

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

April 3, 2014

The Marlboro Township Council held its regularly scheduled Council Meeting on April 3, 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 Cantor, Councilman LaRocca, Councilwoman Marder, Council Vice President Mazzola and Council President Metzger.

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

Councilwoman Marder moved that the minutes of March 6 and March 20, 2014 be approved. This was seconded by Council President Metzger and was passed on a roll call vote of 4 - 0 in favor, with Councilman Cantor abstaining.

The following Resolution #2014-153 (Budget Amendment) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilman LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-153

RESOLUTION OF THE TOWNSHIP OF MARLBORO COUNTY OF MONMOUTH,
STATE OF NEW JERSEY TO AMEND THE INTRODUCED BUDGET
IN ACCORDANCE WITH THE PROVISIONS OF 40A:4-9

WHEREAS, the local municipal budget for 2014 was introduced on March 6, 2014; and

WHEREAS, the Public Hearing on said budget has been held as advertised; and

WHEREAS, the Township Council desires to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth that the following amendments to the introduced budget of 2014 be made:

CURRENT FUND

	From	To
REVENUES		
6. (a) Local Tax for Municipal Purposes - Including Reserve for Uncollected Taxes	25,607,651.90	25,404,152.90
7. Total Revenues	34,360,639.55	34,157,140.55
APPROPRIATIONS		
(E) Deferred Charges and Statutory Expenditures		
(1) Deferred Charges		
Prior Year Bills	2,500.00	2,500.00
(2) Statutory Expenditures		
Public Employees' Retirement System	906,499.00	819,000.00
Social Security System (O.A.S.I.)	1,137,110.00	1,137,110.00
Police and Firemen's Retirement System	1,951,000.00	1,835,000.00
Defined Contribution Retirement Program	1,000.00	1,000.00
Total Deferred Charges and Statutory Expenditures – Municipal within "CAPS"	3,998,109.00	3,794,610.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	27,220,973.13	27,017,474.13
(O) Total General Appropriations - Excluded from "CAPS"	4,855,763.87	4,855,763.87
(L) Subtotal General Appropriations (H-1 and O)	32,076,737.00	31,873,238.00
(M) Reserve for Uncollected Taxes	2,283,902.55	2,283,902.55
9. Total General Appropriations	34,360,639.55	34,157,140.55

BE IT FURTHUR RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2014 Local Municipal Budget as amended and adopted.

Council President Metzger opened the Public Hearing on the 2014 Municipal Budget. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2014-154 (Adoption of 2014 Municipal Budget) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilman Cantor, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-154

RESOLUTION AUTHORIZING THE ADOPTION
OF THE 2014 MUNICIPAL BUDGET

WHEREAS, the 2014 Township of Marlboro Municipal Budget was introduced on March 6, 2014; and

WHEREAS, the required public hearing was scheduled and held on April 3, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Marlboro hereby adopts the 2014 Township of Marlboro Municipal Budget.

The following Resolution #2014-155/Ordinance #2014-11 (Amending Section 220-99 - Signs - Prohibiting Signs in Rights of Way) was introduced by reference, offered by Councilman LaRocca and seconded by Councilman Cantor. Discussion on enforcement following during which the Clerk's office was asked to forward a copy of the ordinance to the Republican and Democratic parties upon adoption. After discussion, the resolution/ordinance was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-155

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

ORDINANCE # 2014-11 (As Amended)

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 REGULATE TEMPORARY POLITICAL SIGNS

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

BE IT FURTHER RESOLVED that the same be considered for final passage on May 15, 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 (As Amended)

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 REGULATE TEMPORARY POLITICAL SIGNS

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:

F. Temporary political signs shall be permitted under this section, pursuant to the regulations set forth herein. "Temporary political signs" shall be defined as signs pertaining to federal, state, county or local candidates or questions to be voted upon by the residents of the Township at an upcoming election and shall be subject to the following conditions:

(1) Temporary political signs shall not be placed within public rights-of-way or other public property except as provided for in Subsection F(8) below;

(2) Temporary political signs shall be placed not more than 45 days prior to the function, event or election to which it applies;

(3) Temporary political signs must be removed not more than seven days after the function, event, or election to which it applies;

(4) If any temporary political signs are placed on residential properties, consent of the property owners must be obtained;

(5) The combined total area of all such temporary political signs shall not exceed a total of 16 square feet on any one tax lot where such temporary signs are placed in the public right-of-way;

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

(7) Placement on or in rights-of-way:

(a) No sign shall be placed within or suspended over a public right-of-way, public property or publicly owned open space property, except that a temporary political signs as permitted by this section shall be permitted in the non-travel portion of any Township right-of-way in the front of an occupied residential property with the permission of the owner of the residential property abutting said right-of-way and provided such signs are not placed within the right-of-way abutting lands owned by the Township, county or state, public open space lands and lands owned by the School District.

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

(8) The Candidate, Committee Chairman, Campaign Treasurer and owner of the tax lots on which a temporary political sign is placed shall be responsible for its removal. In addition, for any temporary political sign placed in the right of way pursuant to section F(7) above, the owner of the adjacent property shall also be responsible for its removal; and

(9) The temporary political sign must comply with all other regulations related to signs.

G. Enforcement; Removal of prohibited signs. Enforcement of the terms of this section shall be under the authority of the Director of the Department of Public Works, or his/her designee. In addition to the Director of the Department of Public Works, the Director of the Department of Community Development, or his or her designees, which may include, but not be limited to the Code Enforcement Officer and the Zoning Officer and/or their respective designees, shall have concurrent authority to enforce the provisions of this

chapter. Whenever the Director of the Department of Public Works or the Director of the Department of Community Development or their respective designees shall determine that a sign has been erected in violation of the provisions of this section, including by reason of its being placed on public or municipal property without proper authority or in the public right-of-way or on utility poles, such sign may be removed at the sole discretion of the Director of Public Works and/or the Director of the Department of Community Development, or his or her respective designees. The Director of Public Works and/or The Director of Community Development or his or her respective designee shall notify the responsible party that the sign has been removed and so further advise them that the removal constitutes a first warning and that any subsequent violation shall result in a fine in accordance with Section H. below. Each sign in violation of this Section may constitute a separate violation.

H. Violations and penalties. Any violation of this section shall, upon conviction thereof, be punishable by a fine of not less than \$100 and not to exceed \$1250 or by imprisonment for a term not to exceed 90 days, or both, for each violation committed hereunder. Every day that a violation continues after service of written notice by ordinary mail on the owner of the subject property or the sign registrant or a posting of a copy of said notice on the subject property shall be deemed a separate offense hereunder.

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.

The following Resolution #2014-156 (Authorizing Award of Contract - Real Property Data Collection Services) was introduced by reference, offered by Council Vice President Mazzola and seconded by Council President Metzger. Discussion followed, during which Township Attorney Louis N. Rainone and Business Administrator Jonathan Capp answered Council's questions. After discussion, the resolution was

passed on a roll call vote of 3 - 2 in favor, with Councilman Cantor and Council Vice President Mazzola voting no.

RESOLUTION # 2014-156

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN REALTY DATA SYSTEMS, LLC AND THE TOWNSHIP OF MARLBORO FOR REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES IN ACCORDANCE WITH THE STATE OF NEW JERSEY ASSESSMENT DEMONSTRATION PROGRAM

WHEREAS, the Governor of the State of New Jersey enacted into law the Assessment Demonstration Program (P.L.2013, Ch.15) establishing a program to demonstrate a more cost effective and accurate process of property assessment administration; and

WHEREAS, the Township of Marlboro is in need of REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES in accordance with the Assessment Demonstration Program; and

WHEREAS, the Township of Marlboro issued a public notice on February 21, 2014 requesting sealed proposals to be received no later than March 18, 2014; and

WHEREAS, the two (2) responses received were as follows:

Company	TOTAL
Realty Data Systems, LLC 55 White Road, Suite C Shrewsbury, NJ 07702	\$305,655.00
Tyler Technologies, Inc. 4100 Miller-Valentine Court Moraine, OH 45439	\$466,925.00

; and

WHEREAS, the Township's proposal review committee has reviewed the proposals received and recommends a contract be awarded to Realty Data Systems, LLC for REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES in accordance with the Assessment Demonstration Program beginning January 1, 2014 through December 31, 2016 with the option of two (2) one year extensions through December 31, 2018 in an amount not to exceed \$305,655.00; and

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

1. The Township Council of the Township of Marlboro, hereby awards a Contract to the firm of Realty Data Systems, LLC for REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES; and

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

3. Funds in the amount of \$61,131 for the 2014 portion of the contract will be certified to by the Chief Financial Officer in current fund account #01-201-20-045-288 at the time the 2014 budget is adopted; and

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

- a. Realty Data Systems, LLC
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Township Assessor

As the consent agenda, the following resolutions were introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger, and as there was no objection, the Clerk was asked to cast one ballot: Res. #2014-157 (Authorizing Contract - Affordable Housing Administrative Agent Services - one month extension), Res. #2014-158 (Award of Bid - Pool Maintenance), Res. #2014-159 (Award of Bid - Cell Tower Co-Location - Union Hill Rd.), Res. #2014-160 (Award of Bid - Property Maintenance), Res. #2014-161 (Authorizing State Contract Spatial Data Logic Software), Res. #2014-162 (Authorizing 2014 Click It or Ticket Grant), Res. #2014-163 (Authorizing Contract Group Dental Insurance), Res. #2014-164 (Authorizing Amendment Water Engineering Services Contract - Harbor Rd. Treatment Plant Design), Res. #2014-165 (Authorizing Amendment Supplemental Engineering Services Emergency Generator Upgrades), Res. #2014-166 (Authorizing Contract Extension on Monthly Basis - HVAC Maintenance), Res. #2014-167 (Mortgage Subordination - 25 Thrasher Court), Res. 32014-168 (Redemption Tax Sale Certs - Various).

RESOLUTION # 2014-157

RESOLUTION APPOINTING CME ASSOCIATES AS AFFORDABLE
HOUSING AGENT AND AUTHORIZING AFFORDABLE HOUSING
ADMINISTRATION SERVICES CONTRACT PURSUANT TO A FAIR
AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4

WHEREAS, the Township re-petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan in July of 2010; and

WHEREAS, the Township of Marlboro's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:97-1, et. seq.); and

WHEREAS, a municipality's fair share obligation pursuant to N.J.A.C. 5:97-2.2(a) is comprised, in part, of an owner-occupied rehabilitation obligation as well a rental rehabilitation obligation which pertains to housing units that are both deficient and occupied by low and/or moderate households; and

WHEREAS, the Township has an Affordability Assistance obligation pursuant to N.J.A.C.5:97-8.8; and

WHEREAS, the Township of Marlboro requires the services of an Administrative Agent, same to be appointed pursuant to a fair and open process pursuant to the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Township received a response dated November 26, 2013 from CME ASSOCIATES (the "Business Entity") in response to a Request for Qualifications for the services of an Affordable Housing Agent issued by the Township ("proposals") which sets forth the terms and conditions under which such services are to be rendered by the Business Entity under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.4; and

WHEREAS, CME ASSOCIATES' Planning Department employs licensed professional planners that are certified affordable housing administrative agents; and

WHEREAS, CME ASSOCIATES is the incumbent Affordable Housing Administrative Agent; and

WHEREAS, on January 2, 2014 (R.2014-014) the Township Council awarded a contract to CME Associates for a three month period to review the proposals received; and

WHEREAS, the Township recommends continuing for an additional one month period ending no later than April 30, 2014; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds have been certified by the Chief Financial Officer in trust account 15-228-55-054 for this purpose; and

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

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves of the award of contract to CME ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4; and

2. The contract shall provide for compensation at the rates set forth in the proposal dated November 26, 2013, copies of which are attached hereto, in an amount not to exceed \$2,500.00 for the period ending no later than April 30, 2014; and

3. The Mayor and Township Clerk are hereby authorized to sign such Agreement after approval of same from the New Jersey Council on Affordable Housing; and

4. The Business Entity Disclosure of Campaign Contributions and the Determination of Value shall be placed on file with this Resolution in accordance with P.L. 2005, c.271; and

5. That notice of the award of this contract shall be published in accordance with law.

6. That a certified copy of this Resolution shall be provided to each of the following:

- a. Township Administrator
- b. Municipal Housing Liaison
- c. Special COAH Counsel
- d. New Jersey Council on Affordable Housing
- e. CME ASSOCIATES

RESOLUTION # 2014-158

A RESOLUTION AWARDING A CONTRACT TO AQUATIC SERVICE INC.
FOR THE PROVISION OF POOL MAINTENANCE SERVICES FOR THE
MARLBORO SWIM CLUB AND THE MARLBORO RECREATION AQUATIC
CENTER FOR CALENDAR YEARS 2014 AND 2015 WITH AN OPTION
TO RENEW FOR YEARS 2016 AND 2017

WHEREAS, the Township of Marlboro authorized the acceptance of bids for the provision of pool maintenance services for the Marlboro Swim Club and the Marlboro Recreation Aquatic Center for calendar years 2014 and 2015 with an option for two (2) one (1) year renewal terms for years 2016 and 2017, and on March 20, 2014 the Township received one (1) bid therefor; and

WHEREAS, the sole bid received was from the following bidder:

- (1) Aquatic Service Inc. 170 Burlington Avenue, Spotswood, NJ 08884, for bid prices set forth in the attached Schedule "A", totaling \$76,804.85 for year 2014 and \$89,372.20 for year 2015; and

WHEREAS, the Township Administration, and the Director of the Recreation and Swim Utility have reviewed said bid received and recommend that same be awarded to Aquatic Service Inc., to provide pool maintenance services for the Marlboro Swim Club and the Marlboro Recreation Aquatic Center for calendar years 2014 and 2015 with an option for two (2) one (1) year renewal terms for years 2016 and 2017, for the respective bid prices set forth in the bid proposal attached hereto and made a part hereof; and

WHEREAS, the Mayor and Township Council have indicated their desire to award a contract to Aquatic Service Inc., to provide pool maintenance services for the Marlboro Swim Club and the Marlboro Recreation Aquatic Center for calendar years 2014 and 2015 with an option for two (2) one (1) year renewal terms for years 2016 and 2017, for the respective bid prices set forth in the bid proposal; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a contract be awarded to Aquatic Service Inc., of Spotswood, New Jersey to provide pool maintenance services for the Marlboro Swim Club and the Marlboro Recreation Aquatic Center for calendar years 2014 and 2015, for an amount not to exceed \$166,177.05; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Township Clerk to witness a contract with Aquatic Service Inc., of Spotswood, New Jersey to provide pool maintenance services for the Marlboro Swim Club and the Marlboro Recreation Aquatic Center for calendar years 2014 and 2015 with an option for two (2) one (1) year renewal terms for years 2016 and 2017, for an amount not to exceed \$166,177.05; and

BE IT FURTHER RESOLVED that funds in the amount of \$76,804.85 for the 2014 portion of the contract are available and have been certified to by the Chief Financial Officer in Account Nos. 09-201-55-400-288 and 09-201-55-400-251; and

BE IT FURTHER RESOLVED that funds in the amount of \$89,372.20 for the 2015 portion of the contract will be certified by the Chief Financial Officer upon adoption of the 2015 budget; and

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

- a. Aquatic Service Inc.
- b. Township Business Administrator
- c. Township Recreation Director
- d. Swim Club Manager
- e. Township Chief Financial Officer

RESOLUTION # 2014-159

A RESOLUTION AUTHORIZING AWARD OF CO-LOCATOR LICENSE AGREEMENT TO NEW CINGULAR WIRELESS PCS, LLC ("AT&T") TO LEASE SPACE ON THE TOWNSHIP OWNED MONOPOLE FOR CO-LOCATION OF CELLULAR ANTENNAE AND LEASE LAND FOR THE CONSTRUCTION OF ANCILLARY SUPPORT EQUIPMENT AND/OR STRUCTURE

WHEREAS, the Township of Marlboro has authorized the acceptance of bids to lease space on the Township owned monopole located on Union Hill Road (Block 299, Lot 20), for co-location of cellular antennae and lease of land for the construction of ancillary support equipment and/or structure (the "License Agreement"); and

WHEREAS, the minimum annual base rent was established at thirty thousand dollars (\$30,000.00) to be paid to the Township of Marlboro for each year in twelve equal monthly installments; and

WHEREAS, sole bid was received as follows:

1. NEW CINGULAR WIRELESS PCS, LLC ("AT&T")
15 East Midland Avenue, Paramus, NJ 07652
\$39,600.00

WHEREAS, the Business Administrator and the Township Attorney have reviewed the bid received and found that the submission of the sole bidder included several exceptions which were determined to be non-material in nature; and

WHEREAS, the Business Administrator and the Township Attorney recommend that a Co-Locator License Agreement be awarded to NEW CINGULAR WIRELESS PCS, LLC ("AT&T") for an annual base rent of \$39,600.00, as the sole responsive bidder; and

WHEREAS, the Mayor and Township Council have indicated their desire to enter into a Co-Locator License Agreement with NEW CINGULAR WIRELESS PCS, LLC ("AT&T").

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a License Agreement be and is hereby awarded to NEW CINGULAR WIRELESS PCS, LLC ("AT&T") for the annual base rent of \$39,600.00 and in accordance with the terms and conditions of the bid specifications and that the Mayor is authorized to execute a License Agreement between the Township of Marlboro and NEW CINGULAR WIRELESS PCS, LLC ("AT&T"), in a form legally acceptable to the Township Attorney; and

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

- a. NEW CINGULAR WIRELESS PCS, LLC ("AT&T")
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2014-160

A RESOLUTION AWARDING CONTRACT TO CLINTAR LANDSCAPE
MANAGEMENT SERVICES FOR TOWNSHIP PROPERTY MAINTENANCE
FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for TOWNSHIP PROPERTY MAINTENANCE, and on March 18, 2014, received two (2) bids therefor; and

WHEREAS, the bids received were as follows:

		Clintar Landscape Management Services	Marlboro Lawn & Landscaping
1	Table 1 - Municipal Right-of-Ways and Open Space	63,989.00	78,395.00
2	Table 2A - Existing Stormwater Management Basins	98,700.00	119,600.00
3	Table 2B - Pending Stormwater Management Basins	4,000.00	2,500.00
4	Section 6 - Marlboro Country Park	10,000.00	19,500.00
	Total	176,689.00	219,995.00
OPT.	Playground Safety Surfacing Material - Price per Cubic Yard	45.00	90.00

; and

WHEREAS, it has been determined by the Business Administrator and Acting Superintendent of Public Works that the submission of the apparent lowest bidder, Clintar Landscape Management Services is responsive; and

WHEREAS, the Acting Superintendent of Public Works has recommended award of bid to the lowest responsible bidder as indicated in a memo dated March 25, 2014; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Township Administration and Acting Superintendent of Public Works as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Clintar Landscape Management Services whose address is PO Box 294, Perrineville, NJ 08535 for TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS in an amount not to exceed \$176,689.00 for a term of one year, with an option to renew the contract for one additional two-year period or two additional one-year periods based upon the same terms and conditions as specified in the bid proposal; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with Clintar Landscape Management Services in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$176,689.00 are available in accounts #21-228-55-059 (\$63,989.00) , 14-228-55-053 (\$102,700.00), and 09-201-55-400-288452 (\$10,000.00); and

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

- a. Clintar Landscape Management Services
- b. Township Administrator
- c. Township Acting Superintendent of Public Works

RESOLUTION # 2014-161

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #77560
TO SHI INTERNATIONAL CORP. FOR SPATIAL DATA LOGIC
ENTERPRISE LICENSE AND PORTAL FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro currently utilizes Spatial Data Logic software for permitting and complaint tracking in several municipal departments; and

WHEREAS, the Township wishes to continue to migrate the software to all departments by renewing the Enterprise License of Spatial Data Logic; and

WHEREAS, the Marlboro Township Information Technology Division has recommended that the Township renew the Spatial Data Logic Enterprise License from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under State Contract #77560 in an amount not to exceed \$45,000.00; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to obtain the Spatial Data Logic Enterprise License; and

WHEREAS, funds in the amount of \$45,000.00 will be certified to by the Chief Financial Officer in current fund account #01-201-20-033-281 at the time the 2014 budget is adopted; and

WHEREAS, the Township Council desires to approve the renewal of said software license;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to renew the Spatial Data Logic Enterprise License from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under State Contract #77560 in an amount not to exceed \$45,000.00; and

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

- a. SHI INTERNATIONAL CORP.
- b. Township Administrator
- c. Township Division of Information Technology
- d. Township Chief Financial Officer

RESOLUTION # 2014-162

RESOLUTION SUPPORTING THE CLICK IT OR TICKET
MOBILIZATION OF MAY 19 - JUNE 1, 2014

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

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

WHEREAS, the National Highway Traffic Safety Administration estimates that 11,949 lives were saved by seat belt usage nationally in the year 2011; and

WHEREAS, the State of New Jersey will participate in the nationwide "CLICK IT OR TICKET" seat belt mobilization from May 19 - June 1, 2014 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 100%; and

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

NOW THEREFORE, be it resolved that the Township of Marlboro declares its support for the "CLICK IT OR TICKET" seat belt mobilization both locally and nationally from May 19 - June 1, 2014

and pledges to increase awareness of the mobilization and the benefits of seat belt use.

RESOLUTION #_2014-163

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 FEBRUARY 28, 2015

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 approved Res. 2014-126 extending the contract with Delta Dental for an additional two (2) months at 2013 rates to give adequate time to perform a detailed evaluation of the quotations received; and

WHEREAS, NAIMC on behalf of the Township received (5) competitive quotes in response to the solicitation (Attachment A); and

WHEREAS, NAIMC evaluated several factors including estimated plan cost, network and provider coverage (disruption), rate guarantees and Township loss history, and requested that each carrier perform a disruption analysis to determine how many covered individuals would be required to seek new providers as a result of changing carriers; and

WHEREAS, the disruption analysis indicated that a change to either of the two lowest quote carriers (MetLife and Guardian) would result in significant disruption to covered individuals; and

WHEREAS, MetLife and Guardian proposed a year two "rate cap" of 6%; and

WHEREAS, Delta Dental has provided satisfactory and consistent service to the Township for several years and has offered a 0% increase in each of the last two plan years; and

WHEREAS, Delta Dental has once again agreed to maintain its rates with no increase for the 2014-2015 plan year at \$42.62/month (single) and \$115.00/month (family) for an estimated total annual cost of \$216,000.00; and

WHEREAS, after evaluating all of the factors, NAIMC has recommended that the Township renew with Delta Dental for the 2014-15 plan year; 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 \$180,000.00 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 - February 28, 2015 at \$42.62/month (single) and \$115.00/month (family) for an estimated total cost of \$216,000.00.

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 # 2014-164

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR ENGINEERING DESIGN, BID AND CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE RECONSTRUCTION OF THE HARBOR ROAD WATER TREATMENT PLANT FOR THE DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on August 1, 2013, the Township Council adopted Resolution 2013-257 authorizing an amendment to the professional services contract with CME Associates to include engineering design, bid and construction management services in connection with the reconstruction of the Harbor Road Water Treatment Plant; and

WHEREAS, said contract was awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, CME has detailed the factors and other issues that could not have been reasonably anticipated at the time the contract was entered into, including changes in design from horizontal pressure filters to vertical pressure filters and other changes due to foundation soils, depth of foundations and electrical systems; and

WHEREAS, based upon the information presented, it is recommended that the contract amount be increased to reflect work performed in accordance with the contract.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves an amendment to the Professional Services Contract with CME ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4, increasing the contract not to exceed amount by \$379,858.75; and

2. The Chief Financial Officer has certified that sufficient funds in the amount of \$379,858.75 are available for the aforesaid contract amendment in Account #06-215-14-06A-500288; and

3. That a certified copy of this Resolution shall be provided to each of the following:

- a. CME ASSOCIATES
- b. Township Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2016-165

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR DESIGN, BID AND CONSTRUCTION PHASE ENGINEERING SERVICES IN CONNECTION WITH THE INSTALLATION OF EMERGENCY BACKUP GENERATOR SYSTEMS AT THE MUNICIPAL BUILDING AND RECREATION CENTER

WHEREAS, on May 2, 2013, the Township Council adopted Resolution 2013-157 authorizing an amendment to the professional services contract with CME Associates to include engineering design, bid and construction phase services in connection with the installation of emergency backup generator systems for critical Township facilities including the Municipal Building and Recreation Center; and

WHEREAS, said contract was awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, CME has detailed the factors and unforeseen circumstances that could not have been reasonably anticipated at the time the contract was entered into, including the fact that complete record drawings showing the electrical services as installed at each building were not available; and

WHEREAS, based upon the information presented, it is recommended that the contract amount be increased to reflect work performed in accordance with the contract.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves an amendment to the Professional Services Contract with CME ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4, increasing the contract not to exceed amount by \$14,724.50; and

2. The Chief Financial Officer has certified that sufficient funds in the amount of \$14,724.50 are available for the aforesaid contract amendment in Account # 04-215-13-08H-108297; and

3. That a certified copy of this Resolution shall be provided to each of the following:

- a. CME ASSOCIATES
- b. Township Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2014-166

A RESOLUTION AUTHORIZING CONTRACT EXTENSION ON A MONTHLY BASIS TO AIRHANDLERS MECHANICAL SERVICES, INC. FOR THE PROVISION OF HVAC MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, by Resolution #2013-132 the Municipal Council of the Township of Marlboro awarded a contract to AIRHANDLERS MECHANICAL SERVICES, INC. for the PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) for the period May 1, 2013 through April 30, 2014; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, a contract may be extended by mutual agreement of the parties to the contract when a contracting unit has commenced rebidding prior to the time the contract expires; and

WHEREAS, the Township is in the process of preparing bid specs and going out to bid for HVAC Maintenance services; and

WHEREAS, the Acting Superintendent of Public Works has recommended that the Township extend the current contract with AIRHANDLERS MECHANICAL SERVICES, INC. on a monthly basis until such time as a new contract can be awarded; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract be extended on a monthly basis with AIRHANDLERS MECHANICAL SERVICES, INC. whose address is PO Box 178, Haddon Heights, NJ 08035 commencing on May 1, 2014, in a total amount not to exceed \$5,480.00; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds in an amount not to exceed \$5,480.00 are available for the aforesaid contract extension in Budget Accounts 01-201-26-122-288126 and 05-201-55-500-288020.

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

- a. AIRHANDLERS MECHANICAL SERVICES, INC.
- b. Township Business Administrator
- c. Department of Public Works
- d. Chief Financial Officer

RESOLUTION # 2014-167

A RESOLUTION OF THE TOWNSHIP OF MARLBORO TOWN COUNCIL
AUTHORIZING A SUBORDINATION OF A REPAYMENT MORTGAGE DATED
OCTOBER 30, 1998, ON A PROPERTY LOCATED AT 25 THRASHER COURT,
MARLBORO, NEW JERSEY, WHICH IS OWNED BY PHYLLIS KAY FODOR

WHEREAS, a residential unit commonly known as 25 Thrasher Court, a/k/a Lot 307/Qualifier C0025, 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 October 30, 1998, Phyllis Kay Fodor ("the Homeowner"), as the record owner of the Property, executed a "Repayment Mortgage" ("the Marlboro Mortgage"), in favor of the Department of Community Affairs which was an agency and an instrumentality of the Township of Marlboro; and

WHEREAS, the foregoing Marlboro Mortgage was subsequently recorded in the Monmouth County Clerk's Office on December 10, 1998, in Mortgage Book MB-6640, at Page 652 et seq.; and

WHEREAS, the Marlboro Mortgage remains of record today; and

WHEREAS, the Homeowner now seeks to refinance an existing mortgage against the Property (not the Marlboro Mortgage) with The Provident Bank and a request has been made to the Township of Marlboro to subordinate the Marlboro Mortgage; and

WHEREAS, The Provident Bank desires—as part of the refinance—to place a first lien priority mortgage on the Property; and

WHEREAS, it has been determined that there is good cause to grant this request to subordinate the Marlboro Mortgage;

NOW, THEREFORE, BE IT RESOLVED that the Hon. Mayor Jonathan L. Hornik is hereby authorized to execute the attached subordination of the Marlboro Mortgage on the Property; and

BE IT FURTHER RESOLVED that subsequent to the signature of the said subordination that this subordination 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 # 2014-168

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$63,722.91 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 \$63,722.91 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>
8-02	107/7	NASDOM, LLC	34,330.55
13	Wicker Place	1527 E. 35 Street BROOKLYN, NY 11234 Assessed Owner: Ronko Developers, LLC	
2009-081	219/3	STUART LASHER	29,392.36
26	Hudson Street	PO BOX 83 MILLTOWN, NJ 08850 Assessed Owner: HARRISON, LORI	
TOTAL:			\$63,722.91

At 7:30PM, Council Vice President Mazzola moved that the meeting be adjourned. This was seconded by Council President Metzger, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: MAY 1, 2014

OFFERED BY: MAZZOLA AYES: 4

SECONDED BY: MARDER NAYS: 0

ABSENT: LaROCCA

ALIDA MANCO,
MUNICIPAL CLERK

SCOTT METZGER,
COUNCIL PRESIDENT