

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

March 6, 2014

The Marlboro Township Council held its regularly scheduled Council Meeting on March 6, 2014 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Metzger opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regular 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 6, 2014; 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: Councilman LaRocca, Councilwoman Marder, Council Vice President Mazzola and Council President Metzger. Councilman Cantor was absent.

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

Council Vice President Mazzola moved that the minutes of February 6, February 18 and February 20, 2014 be approved. This was seconded by Councilwoman Marder and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

Council President Metzger opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2014-115/Ordinance #2014-7 (Amend Section 220-34B - Rezone Block 171, Lot 71 - Formerly owned by MTMUA to MZ Municipal Zoning District) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-115

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

ORDINANCE # 2014-7

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 220-34B ENTITLED "ZONING MAP," OF CHAPTER 220 ENTITLED "LAND USE DEVELOPMENT AND REGULATIONS" OF THE "CODE OF THE TOWNSHIP OF MARLBORO, NEW JERSEY" TO REZONE BLOCK 171, LOT 71 TO THE MZ MUNICIPAL ZONING DISTRICT.

which was introduced on February 6, 2014, public hearing held on March 6, 2014, be adopted on second and final reading this 6th day of March, 2014.

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

The following Resolution #2014-116/Ordinance #2014-10 (Exceed Municipal Budget Appropriations Limit and Establish Cap Bank 2014) was introduced by reference, offered by Councilwoman Marder, seconded by Council President Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-116

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

ORDINANCE # 2014-10

CALENDAR YEAR 2014

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

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 March 20, 2014 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 # 2014-10

CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township of Marlboro in the County of Monmouth finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS the Township of Marlboro hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Marlboro in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Marlboro shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by an amount up to 3.5%, and that the CY 2014 municipal budget for the Township of Marlboro be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The following Resolution #2014-117/Ordinance #2014-11 (Amending Section 220-99 - Signs - Prohibiting Signs in Rights of Way) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder. Discussion followed, during which Council members asked questions regarding the enforcement of the Ordinance which were addressed by Township Attorney Louis N. Rainone. After discussion, the resolution/ordinance was passed on a roll call vote of 2 - 1 in favor with Councilwoman Marder abstaining and Council Vice President Mazzola voting no (Absent: Cantor).

RESOLUTION # 2014-117

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

ORDINANCE # 2014-11

AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "LAND USE AND DEVELOPMENT" ARTICLE III ZONING STANDARDS AND REGULATIONS SECTION 220 -99 "SIGNS AND OUTDOOR ADVERTISING REGULATIONS" TO PROHIBIT SIGNS IN THE RIGHTS OF WAY

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 April 3, 2014 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 # 2014-11

AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "LAND USE AND DEVELOPMENT" ARTICLE III ZONING STANDARDS AND REGULATIONS SECTION 220 -99 "SIGNS AND OUTDOOR ADVERTISING REGULATIONS" TO PROHIBIT SIGNS IN THE RIGHTS OF WAY

WHEREAS, the current local regulations regarding placement of signs in the rights of way has resulted in clutter, obstructed views and various traffic hazards and needs to be amended to eliminate

these conditions while upholding the right to express free speech and the exchange of ideas.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Marlboro that Chapter 220 of the Code of the Township of Marlboro entitled "Land Use and Development" Article III entitled "Zoning Standards and Regulations" § 220 -99 entitled "Signs and Outdoor Advertising Regulations" is hereby amended as follows:

§ 220-99 (B) is amended to add a new subsection 220-99(B)(15) as follows: No sign(s) shall be placed within or suspended over a public right of way, public property or publicly owned open space.

§ 220 (E)(6) which permitted temporary signs in the public rights of way is hereby deleted in its entirety.

§ 220 (E)(8) which identified road ways and rights of way where temporary signs could be placed is hereby deleted in its entirety.

§ 220 (F)(1) is amended to read "Temporary political signs shall not be placed in, on, over or within public rights of way or other public property".

§ 220 (F)(5) permitting temporary political signs in the public rights of way is hereby deleted in its entirety.

§ 220 (F)(8) including § 220 (F)(8)(a) and 220 (F)(8)(b) identifying the placement and location of temporary political signs on or in the rights of way is hereby deleted in its entirety.

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 valid 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.

Mayor Jonathan Hornik gave a power point presentation and overview of the budget. The following Resolution #2013-118 (Introduction of 2013 Municipal Budget) was introduced by reference, offered by Councilwoman Mazzola and seconded by Council President Metzger. and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-118

BE IT RESOLVED that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of Marlboro, County of Monmouth, New Jersey, for the year 2014, as introduced by the Municipal Council; and

BE IT FURTHER RESOLVED, that said Budget be published in summary format in the Asbury Park Press, and that a hearing on the Budget be held on Thursday, April 3, 2014 at the Township of Marlboro Municipal Complex.

The following Resolution #2013-119 (Bond Reduction CVS) was introduced by reference, offered by Council Vice President Mazzola and seconded by Councilman LaRocca and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-119

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR THE SITE KNOWN AS M&M Properties, CVS - Phase 1, BLOCK 122, LOT 27.03 & 27.04, 483 Route 79, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Rose Ann Quinn for a reduction in the Township held Performance Guarantees in the form of a Bond and cash deposit for site improvements ("Public Improvements") on the Site known as "M&M at 483 Route 79, LLC/ CVS" (the "Site"), property known as Block 122, Lot(S) 27.03 and 27.04, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by M&M at 483 Route 79, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated February 21, 2014, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a partial reduction be made in the current Bond and cash deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee Bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated February 21, 2014.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Bond and cash deposit posted by the Developer, M&M at 483 Route 79, LLC, for the site known as M&M at 483 Route 79, LLC/CVS located on property known as Block 122, Lot(S) 27.03 and 27.04, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Bond (First Indemnity of America Insurance Co., Bond No. #FP0017793), in the original and present amount of \$51,614.28, shall be reduced by \$36,130.00, so that the remaining amount shall be \$15,484.28.
2. The Cash Deposit, in the original and present amount of \$5,734.92 (excludes accrued interest) shall be reduced by \$4,014.44, so that the amount to remain shall be \$1,720.48; and

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

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

- a. Edgewood Properties
- b. First Indemnity of America Insurance Co.
- c. Mayor Jonathan L. Hornik
- d. Township Chief Financial Officer
- e. Township Engineer

As the consent agenda, the following resolutions were introduced by reference, offered by Council Vice President Mazzola, seconded by Councilwoman Marder and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor): Res. #2014-120 (Discharge of Mortgage - 47 Thrasher Court), Res. #2014-121 (Authorizing Temporary Emergency Appropriations 2014), Res. #2014-122 (Authorizing Amendment to Contract (County Co-op) - International Salt), Res. #2014-123 (Authorizing Emergency Contract with City of Binghamton, NY for Purchase of Rock Salt), Res. #2014-124 (Authorizing Emergency Contract for Washed Ice Control Sand - NJ Gravel & Sand Co.), Res. #2014-125 (Authorizing Emergency Contract

for Interstate Transportation Services of Rock Salt - Lucas Constr.), Res. #2014-126 (Authorizing Contract Group Dental Insurance), Res. #2014-127 (Authorizing Mon. County Mosquito Spraying Program) and Res. #2014-128 (Award of State Contract PC Replacement Program - Dell (2013 Capital 033-5)).

RESOLUTION # 2014-120

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL AUTHORIZING A DISCHARGE OF A REPAYMENT MORTGAGE DATED DECEMBER 4, 2000, WHICH WAS RECORDED AGAINST A RESIDENTIAL PROPERTY LOCATED AT 47 THRASHER COURT, MARLBORO, NEW JERSEY

WHEREAS, a residential unit commonly known as 47 Thrasher Court, a/k/a Lot 307/C0047, Block 412, Marlboro, New Jersey ("the Property"), is an affordable unit and its affordability controls are governed by the provisions of New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the substantive and procedural rules of the Council on Affordable Housing (N.J.A.C. 5:96-1 and 5:97-1 et seq.); and

WHEREAS, on or about December 4, 2000, Kimiko Yamashiro, purchased the Property and also executed a "Repayment Mortgage" ("the Mortgage"), in favor of the Department of Community Affairs which was an agency and an instrumentality of the Township of Marlboro, as well as a an affordable housing agreement ("the Agreement"); and

WHEREAS, the Mortgage was subsequently recorded in the Monmouth County Clerk's Office on February 9, 2001, in Mortgage Book OR-8005, at Page 2496 et seq.; and

WHEREAS, the Agreement was subsequently recorded in the Monmouth County Clerk's Office on February 9, 2001, in Mortgage Book OR-8005, at Page 2505 et seq.; and

WHEREAS, the Property is currently under contract for sale to Eugenia Lev and Michael Lev and the attorney for the buyers has indicated that in order close on the Property and complete the sale to the Levs, that the Mortgage and Agreement need to be discharged as of record; and

WHEREAS, Kimiko Yamashiro as well as Eugenia Lev and Michael Lev request that the foregoing Mortgage and Agreement be discharged of record; and

WHEREAS, the Marlboro Township Council finds that there is good

cause for the release and discharge of the foregoing Mortgage and Agreement for the reasons sets forth herein and because of the imminent change in ownership to Eugenia Lev and Michael Lev;

NOW THEREFORE BE IT RESOLVED that the Honorable Mayor Jonathan L. Hornik is hereby authorized to sign the attached discharge of Mortgage and Agreement as aforesaid;

BE IT FURTHER RESOLVED that subsequent to Mayor Hornik's signature of said discharge of the foregoing Mortgage and Agreement that it will be recorded in the Monmouth County Clerk's Office;

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

- a. Township Business Administrator, Jonathan Capp;
- b. Thomas P. Howley, Municipal Housing Liaison;
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2014-121

EMERGENCY TEMPORARY APPROPRIATION
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of the fiscal year and before the adoption of the 2014 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2013 appropriations with the exception of debt service and obligations associated with seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2014 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$ 20,121,592.54 for the municipal budget, \$1,616,191.95 for the operations of the recreation and swim utility and \$5,916,689.21 for the operations of the water utility; and

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

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation will be provided for in the CY 2014 budget under the same title as appropriated above.

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

CURRENT FUND Account Number	Description	2014 Temporary Budget incl Emergencies
	CURRENT FUND	
01-201-20-010-100	MAYOR'S OFFICE S&W	28,650.00
01-201-20-010-200	MAYOR'S OFFICE O/E	1,498.50
01-201-20-020-100	CLERK'S OFFICE S&W	105,247.50
01-201-20-020-200	CLERK'S OFFICE O/E	25,839.00
01-201-20-021-100	TOWNSHIP COUNCIL - SALARIES & WAGES	9,000.00
01-201-20-021-200	TOWNSHIP COUNCIL - OTHER EXPENSES	512.50
01-201-20-030-100	ADMINISTRATION S&W	106,774.50
01-201-20-030-200	ADMINISTRATION O/E	78,819.50
01-201-20-033-100	CENTRAL COMPUTER OFFICE - SALARIES & WAGES	52,771.50
01-201-20-033-200	CENTRAL COMPUTER OFFICE - OTHER EXPENSES	29,804.00
01-201-20-035-200	ETHICS COMMISSION - OTHER EXPENSES	3,397.00
01-201-20-040-100	FINANCE S&W	93,909.00
01-201-20-040-200	FINANCE O/E	6,590.50
01-201-20-043-200	ANNUAL AUDIT O/E	17,874.50
01-201-20-045-100	TAX ASSESSOR S&W	67,832.50
01-201-20-045-200	TAX ASSESSOR O/E	43,248.50
01-201-20-046-100	TAX COLLECTOR S&W	68,510.00
01-201-20-046-200	TAX COLLECTOR O/E	17,161.00
01-201-20-050-200	LEGAL SERVICES O/E	278,039.50
01-201-20-055-200	CABLE - OTHER EXPENSES	35,135.00
01-201-20-060-100	ENGINEERING S&W	90,528.00
01-201-20-060-200	ENGINEERING O/E	102,317.50
01-201-20-083-200	ECONOMIC DEVELOPMENT - OTHER EXPENSES	10,000.00
01-201-20-092-200	INTERGOVT. RELATIONS O/E	1,650.00
01-201-20-093-200	HISTORIC SITES COMMITTEE - OTHER EXPENSESES	975.00
01-201-20-140-200	Open Space Comm - OTHER EXPENSES	180.50
01-201-20-158-200	POSTAGE - OTHER EXPENSES	25,423.00
01-201-21-070-100	PLANNING BOARD S&W	32,748.50
01-201-21-070-200	PLANNING BOARD O/E	23,331.50
01-201-21-071-200	PLANNING BOARD CONTRAC. O/E	83,200.00
01-201-21-075-100	ZONING S&W	80,343.50
01-201-21-075-200	ZONING O/E	18,084.50
01-201-21-209-100	AFFORDABLE HOUSING S&W	2,000.00
01-201-23-099-200	UNEMPLOYMENT INSURANCE - OTHER EXPENS	12,500.00
01-201-23-100-200	EMPLOYEE INSURANCE - OTHER EXPENSES	1,507,893.70
01-201-23-101-200	LIABILITY INSURANCES - OTHER EXPENSES	400,000.00
01-201-23-102-200	WORKER'S COMPENSATION O/E	400,000.00
01-201-23-103-200	HEALTH INSURANCE WAIVERS	11,655.00
01-201-25-052-100	MUNICIPAL PROSECUTOR - SALARIES & WAGES	15,000.00
01-201-25-104-100	FIRE PREVENTION BUREAU S&W	74,052.00
01-201-25-104-200	FIRE PREVENTION BUREAU O/E	5,445.00

01-201-25-106-100	POLICE S&W	4,202,722.00
01-201-25-106-200	POLICE O/E	154,473.50
01-201-25-108-100	EMERGENCY MANAGEMENT S&W	11,500.00
01-201-25-108-200	EMERGENCY/CIVIL DEFENSE O/E	3,542.50
01-201-25-110-200	CONTRIBUTIONS	30,000.00
01-201-25-178-200	LOSAP	45,000.00
01-201-25-212-100	911 EXPENSES S&W	365,296.00
01-201-25-212-200	911 EXPENSES O/E	98,052.50
01-201-25-226-200	S.F.S.P. O/E	5,291.50
01-201-26-117-100	RECYCLING - S&W	1,500.00
01-201-26-117-200	RECYCLING - OTHER EXPENSES	345,858.50
01-201-26-119-100	SNOW REMOVAL S&W	240,000.00
01-201-26-119-200	SNOW REMOVA - OTHER EXPENSES	1,075,000.00
01-201-26-120-100	ROAD MAINTENENANCE S&W	686,094.50
01-201-26-120-200	ROAD MAINTENANCE O/E	56,925.50
01-201-26-121-100	VEHICLE MAINTENANCE S&W	189,895.00
01-201-26-121-200	VEHICLE MAINTENANCE O/E	117,983.00
01-201-26-122-100	GROUNDS MAINTENANCE S&W	100,629.50
01-201-26-122-200	GROUNDS MAINTENANCE O/E	104,881.00
01-201-26-125-100	PUBLIC WORKS S & W	138,223.00
01-201-26-125-200	PUBLIC WORKS O/E	67,292.00
01-201-26-126-200	CONDOMINIUM SERVICES ACT - OTHER	44,575.50
01-201-26-129-200	SHADE TREE - OTHER EXPENSES	1,185.00
01-201-27-130-100	REGISTRAR S&W	10,750.00
01-201-27-130-200	REGISTRAR O/E	982.00
01-201-27-134-100	DRUG ABUSE S&W	19,856.00
01-201-27-134-200	DRUG ABUSE CONTROL O/E	7,575.50
01-201-27-136-100	ANIMAL REGULATIONS S & W	11,955.90
01-201-27-136-200	ANIMAL REGULATIONS O/E	13,478.11
01-201-27-138-100	ENVIRONMENTAL COMMITTEE S&W	1,000.00
01-201-27-138-200	ENVIRONMENTAL PROTEC. O/E	493.00
01-201-28-123-100	PARKS & RECREATION - S&W	220,901.00
01-201-28-123-200	PARKS OTHER EXPENSES	31,395.50
01-201-28-145-100	RECREATION S & W	193,006.50
01-201-28-145-200	RECREATION O/E	61,650.50
01-201-28-146-200	RECREATION TEEN PROGRAMS O/E	2,500.00
01-201-29-150-200	PUBLIC LIBRARY O/E	5,000.00
01-201-30-173-200	PRIOR YEARS BILLS	3,550.84
01-201-30-184-100	ACCUMULATED ABSENCES	500.00
01-201-31-160-200	STREET LIGHTING O/E	349,257.50
01-201-31-161-200	ELECTRIC O/E	143,253.50
01-201-31-162-200	TELEPHONE O/E	81,267.00
01-201-31-164-200	WATER O/E	15,995.00
01-201-31-165-200	SEWER O/E	5,017.00
01-201-31-167-200	NATURAL GAS O/E	26,547.50
01-201-31-168-200	GASOLINE	224,646.50
01-201-32-170-200	LANDFILL DISPOSAL COSTS	133,590.50
01-201-35-180-200	Contingent	5,000.00
01-201-36-174-200	POLICE & FIREMENS RETIREMENT	1,951,000.00
01-201-36-175-200	PUBLIC EMPLOYEES RETIREMENT	906,499.00

01-201-36-176-200	EMPLOYER'S PORTION FICA	561,381.50
01-201-36-179-200	DEFINED CONTRIBUTION RETIREMENT PROGRAM	500.00
01-201-41-313-000	Drunk Driving Enforcement Grant	0.00
01-201-41-343-000	Clean Communities Grant	0.00
01-201-41-347-000	Recycling Tonnage Grant	0.00
01-201-41-361-000	Municipal Drug Alliance	15,763.00
01-201-41-363-000	COPS IN SHOPS	0.00
01-201-41-365-000	Body Armor Grant	0.00
01-201-41-366-000	Drive Sober or get Pulled Over Grant	0.00
01-201-41-367-000	Chap 159 - 2013 Highway Safety Fund	0.00
01-201-41-368-000	Chap 159 - 2013 NRCS Grant	0.00
01-201-41-369-000	Chapter 159 - 2013 DDEF	0.00
01-201-41-370-000	Chapter 159 - Clean Communities Grant	0.00
01-201-43-207-100	MUNICIPAL COURT S&W	161,680.50
01-201-43-207-200	MUNICIPAL COURT O/E	22,066.50
01-201-43-211-100	PUBLIC DEFENDER S&W	8,285.00
01-201-44-222-200	CAPITAL IMPROVEMENT FUND	150,000.00
01-201-45-220-200	BOND PRINCIPAL	1,570,000.00
01-201-45-221-200	LEASE PRINCIPAL	96,000.00
01-201-45-230-200	BOND-INTEREST - OTHER EXPENSES	721,000.00
01-201-45-231-200	DEBT SERVICE LEASE - INTEREST	6,000.00
01-201-45-235-200	NOTE INTEREST	87,500.00
01-201-45-240-200	GREEN TRUST DEBT SERVICE	28,885.00
01-201-46-335-200	Deferred Charges Unfunded	212,000.00
01-201-50-299-200	RESERVE FOR UNCOLLECTED TAXES	

TOTALS		20,121,592.54
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	WATER UTILITY FUND	
05-201-55-500-100	SALARY & WAGES	390,747.52
05-201-55-500-200000	WATER UTILITY OE	2,722,009.50
05-201-55-501-200000	WATER CAPITAL OUTLAY	2,500.00
05-201-55-503-254010	SOCIAL SECURITY - WATER EMPLOYEE BENEFIT	29,892.19
05-201-55-503-261010	Unemployment	0.00
05-201-55-503-287010	PENSION - WATER EMPLOYEE BENEFITS	0.00
05-201-55-504-000	Emergency Approp - NJEIT Financing	0.00
	Deferred Charges Unfunded	201,000.00
05-201-55-509-200000	Emergency Approp - Hurricane Sandy	0.00
05-201-55-520-260040	Bond Principal	1,545,000.00
05-201-55-530-290040	Interest on Bonds	612,340.00
05-201-55-535-290040	Interest on Notes	12,500.00
	NJEIT Loan Principal	320,400.00

	NJEIT Loan Interest	58,300.00
	NJEIT Loan Fees	22,000.00
TOTALS		5,916,689.21
RECREATION & SWIM UTILITY FUND		
09-201-55-400-101000	RECREATION - SALARY & WAGES	709,620.06
09-201-55-400-200020	RECREATION - OE	844,799.42
09-201-55-451-000000	Capital Outlay	0.00
09-201-55-452-250	Interest on Notes	5,000.00
09-201-55-487-254413	Social Security Payment	54,271.97
09-201-55-487-261413	Unemployment	2,500.50
09-201-55-487-287413	Pension	0.00
TOTALS		1,616,191.95

RESOLUTION # 2014-122

RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT FOR THE PROVISION OF DE-ICING MATERIAL (SODIUM CHLORIDE) THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, on December 5, 2013, the Township authorized the purchase of de-icing material (sodium chloride) for use by the Township through the use of bids obtained by the Monmouth County Cooperative Purchasing Program (R.2013-346); and

WHEREAS, following the snow and ice storm events during the months of January and February, the Marlboro Township Public Works Department has recommended that the Township purchase additional de-icing material (sodium chloride) for use by the Township through the use of bids obtained by the Monmouth County Cooperative Purchasing Program; and

WHEREAS, the Township is authorized to purchase de-icing material (sodium chloride) from bids obtained from a cooperative pricing system such as the Monmouth County Cooperative Purchasing Program pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded a contract to International Salt Company of Clarks Summit, PA, for the provision

of de-icing material (sodium chloride) at a price of \$54.68 per ton;
and

WHEREAS, the Public Works Department has indicated that International Salt Company has agreed to extend the pricing provided to Monmouth County to Marlboro Township through the Monmouth County Cooperative Purchasing Program; 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 de-icing material (sodium chloride); and

WHEREAS, funds in the amount of \$27,340.00 have been certified by the Chief Financial Officer for this purpose in Account #01-201-26-119-292106; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of 500 tons of de-icing material (sodium chloride) from the International Salt Company, at a price of \$54.68 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$27,340.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 500 tons of de-icing material (sodium chloride) from the International Salt Company, at a price of \$54.68 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$27,340.00; and

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

- a. International Salt Company, Clarks Summit, PA
- b. Township Administrator
- c. Township Public Works Department
- d. Township Chief Financial Officer

RESOLUTION # 2014-123

A RESOLUTION CONFIRMING AN EMERGENCY CONTRACT WITH THE CITY
OF BINGHAMTON, NEW YORK FOR THE PURCHASE OF ROCK SALT
PURSUANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO

WHEREAS, an emergency has arisen with respect to a regional shortage of rock salt following numerous winter storm events; and

WHEREAS, several winter storms were forecasted for the period of February 8 through February 14; and

WHEREAS, the Township's contract vendor was unable to supply rock salt; and

WHEREAS, N.J.S.A. 40A:11-6 states that "Any contract may be ... awarded for a contracting unit without public advertising for bids and bidding therefor ... when an emergency affecting the public health, safety or welfare requires the immediate ... performance of services"; and

WHEREAS, N.J.S.A. 40A:11-6(b) states that "Upon the furnishing of such goods or services ... the contractor furnishing such goods or services shall be entitled to be paid therefor and the contracting unit shall be obligated for said payment ..."; and

WHEREAS, the Mayor and Office of Emergency Management determined that the emergency purchase of rock salt was critical in order to address matters concerning the health, safety and welfare of the public; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized an emergency contract with the City of Binghamton, New York for the purchase of 500 tons of rock salt; and

WHEREAS, funds in the amount of \$20,000.00 have been certified by the Chief Financial Officer in account 01-201-26-119-292106.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the emergency contract award pursuant to N.J.S.A. 40A:11-6 be confirmed for the purchase of rock salt.

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

- a. Business Administrator
- b. Emergency Management Coordinator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION # 2014-124

A RESOLUTION CONFIRMING AN EMERGENCY CONTRACT WITH NEW JERSEY GRAVEL & SAND CO., INC. FOR THE PURCHASE OF WASHED ICE CONTROL SAND PURSUANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO

WHEREAS, an emergency has arisen with respect to a regional shortage of rock salt following numerous winter storm events; and

WHEREAS, several winter storms were forecasted for the period of February 8 through February 14; and

WHEREAS, the Township's contract vendor was unable to supply rock salt; and

WHEREAS, N.J.S.A. 40A:11-6 states that "Any contract may be ... awarded for a contracting unit without public advertising for bids and bidding therefor ... when an emergency affecting the public health, safety or welfare requires the immediate ... performance of services"; and

WHEREAS, N.J.S.A. 40A:11-6(b) states that "Upon the furnishing of such goods or services ... the contractor furnishing such goods or services shall be entitled to be paid therefor and the contracting unit shall be obligated for said payment ..."; and

WHEREAS, the Mayor and Office of Emergency Management determined that the emergency purchase of washed ice control sand was critical in order to address matters concerning the health, safety and welfare of the public; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized an emergency contract with New Jersey Gravel & Sand Co., Inc. for the purchase of washed ice control sand; and

WHEREAS, funds in the amount of \$50,400.00 have been certified by the Chief Financial Officer in account 01-201-26-119-292106.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the emergency contract award pursuant to N.J.S.A. 40A:11-6 be confirmed for the purchase of washed ice control sand.

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

- a. Business Administrator
- b. Emergency Management Coordinator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION # 2014-125

A RESOLUTION CONFIRMING AN EMERGENCY CONTRACT WITH THE LUCAS CONSTRUCTION GROUP FOR THE PROVISION OF INTERSTATE TRANSPORTATION SERVICES OF ROCK SALT PURSUANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO

WHEREAS, an emergency has arisen with respect to a regional shortage of rock salt following numerous winter storm events; and

WHEREAS, Governor Christie declared a state of emergency in advance of a nor'easter on February 12, 2014; and

WHEREAS, the Township's contract vendor was unable to supply rock salt; and

WHEREAS, N.J.S.A. 40A:11-6 states that "Any contract may be ... awarded for a contracting unit without public advertising for bids and bidding therefor ... when an emergency affecting the public health, safety or welfare requires the immediate ... performance of services"; and

WHEREAS, N.J.S.A. 40A:11-6(b) states that "Upon the furnishing of such goods or services ... the contractor furnishing such goods or services shall be entitled to be paid therefor and the contracting unit shall be obligated for said payment ..."; and

WHEREAS, the Township requires trucking service to transport emergency rock salt and washed ice control sand from out of State; and

WHEREAS, the Mayor and Office of Emergency Management determined that certain services and supplies were critical in order to address matters concerning the health, safety and welfare of the public; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized an emergency contract with Lucas Construction Group to provide trucking service to transport emergency rock salt and washed ice control sand from out of State; and

WHEREAS, funds have been certified by the Chief Financial Officer in an amount not to exceed \$70,290.00 from account number 01-201-26-119-288106.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that an emergency contract award pursuant to N.J.S.A. 40A:11-6 be confirmed for the provision of trucking service to transport emergency rock salt and washed ice control sand from out of State.

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

- a. Business Administrator
- b. Emergency Management Coordinator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION # 2014-126

A RESOLUTION APPROVING THE CONTINUATION OF GROUP DENTAL COVERAGE PROGRAM FOR EMPLOYEES OF THE TOWNSHIP OF MARLBORO WITH DELTA DENTAL FOR MARCH 1, 2014 THROUGH APRIL 31, 2014

WHEREAS, the Township of Marlboro currently provides group dental coverage for its eligible employees and their dependents under a program administered by Delta Dental; and

WHEREAS, in 2014, in an effort to provide the most cost effective coverage for the Township's eligible employees and their dependents, the Township authorized its insurance consultant, North American Insurance Management Corporation ("NAIMC"), to obtain competitive quotes for dental coverage; and

WHEREAS, the Township and its insurance consultant are in the process of evaluating the quotations received; and

WHEREAS, the Township's insurance consultant has recommended that the contract with Delta be extended for an additional two (2) months to give adequate time to perform a detailed evaluation of the quotations received; and

WHEREAS, Delta Dental has agreed to maintain its rates with no increase for an additional two (2) months at \$42.62/month (single) and \$115.00/month (family) for an estimated total annual cost of \$36,000.00; and

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

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$36,000.00 are available for this purpose from Account # 01-201-23-100-203; 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 Delta Dental for the provision of group dental coverage for the Township of Marlboro's eligible employees and their dependents for the period March 1, 2014 - April 31, 2014 at \$42.62/month (single) and \$115.00/month (family) for an estimated total cost of \$36,000.00.

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. Delta Dental
- c. Township Administrator
- d. Marlboro Township Chief Financial Officer

RESOLUTION # 2014-127

BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that it does hereby authorize the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft to control mosquitoes over portions of the Township of Marlboro.

We understand that all pesticides used are approved for aerial application by the State and Federal governments.

It is further understood that the areas being treated are only those found to have a significantly high mosquito population and may present either a public health nuisance or disease factor.

This approval is subject to the Monmouth County Mosquito Extermination Commission notifying the local police department prior to each and every application.

RESOLUTION # 2014-128

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #70256
TO DELL MARKETING L.P. FOR THE PURCHASE OF COMPUTERS
FOR THE TOWNSHIP OF MARLBORO IT DEPARTMENT

WHEREAS, the Township of Marlboro Division of Information Technology ("IT") is in need of new computers, servers, laptops and related equipment, approved as part of the 2013 (033-2,5) capital plan; and

WHEREAS, Marlboro IT has recommended that the Township purchase the needed equipment from Dell Marketing L.P., One Dell Way, RR8 - Box 8724, Round Rock, Texas 78682 under State Contract #70256 in an amount not to exceed \$85,225.34; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Building Department to obtain the computers from Dell Marketing L.P.; and

WHEREAS, funds are available in Accounts 04-215-05-36A-033297, 04-215-06-19b-033297, 04-215-11-02I-033297, 04-215-12-08C-033297 and 04-215-13-08A-033297 for an amount not to exceed \$85,225.34 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the IT equipment from Dell Marketing L.P., One Dell Way, RR8 - Box 8724, Round Rock, Texas 78682 under State Contract #70256 in an amount not to exceed \$85,225.34; and

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

- a. Dell Marketing, L.P.
- b. Township Administration
- c. Township Chief Information Officer
- d. Township Chief Financial Officer

At 7:50PM, Councilman LaRocca moved that the meeting go into executive session for reason of contract negotiations. This was seconded by Councilwoman Marder, and the resolution was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-129

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 6th day of March, 2014 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 25 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 8:15PM, Council President Metzger moved that the meeting be opened. This was seconded by Council Vice President Mazzola, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor).

The following Resolution #2014-130 (Authorizing Memorandum of Agreement - FOP Lodge 15 (Captains) was introduced by reference, offered by Councilwoman Marder, seconded by Council President Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-130

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN
THE TOWNSHIP OF MARLBORO AND FOP LODGE 15 (CAPTAINS)

WHEREAS, the Township and Fraternal Order of Police Lodge 15 Captains ("FOP") are parties to a collective bargaining agreement that expired on December 31, 2012; and

WHEREAS, the Township and FOP engaged in negotiations for a successor collective bargaining agreement to cover employees in the FOP; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement that expired on December 31, 2012, for an extended term of January 1, 2013 through December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and FOP, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that expired on December 31, 2012; and

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement; and

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

- a. FOP (CAPTAINS) LODGE 15
- b. Business Administrator
- c. Chief Financial Officer

The following Resolution #2014-131 (Authorizing Memorandum of Agreement - CWA Local 1075 - Dispatcher/Police Clerical Unit) was introduced by reference, offered by Councilman LaRocca, seconded by Council President Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-131

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT
BETWEEN THE TOWNSHIP OF MARLBORO AND CWA LOCAL
1075 (DISPATCHER/POLICE CLERICAL UNIT)

WHEREAS, the Township and CWA Local 1075 Dispatcher/Police Clerical Unit ("CWA") are parties to a collective bargaining agreement that expired on December 31, 2011; and

WHEREAS, the Township and CWA engaged in negotiations for a successor collective bargaining agreement to cover employees in the CWA; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement that expired on December 31, 2011, for an extended term of January 1, 2012 through December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and CWA, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that expired on December 31, 2011; and

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement; and

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

- a. CWA (Dispatcher/Police Clerical Unit) LOCAL 1075
- b. Business Administrator
- c. Chief Financial Officer

The following Resolution #2014-132 (Authorizing Memorandum of Agreement - CWA Local 1075 - White Collar Unit) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilman LaRocca and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-132

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND CWA LOCAL 1075 (WHITE COLLAR UNIT)

WHEREAS, the Township and CWA Local 1075 White Collar Unit ("CWA") are parties to a collective bargaining agreement that expired on December 31, 2011; and

WHEREAS, the Township and CWA engaged in negotiations for a successor collective bargaining agreement to cover employees in the CWA; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement that expired on December 31, 2011, for an extended term of January 1, 2012 through December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and CWA, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that expired on December 31, 2011; and

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement; and

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

- a. CWA (White Collar Unit) LOCAL 1075
- b. Business Administrator
- c. Chief Financial Officer

The following Resolution #2014-133 (Authorizing Memorandum of Agreement - Public Works Supervisors Assoc.) was introduced by reference, offered by Councilwoman Marder, seconded by Council President Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-133

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE PUBLIC WORKS SUPERVISORS ASSOCIATION

WHEREAS, the Township and the Public Works Supervisors Association are parties to a collective bargaining agreement that expired on December 31, 2011; and

WHEREAS, the Township and the Public Works Supervisors Association engaged in negotiations for a successor collective bargaining agreement to cover employees in the Public Works Supervisors Association; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement that expired on December 31, 2011, for an extended term of January 1, 2012 through December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and the Public Works Supervisors Association,

attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that expired on December 31, 2011; and

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement; and

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

- a. Public Works Supervisors Association
- b. Business Administrator
- c. Chief Financial Officer

The following Resolution #2014-134 (Self-examination of Budget) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilman LaRocca and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-134

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Township of Marlboro* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Township of Marlboro* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

