Vitale

ZB11-6422	\$59.00	Venetucci	Jennifer Venetucci
ZB11-6424	\$26.75	Terrizzi - Guest Drive 73	Lisa Terrizzi
ZB11-6426	\$19.50	Andreula - Reids Hill Rd 57	Mary Lynne Andreula
ZB11-6428	\$61.50	Owitz - Ramsgate Drive 2	Francine Owitz

TRANSFER:

ZB92-5615	\$1,400.24	Midas Realty	Midas Realty Corp
ZB92-5629	\$394.90	Fiero	Dr. Patrick Fiero
ZB95-5720	\$395.57	D'Alotto	Roc D'Alotto
ZB96-5782	\$200.00	Loyer	Allen Loyer
ZB98-5837	\$156.00	Stevens	Theresa & Sam Stevens
ZB98-5869	\$387.20	Larkin	Michael Larkin
ZB99-5889	\$62.75	Nardi	Santa & Louis Nardi
ZB03-6119	\$2,687.70	Kara of Old Bridge	Kara of Old Bridhe, LLC
ZB06-6268	\$46.55	10 School Road West	Marlboro Realty, LLC
ZB06-6269	\$278.10	12 School Road West	Marlboro Realty, LLC

CANCEL:

ZB98-5851	\$5.66	JTS Associates	JTS Associates, LLC
ZB02-6054	\$1.06	Marlboro Crest	Marlboro Crest
ZB04-6144	\$2.00	Esposito	Dominick A. Esposito
ZB04-6157	\$1.65	Randone	Angela Randone
ZB08-6320	\$5.51	Santangelo	Steve Santangelo
ZB10-6390	\$3.75	Weber	Susan Weber
ZB10-6402	\$3.00	Bokkisam - Brown road	Pallavi Bokkisam
ZB10-6387	\$0.50	Commercial Court	Lucas Development, LLC
ZB09-6364	\$2.98	Serenity Place	Marcie Lynch
ZB08-6345	\$2.50	Lopes - 182 Highway 79	Joao Lopes
ZB09-6357	\$2.28	Texas Road	Robert Ida
ZB08-6331	\$6.00	Godek	Mark A. Godek
ZB08-6342	\$6.98	120 Tennent Road	Kea Designs Inc., LLC

**ESCROWS - PLANNING INACTIVE**

RETURN:

PB321-85	\$583.12	Palmieri Building	Mario G. Palmieri
PB403-87A	\$89.64	Diamond Hills	Diamond Hills
PB407-87	\$92.82	Wayne Kaiser	Wayne Kaiser
PB416-87C	\$109.00	River Birch	River Birch,LLC
PB505-89	\$60.25	Sanctuary/Longobardi	Marl. Natl. Golf/Longobardi
PB715-98	\$1,027.83	Triangle Ridge	Meiterman
PB719-98	\$254.69	American Dream @ Marlboro	American Dream At Marlboro
PB719-98A	\$233.99	Beacon Woods	American Dreaan @ Marlboro
PB762-99	\$212.44	Lexington Estates	K Hovnanian Shore Acquisitions
PB774-00	\$402.12	Heartstone Properties	Heartstone Properties
PB776-00	\$454.95	Azhar	Sarwat Azhar
PB777-00	\$107.09	Lowes	Century 21 Construction
PB792-00	\$349.72	JTS	J.T.S Associates, LLC
PB797-00	\$1,055.18	Rosemont Estates	Rosemont Estates, LLC
PB808-01	\$174.30	Shalom Torah	Shalom Torah Center
PB809-01	\$14.38	Crawley	Pierre Crawley
PB810-01	\$97.71	Beacon Hill Plaza West	Joseph Manzo
PB812-01	\$68.39	Route 9 Ices	First Call Restoration Srvcs.
PB816-01	\$1,149.33	Route 79	Route 79 Associates, LLC
PB816-01SR	\$235.37	Route 79	Route 79 Associates, LLC

PB822-01	\$148.52	Cannon Hill	Cannon Hill, LLC
PB824-01	\$112.40	Maple Tree Plaza	Triple C Nurseries, Inc
PB840-02	\$212.57	H Builders	H Builders Inc.
PB843-02	\$216.25	J Manzo	Joseph Manzo
PB847-02	\$177.28	Tall Oaks	Sunnyside Estates, LLC
PB854-02	\$125.07	MRD Enterprises	MRD Enterprises Inc.
PB867-03	\$1,401.97	Chelsea Square Center	Shifra Associates, LLC
PB886-03	\$256.25	Commerce Bank	Commerce Bank, N.A.
PB888-03	\$293.44	Castle Pointe	Toll Bros./Toll NJ III, LP
PB899-03	\$124.00	Caprio	Anthony Caprio
PB900-04	\$826.67	Triangle Ridge	Meiterman Holdings
PB901-04	\$2,416.74	Lexington Estates	K Hovnanian Shore Acquisitions
PB909-04	\$196.25	The Officenter	SRA Properties, LLC
PB910-04	\$2,498.65	Darryl Court	Pantheon Homes, LLC
PB913-04	\$628.45	Triangle Bus. Office Park	Triangle Business Park, LLC
PB924-04	\$21.75	Bolen	Michael Bolen
PB926-05	\$359.17	Alex Corp	Felix Bruselovsky
PB929-05	\$50.81	Bayfield Properties	Bayfield Properties, LLC
PB930-05	\$43.59	Ambten Road	Ambten Road Associates, LLC
PB931-05	\$152.71	Buckley Manor	Sunny Acres, LLC
PB932-05A	\$371.55	Costco	Costco Wholesale
PB936-05	\$812.78	Buckley Estates	Kara @ Buckley Estates, LLC
PB940-05	\$222.70	Gina Hill Farms	Gina Hill Farms
PB944-05	\$367.50	Harrington Estates	Cifelli, LLC
PB950-05	\$1,047.85	Sunset Park	Sunset Park, LLC
PB952-06	\$191.22	Monmouth Worship Center	Monmouth Worship Center
PB958-06	\$17.87	Vintage Design	Vintage Design, LLC
PB968-06	\$121.50	Heller/Steiner	Martin Heller
PB969-06	\$316.37	Starbucks Coffee	Starbucks Coffe Co.
PB975-06	\$154.52	Commerce Bank	Commerce Bank, NA
PB980-07	\$420.11	Conover Hills	Conover Hills, LLC
PB982-07	\$272.53	Azhar	Sarwat Azhar
PB989-07	\$241.83	Sprint Spectrum	Sprint Spectrum, L.P.
PB1000-07	\$103.24	Marl. Tennis & Training Center	Onyx Ventures
PB1002-07	\$15.49	Gordons Corner Water	Gordons Corner Water Company
PB1003-07	\$47.00	WOW Construction	Wow Construction, LLC
PB1011-08	\$158.72	Knowledge Beginnings	138 South Main Street, LLC
PB1013-08	\$22.25	BR Eclectic	BR Eclectic, LLC
PB1020-08	\$211.25	Gina Hill Farms	Adam B. Buchman
PB1025-08	\$14.25	Antisell	Don Antisell
PB1027-08	\$52.00	8 School Road	Avis Realty, LLC
PB1035-09	\$19.25	El Basha	El Basha Group, LLC
PB1036-09	\$40.26	Hobart Ventures	Hobart Ventures, LLC
PB1044-09	\$445.02	Crystal Cove Estates	Vcrystal Cove Estates, LLC
PB1045-09	\$342.53	AAMCO	Pagano Development Co., Inc.
PB1049-10	\$249.65	Clemente	Lisa Clemente
PB1054-11	\$20.50	Bessy Attia	Eugene Enterprises
PB1060-11	\$31.00	Pastoral Care & Counseling	Rabii Shira Stern
PB1062-11	\$1,067.51	Alizaidy	Syed Alizaidy
TRANSFER:			
PB303-84	\$2,665.77	Marl Assoc	Marlboro Associates
PB443-88	\$55.59	Willow Glen	Willow Glen Associates
PB471-88	\$77.85	La Sala Cleaners	La Sala Cleaners

PB684-97	\$84.00	Woolf/Pool grading	Christopher Wolf
PB725-98	\$874.00	B. Reed Inc.	Reed/United Homes, Inc.
PB801-01	\$55.70	Kara Homes	Kara Homes
PB801-01SR	\$332.00	Kara Homes- Soil Removal	Kara Homes
PB815-01	\$124.75	Gabriel's Salon	Gabriel's Salon & Spa
PB845-02	\$157.53	Kara	Kara of Monmouth, LLC
PB881-03	\$10.75	Huyler	William M. Huyler

CANCEL:

PB957-06	\$8.75	Sneyers	Cilifford & Leslie Sneyers
PB964-06	\$8.20	Scibor	Andrew Scibor
PB1051-10	\$7.07	Triangle Bus. Park	Triangle Business Park,LLC
PB1023-08	\$7.50	Sam Vera Restaurant	476 Route 520, Inc.
PB976-06	\$6.25	Marlboro Corporate Center	Marlboro 18, LLC
PB990-07	\$9.22	Wickatunk Harbor Road	NY SMSA Limited Partnership

**ESCROWS - ENGINEERING INACTIVE**

RETURN:

173	\$2,427.99	Enclosure Sect. 1 & 2	Central Jersey Off. & Ind.
182	\$3,202.53	School Road East Woods	H & K Builders
200	\$542.12	Enclosure, Sect 3	Central Jersey Off. & Ind.
227	\$115.36	Petruzzelli	Petruzzelli General Contr.
259	\$1,940.00	Woodcliff, Sect. 2	K Hovnanian at Marlboro
277	\$27.04	Beacon Woods	American Dream at Marlboro
293	\$360.70	Woodfield at Marlboro	K Land Associates
320	\$26.14	Lafayette Estates	K Hovnanian at Marlboro
328	\$30,529.01	Georgetown Manor, Phase II	K Hovnanian at Marlboro
352	\$1,739.55	Concord Manor	K Hovnanian at Marlboro
353	\$821.92	Monticello Estates	K Hovnanian at Marlboro
354	\$8,934.07	Lexington Estates	K Hovnanian at Marlboro
357	\$130.22	Four Columns	Four Columns, LLC
365	\$587.04	J. Manzo	Joseph Manzo
374	\$89.66	McLaughlin's Auto	McLaughlin's Auto Service
382	\$12,258.22	Commerce Bank	Commerce Bank
383	\$1,854.44	Rosenblatt	Dr. Bernard Rosenblatt
394	\$196.26	Four Columns	Four Columns, LLC
405	\$865.28	Vanderburg Road	LKLN, LLC
409	\$37.12	Home Depot	Home Depot U.S.A., LLC
417	\$730.50	Recovery Management	Recovery Management Systems
420	\$242.63	Jireh Church	Overseas Chinese Mission
427	\$116.72	Stepping Stone	Hobart Ventures, LLC
437	\$85.70	French - Syngle Way	Mark French
445	\$39.09	Old Mill Road	Anthony Spalliero
450	\$161.26	Robertsville Road 26	Michael Weitz
458	\$200.00	Marlboro Grande-Rd. Opening	Royal Pines at Marlboro, LLC
469	\$250.00	Roto Rooter	Roto Rooter
470	\$462.29	Marlboro Grande	Royal Pines at Marlboro, LLC
478	\$226.39	Harbor Road	Aleksander Zimny
491	\$401.14	Landkor Realty	Landkor Realty, LLC
496	\$797.76	Rite Aid	The Heller Group, Inc.
510	\$42.79	10 Orchard Street	John Perri, Jr.
521	\$376.76	Bear Brook Com. Landscape	Bear Brook Commons Assoc.
541	\$100.50	Imbrie Place 504-Goodman	Sandra Siegel
548	\$19.20	7 & 5 Nolan Road	Anthony L. Mancini Jr.

	551	\$53.32	Costco	American Plaza, LLC
TRANSFER:				
	211	\$380.78	Midas realty	Midas Realty Corp.
	368	\$30.04	Windsor Estates-soil removal	Kara of Monmouth, LLC
CANCEL:				
	392	\$1,780.24	Netter Woods Improvement	Marlboro Township
	560	\$7.50	Turquoise Trail 813	Randi Bobchin
	376	\$5.14	Marlboro Associates	River Birch, LLC
	279	\$9.20	Conover Hills, Sect. I	Haim Binstock
	303	\$1.18	Conover Hills, Sect. II	Haim Binstock
	327	\$9.09	Georgetown Manor, Phase I	K Hovnanian at Marlboro

**ESCROWS CASH BOND INACTIVE**

RETURN:

BE92-625	\$2,975.05	Western Mon Ind Pk	Mel Corp
BE93-629	\$10,648.62	Enclosure, Sect. 3	Central Jersey Off & Ind Pk
BE96-659	\$4,407.72	Winding Brook, Phase I	WB Associates
BE98-695	\$6,131.81	Tara Estates	John Mullan
BE98-698	\$28,608.83	Magnum Site	Lucas Brothers
BE03-753	\$3,500.00	Winding Brook	WB Associates

TRANSFER:

FARBURCE	\$4,242.23	FARBURCE	Cedarbrook Building Corp
BE91-610	\$2,161.41	Baracuda	Baracuda Builders, Inc.
BE94-639	\$2,722.95	Midas Realty	Midas Realty Corp
BE02-747	\$24,515.42	Windsor Estates	Kara of Monmouth, LLC

CANCEL:

RYAN ROAD	\$5,372.59	Ryan Rd Light	Marlboro Township
BE03-759	\$2,500.00	Krek	Krek Construction Corp.

RESOLUTION # 2012-246

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, YOSI & LEAH SHOSHAN, the owners of 2 Further Lane, which is designated as Block 190, Lot 19, 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 E02430 and Account ID Number 42963; and

WHEREAS, Customer has an Account balance of \$921.03 exclusive of accrued interest), which is attributable to water service for the quarterly period ended April 30, 2012, and which is due for payment by May 31, 2012; 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 \$945.98 (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. Jeff Cantor, Council President
- c. Jonathan A. Capp, Business Administrator
- d. Alida Manco, Township Clerk
- e. Kelly A. Hahn, Tax Collector
- f. Yosi & Leah Shoshan (Customer)
- g. DeCotiis, Fitzpatrick & Cole, LLP

RESOLUTION # 2012-247

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 16-2012 (Off-Premise 50/50) be and it is hereby granted to Michael Gerard Puharic Memorial Fund, Inc, P. O. Box 787, Matawan, NJ 07747.

BE IT FURTHER RESOLVED that said Raffle will be held on August 4, 2012 at 3:00 PM at YMCA Camp

RESOLUTION # 2012-248

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND LUCAS CONSTRUCTION GROUP, INC. AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF IMPROVEMENTS TO UNION HILL ROAD

WHEREAS, by Resolution #2010-346 the Township of Marlboro authorized the award of a contract to Lucas Construction Group, Inc. for the Improvements to Union Hill Road project(the "Project"); and

WHEREAS, Closeout Change Order has been requested resulting in a decrease in the original contract amount of \$1,074,282.35 to \$1,063,455.29, a net decrease of \$10,827.06; and

WHEREAS, in Letter dated May 24, 2012, the Township Engineer has recommended approval of the Closeout Change Order, acceptance of the Project improvements, and issuance of final payment in the amount of \$29,353.80; and

WHEREAS, pursuant to the terms of the contract, Lucas Construction Group, Inc. has provided a one-year maintenance bond in an amount equal to 15% of the final contract amount or \$159,293.00; and

WHEREAS, the Township Council of the Township of Marlboro has reviewed the Township Engineer's May 24, 2012 letter and is amenable to approving Closeout Change Order, accepting the Project improvements and issuing a final payment to Lucas Construction Group, Inc. in the amount of \$29,353.80 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order to the existing contract with Lucas Construction Group, Inc., be and is hereby approved, decreasing the original contract amount of \$1,074,282.35 to \$1,063,455.29, a net decrease of \$10,827.06; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$29,353.80 for work completed by Lucas Construction Group, Inc. is hereby approved.

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

- a. Lucas Construction Group, Inc.
- b. Mayor Jonathan L. Hornik
- c. Township Administrator
- d. Township Engineer
- e. Township Chief Financial Officer
- f. DeCotiis, FitzPatrick & Cole, LLP

RESOLUTION # 2012-249

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO  
THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO  
AND LUCAS CONSTRUCTION GROUP, INC. AND AUTHORIZING  
FINAL PAYMENT AND ACCEPTANCE OF IMPROVEMENTS  
TO VANDERBURG ROAD PHASE I

WHEREAS, by Resolution #2011-262 the Township of Marlboro authorized the award of a contract to Lucas Construction Group, Inc. for the Improvements to Vanderburg Road Phase I project (the "Project"); and

WHEREAS, Closeout Change Order has been requested resulting in a decrease in the previously adjusted contract amount of \$277,771.99 to \$277,727.99, a net decrease of \$44.00; and

WHEREAS, in Letter dated May 24, 2012, the Township Engineer has recommended approval of the Closeout Change Order, acceptance of the Project improvements, and issuance of final payment in the amount of \$5,554.56; and

WHEREAS, pursuant to the terms of the contract, Lucas Construction Group, Inc. has provided a one-year maintenance bond in an amount equal to 15% of the final contract amount or \$41,659.00; and

WHEREAS, the Township Council of the Township of Marlboro has reviewed the Township Engineer's May 24, 2012 letter and is amenable to approving Closeout Change Order, accepting the Project improvements and issuing a final payment to Lucas Construction Group, Inc. in the amount of \$5,554.56 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order to the existing contract with Lucas Construction Group, Inc., be and is hereby approved, decreasing the previously modified contract total of \$277,771.99 to \$277,727.99, a net decrease of \$44.00.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$5,554.56 for work completed by Lucas Construction Group, Inc. is hereby approved.

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

- a. Lucas Construction Group, Inc.
- b. Mayor Jonathan L. Hornik
- c. Township Administrator
- d. Township Engineer
- e. Township Chief Financial Officer

At 9:25PM, Councilwoman Marder moved that the meeting go into executive session for reason of discussing contract negotiations. This was seconded by Councilwoman Mazzola, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor).

RESOLUTION # 2012-250

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 7th day of June, 2012 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely contract negotiations.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 10 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 9:33 PM, Councilman LaRocca moved that the meeting be opened. This was seconded by Councilwoman Marder, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor).

The following Res. #2012-251 (Settlement Tax Appeal - B. 214.07, L. 61.02 - Monmouth Worship Center) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2012-251

AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A  
RENEWAL AGREEMENT FOR THE SUPPLY OF WATER BY THE  
TOWNSHIP OF MARLBORO WATER UTILITY DIVISION TO  
THE GORDONS CORNER WATER COMPANY

WHEREAS, the Township of Marlboro's predecessor-in-interest, the Marlboro Township Municipal Utilities Authority ("MTMUA")

has been providing a supply of water to the Gordons Corner Water Company ("GCWC") since November 1991 pursuant to an agreement dated September 1, 1987, as amended and supplemented, including a certain supplemental agreement, dated as of July 6, 1993; and

WHEREAS, the Township as successor-in-interest to the MTMUA wishes to continue the supply of water to GCWC; and

WHEREAS, the Township has negotiated a successor agreement with GCWC which it believes is in the best interest of the Township Water Utility customers and Marlboro customers of GCWC.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Marlboro that the Mayor and Township Clerk are hereby authorized to execute a renewal agreement with the Gordons Corner Water Company for the supply of water.

At 9:35 PM, Councilwoman Marder moved that the meeting be adjourned. This was seconded by Councilman LaRocca, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: July 12, 2012

OFFERED BY: LaRocca AYES: 4

SECONDED BY: Marder NAYS: 0

ABSTAIN: Cantor

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ALIDA MANCO,  
MUNICIPAL CLERK

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SCOTT METZGER,  
COUNCIL VICE PRESIDENT