

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

March 19, 2015

The Marlboro Township Council held its Rescheduled Meeting on March 19, 2015 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Boy Scout Troop 101 performed a flag procession and lead in the Pledge of Allegiance. Mayor and Council presented a Certificate of Recognition to the troop.

Council President Metzger opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this rescheduled meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on March 2, 2015; 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, Councilwoman Marder, Council Vice President Mazzola, and Council President Metzger. Councilman Scalea was absent.

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

Councilwoman Marder moved that the minutes of February 23 and February 26, 2015 be approved. This was seconded by Council President Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

The following Res. #2015-123/Ord. #2015-5 As Amended (Single Site License Agreement - Diamond) was introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-123

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

ORDINANCE # 2015-5 (As Amended)

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO IN THE COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE EXTENSION OF A SINGLE SITE LICENSE AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND DIAMOND TOWERS II LLC TO INSTALL AND OPERATE A WIRELESS COMMUNICATION FACILITY AND ANTENNAE AND AUTHORIZING A CO-LOCATION SUBLEASE AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND SPRINT SPECTRUM, L.P. TO INSTALL, OPERATE AND MAINTAIN THE MARLBORO TOWNSHIP POLICE DEPARTMENT'S UNMANNED RADIO COMMUNICATIONS EQUIPMENT

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 16, 2015 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 # 2015-5 (As Amended)

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO IN THE COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE EXTENSION OF A SINGLE SITE LICENSE AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND DIAMOND TOWERS II LLC TO INSTALL AND OPERATE A WIRELESS COMMUNICATION FACILITY AND ANTENNAE AND AUTHORIZING A CO-LOCATION SUBLEASE AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND SPRINT SPECTRUM, L.P. TO INSTALL, OPERATE AND MAINTAIN THE MARLBORO TOWNSHIP POLICE DEPARTMENT'S UNMANNED RADIO COMMUNICATIONS EQUIPMENT

WHEREAS, the Township of Marlboro ("Township") entered into a Single Site License Agreement with Diamond Towers II LLC ("Diamond Towers") in order to install, operate and maintain a wireless communications facility and antennae ("Communications Facility") located at Wilson Avenue, Matawan, New Jersey (the "Premises") for use by the Marlboro Township Police Department and other Township emergency services in order to preserve the health, safety and welfare of the citizens of the Township of Marlboro, Monmouth County, New Jersey; and

WHEREAS, Diamond Towers entered into a Single Site License with the Township for the above purposes, for a term of two (2) years, with an option for one (1) additional one (1) year renewal term for compensation in the amount of Three Hundred Eighty Dollars and 00/100 (\$380.00) per month, such annual compensation to be increased by four percent (4%) for each renewal term entered upon; and

WHEREAS, Sprint has agreed to enter into a Co-Location Sub-Lease Agreement with the Township for the installation, operation and maintenance of the Township's Emergency Radio Equipment for a term of two (2) years, with an option for an additional one (1) year renewal term, for minimal compensation therefor; and

WHEREAS, the term of the original and renewal term of the agreement and co-location sub-lease agreement have or are about to expire; and

WHEREAS, the Township of Marlboro has determined that it would continue to serve a public purpose for it to extend the Single Site License with Diamond Towers for the purpose of installing, operating and maintaining the Communications Facility and entering into a Co-Location and Sub-Lease Agreement with Sprint for the purposes of installing, operating and maintaining the Township's Emergency Radio Equipment for the terms described hereinabove; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Marlboro is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5(a), the Township of Marlboro is authorized to enter into a Lease Agreement.

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

- (1) The extension of the term of the Single Site License Agreement between the Township of Marlboro and Diamond Towers II LLC to install, operate and maintain a wireless communications facility and antennae ("Communications Facility") for use by the Marlboro Township Police Department and other Township emergency services, at the Premises located at Wilson Avenue,

Matawan, New Jersey ("Premises") for an additional term of two (2) years, with an option an additional one (1) year renewal term, for compensation in the amount of Three Hundred Eighty Dollars and 00/100 (\$380.00) per month, such annual compensation to be increased by four percent (4%) for each renewal term entered upon, be and is hereby authorized; and

- (2) The Co-Location Sub-Lease Agreement between the Township of Marlboro and Sprint Spectrum, L.P. permitting the lease of a 2' by 2' space within Sprint Spectrum, L.P.'s ("Sprint") 11.5' by 20' equipment shelter ("Equipment Shelter") located at the Premises, to install, operate and maintain its Police Department's unmanned radio communications equipment and appurtenances (the "Emergency Radio Equipment") for use by the Marlboro Township Police Department and other Township emergency services for a term of an additional two (2) years, with an option for one (1) additional one (1) year renewal term, for minimal compensation therefor, be and is hereby authorized; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute and witness, respectively, the extension of the Single Site License Agreement and Co-Location Sub-Lease Agreement, copies of which are on file in the Office of the Township Clerk; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

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

The following Res. #2015-124/Ord. #2015-6 (Exceed Municipal Budget Appropriation Limits and Establish a Cap Bank) was introduced by reference, offered by Councilman Cantor, seconded by Council President Metzger and passed on a roll call vote of in favor (Absent: Scalea).

RESOLUTION # 2015-124

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

ORDINANCE # 2015-6

CALENDAR YEAR 2015

MODEL 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 April 16, 2015 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 # 2015-6

CALENDAR YEAR 2015

MODEL 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 1.5% 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 Council of the Township of Marlboro in the County of Monmouth finds it advisable and necessary to increase its CY 2015 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 Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 945,611.59 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council 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 2015 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 3.5%, amounting to \$ 945,611.59, and that the CY 2015 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.

Business Administrator Jonathan Capp gave a power point presentation and overview of the budget. The following Res. #2015-125 (Introduction of 2015 Municipal Budget) was introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President Mazzola and passed on a roll call vote of in favor (Absent: Scalea).

RESOLUTION # 2015-125

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 2015, 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 16, 2015 at the Township of Marlboro Municipal Complex.

The following Res. #2015-126 (Authorizing Self-Examination of Budget) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Cantor and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-126

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 2015 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.

The following Res. #2015-127 (Appointing Michael Scalea as Liaison to Youth Exchange Advisory Committee and Co-Liaison

with Randi Marder to Recreation and Swim Advisory Committee) was introduced by reference, offered by Council President Metzger, seconded by Councilman Cantor and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-127

BE IT RESOLVED by the Township Council of the Township of Marlboro that MICHAEL SCALEA is hereby appointed as Council Liaison to the Youth Exchange Advisory Committee and as Co-Liaison with RANDI MARDER to the Recreation and Swim Advisory Committee.

As the consent agenda, the following resolutions were introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea): Res. #2015-128 (Authorizing Contract - Affordable Housing Administrative Agent Services), Res. #2015-129 (Authorizing Award of Engineering Design & Bid Services - Road Improvements & Drainage Projects), Res. #2015-130 (Authorizing Award of Engineering Services - Open Space/Vanderburg Road Parcels), Res. #2015-131 (Authorizing Increase in Change Funds), Res. #2015-132 (Authorizing Unexpended 2014 Balances Budget for Accumulated Absences to be Lapsed into Accumulated Absence Reserve), Res. #2015-133 (Authorizing 2015 Temporary Emergency Appropriations), Res. #2015-134 (Authorizing Somerset County Co-Op Contract - Snow Plow Parts), Res. #2015-135 (Award of Bid - Chemicals), Res. #2015-136 (Award of Bid - Water Meters), Res. #2015-137 (Award of Bid - Curbside Bulk Pick-up and Disposal), Res. #2015-138 (Award of Bid - Emergency Water Main Repairs), Res. #2015-139 (Authorizing Change Order - Snow Removal Services), Res. #2015-140 (Confirming Emergency Contracts for Contract Snow Removal), Res. #2015-141 (Authorizing Contract for CAD/RMS Software Maintenance), Res. #2015-142 (Authorizing State Contract Purchase of Computers), Res. #2015-143 (Authorizing Transfer of Title - 3 Stonehenge Way - Hamilton Park), Res. #2015-144 (Mortgage Subordination - 1009 Tarragon Court), Res. #2015-145 (Redemption Tax Sale Certs - Various), Res. #2015-146 (Refunds for Overpayments 2014 Taxes - Various), Res. #2015-147 (Refunds for Overpayments 2015 Taxes - Various), Res. #2015-148 (Refunds to WMUA - Various).

RESOLUTION # 2015-128

RESOLUTION APPOINTING COMMUNITY GRANTS, PLANNING & HOUSING, LLC AS AFFORDABLE HOUSING AGENT AND AUTHORIZING AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT THROUGH DECEMBER 31, 2015 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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 October 28, 2014 from COMMUNITY GRANTS, PLANNING & HOUSING, LLC ("CGP&H")(the "Business Entity") in response to a Request for Qualifications for the services of an Affordable Housing Administrative Agent issued by the Township ("proposal") 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-20.5; and

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC employs licensed professional planners that are certified affordable housing administrative agents; and

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

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC will provide the day-to-day Administrative Agent services

for a fixed monthly rate of \$1,350.00 to be paid in equal monthly payments from May 1, 2015 through December 31, 2015 totaling \$10,800.00; and

WHEREAS, the additional costs under this contract are variable in nature depending upon program demand, and have been estimated as follows:

Sale of Units	\$2,750.00 x 7 =
\$19,250.00	
Affordability Assistance	\$ 451.00 x 25 = \$11,275.00
Rehabilitation of Units	\$6,818.75 x 4 =
\$27,275.00	

WHEREAS, with the goal of maximizing the preservation of the Township's affordable unit housing stock, the Administrative Agent's fees associated with the resale of units which are included under this contract will be absorbed by the Affordable Housing Trust Fund; and

WHEREAS, funds in the amount of \$68,600.00 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 COMMUNITY GRANTS, PLANNING & HOUSING, LLC pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The contract shall provide for compensation at the rates set forth in the proposal dated October 28, 2014, a copy of which is attached hereto, in an amount not to exceed \$68,600.00; 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. COMMUNITY GRANTS, PLANNING & HOUSING, LLC
- b. Municipal Housing Liaison
- c. Special Counsel on COAH
- c. New Jersey Council on Affordable Housing
- d. Township Administrator
- e. Township Chief Financial Officer

RESOLUTION # 2015-129

A RESOLUTION AUTHORIZING AN AMENDMENT TO A
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL
ENGINEERING SERVICES IN CONNECTION WITH VARIOUS ROAD,
SIDEWALK AND DRAINAGE PROJECTS

WHEREAS, the Township of Marlboro as part of its 2015 capital program (060-01,02,03,09,25) authorized various road, sidewalk and drainage projects; and

WHEREAS, the Township is in need of professional engineering services in connection with the design and bid administration of these projects; and

WHEREAS, CME Associates has provided proposals dated February 18, 2015 (the "Proposals") for the professional services required in connection with the Projects; and

WHEREAS, the Township of Marlboro and CME Associates have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services (as defined hereinabove) for the Projects at a fee not to exceed \$130,000.00 for such Professional Services, as further described and set forth in CME's Proposals, attached hereto and made a part hereof; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$130,000.00 are available for this purpose from Capital Accounts # 04-215-15-02D-060288 and 04-215-15-02J-060288; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with CME Associates to provide the required additional Professional Services for the Projects in accordance with the Proposals; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, CME has previously completed and submitted a Business Entity Disclosure of Campaign Contributions and the Determination of Value in accordance with P.L. 2005, c.271.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include engineering services in connection with various road, sidewalk and drainage projects by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$130,000.00 for such Professional Services, as further described and set forth in CME's Proposals dated February 18, 2015 ("Proposals"), be and is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally acceptable to the Township Attorney, the Professional Services Contract described herein; and

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$130,000.00 for such additional Professional Services for the Projects as described in the Proposals; and

BE IT FURTHER RESOLVED, that a copy of the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk; and

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

- a. CME Associates, 1460 Route 9 South, Howell, NJ 07731
- b. Township Business Administrator
- c. Township Chief Financial Officer

RESOLUTION #2015-130

A RESOLUTION AUTHORIZING AN AMENDMENT TO A
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL
ENGINEERING SERVICES IN CONNECTION WITH THE
TOWNSHIP'S OPEN SPACE ACQUISITION PROGRAM

WHEREAS, the Township is in need of professional engineering services in connection with the Township's open space acquisition program ("Project"); and

WHEREAS, CME Associates has provided a proposal dated February 18, 2015 (the "Proposal") for the professional services required in connection with the Project; and

WHEREAS, the Township of Marlboro and CME Associates have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services (as defined hereinabove) for the Project at a fee not to exceed \$7,500.00 for such Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$7,500.00 are available for this purpose from Open Space Trust Account # 04-215-11-04A-140291; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with CME Associates to provide the required additional Professional Services for the Project in accordance with the Proposal; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, CME has previously completed and submitted a Business Entity Disclosure of Campaign Contributions and the Determination of Value in accordance with P.L. 2005, c.271.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include engineering services in connection with the Open Space Acquisition Program project by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$7,500.00 for such Professional Services, as further described and set forth in CME's Proposal dated February 18, 2015 ("Proposal"), be and is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally acceptable to the Township Attorney, the Professional Services Contract described herein; and

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$7,500.00 for such additional Professional Services for the Project as described in the Proposal; and

BE IT FURTHER RESOLVED, that a copy of the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk; and

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

- a. CME Associates, 1460 Route 9 South, Howell, NJ 07731
- b. Township Business Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2015-131

RESOLUTION AUTHORIZING INCREASE IN CHANGE FUNDS

WHEREAS, the Township Council of the Township of Marlboro, Monmouth County, State of New Jersey had previously authorized the establishment of a change fund for both the Tax Department and Water Department in the amounts of \$200.00 and \$100.00 respectively, and

WHEREAS, a request has been made that the change funds in each office be increased, and

WHEREAS, it has been determined that the Tax Department needs a change fund of \$300.00, and the Water Department needs a change fund of \$200.00.

NOW, THEREFORE, BE IT RESOLVED that the change fund of the Tax Department is hereby increased to \$300.00, and the change fund of the Water Department is hereby increased to \$200.00.

RESOLUTION # 2015-132

RESOLUTION AUTHORIZING UNEXPENDED 2014 BALANCES BUDGETED
FOR ACCUMULATED ABSENCES TO BE LAPSED INTO THE
ACCUMULATED ABSENCE RESERVE PURSUANT TO NJAC 5:30-15

WHEREAS, NJAC 5:30-15 permits a local unit to establish a reserve for the payment of accumulated absences; and

WHEREAS, the Township of Marlboro has established a reserve for accumulated absences; and

WHEREAS, once an accumulated absence reserve is established, unexpended balances budgeted annually for compensated absences may be lapsed into the reserve; and

WHEREAS, it is recommended that the Township transfer \$101,000.00 to the accumulated absence reserve.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that \$101,000.00 of unexpended 2014 budget appropriations for accumulated absences be transferred to the accumulated absence reserve.

RESOLUTION # 2015-133

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 2015 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2014 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 2015 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$20,509,293.51 for the municipal budget, \$1,323,587.50 for the operations of the recreation and swim utility and \$6,407,437.15 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 2015 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:

01-201-20-010-100	MAYOR'S OFFICE S&W	30,784.00
01-201-20-010-200	MAYOR'S OFFICE O/E	1,412.50
01-201-20-020-100	CLERK'S OFFICE S&W	106,967.00
01-201-20-020-200	CLERK'S OFFICE O/E	25,629.50
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	138,643.00
01-201-20-030-200	ADMINISTRATION O/E	42,690.00
01-201-20-033-100	CENTRAL COMPUTER OFFICE - SALARIES & WAGES	65,053.50
01-201-20-033-200	CENTRAL COMPUTER OFFICE - OTHER EXPENSES	31,214.50
01-201-20-035-200	ETHICS COMMISSION - OTHER EXPENSES	4,824.00
01-201-20-040-100	FINANCE S&W	101,143.50
01-201-20-040-200	FINANCE O/E	5,957.50
01-201-20-043-200	ANNUAL AUDIT O/E	17,874.50
01-201-20-045-100	TAX ASSESSOR S&W	70,089.50
01-201-20-045-200	TAX ASSESSOR O/E	62,293.00
01-201-20-046-100	TAX COLLECTOR S&W	72,926.50
01-201-20-046-200	TAX COLLECTOR O/E	19,214.00
01-201-20-050-200	LEGAL SERVICES O/E	169,355.00
01-201-20-055-200	CABLE - OTHER EXPENSES	20,657.00
01-201-20-060-100	ENGINEERING S&W	92,076.50
01-201-20-060-200	ENGINEERING O/E	51,136.00
01-201-20-083-200	ECONOMIC DEVELOPMENT - OTHER EXPENSES	7,860.00
01-201-20-092-200	INTERGOVT. RELATIONS O/E	1,050.00
01-201-20-093-200	HISTORIC SITES COMMITTEE - OTHER EXPENSE	775.00
01-201-20-140-200	Open Space Comm - OTHER EXPENSES	244.00
01-201-20-158-200	POSTAGE - OTHER EXPENSES	24,367.50
01-201-21-070-100	PLANNING BOARD S&W	33,410.00
01-201-21-070-200	PLANNING BOARD O/E	15,812.50
01-201-21-071-200	PLANNING BOARD CONTRAC. O/E	43,200.00
01-201-21-075-100	ZONING S&W	74,877.50
01-201-21-075-200	ZONING O/E	20,753.00
01-201-21-209-100	AFFORDABLE HOUSING S&W	2,000.00
01-201-23-099-200	UNEMPLOYMENT INSURANCE - OTHER EXPENSES	12,500.00
01-201-23-100-200	EMPLOYEE INSURANCE - OTHER EXPENSES	1,657,608.50
01-201-23-101-200	LIABILITY INSURANCES - OTHER EXPENSES	370,000.00
01-201-23-102-200	WORKER'S COMPENSATION O/E	520,000.00
01-201-23-103-200	HEALTH INSURANCE WAIVERS	0.00
01-201-25-052-100	MUNICIPAL PROSECUTOR - SALARIES & WAGES	15,000.00
01-201-25-104-100	FIRE PREVENTION BUREAU S&W	76,551.00
01-201-25-104-200	FIRE PREVENTION BUREAU O/E	6,755.50
01-201-25-106-100	POLICE S&W	4,208,452.50
01-201-25-106-200	POLICE O/E	175,822.50
01-201-25-108-100	EMERGENCY MANAGEMENT S&W	11,500.00
01-201-25-108-200	EMERGENCY/CIVIL DEFENSE O/E	4,110.00
01-201-25-110-200	CONTRIBUTIONS	60,000.00
01-201-25-178-200	LOSAP	115,880.00

01-201-25-212-100	911 EXPENSES S&W	363,554.50
01-201-25-212-200	911 EXPENSES O/E	93,705.50
01-201-25-226-200	S.F.S.P. O/E	5,426.50
01-201-26-117-100	RECYCLING - S&W	1,500.00
01-201-26-117-200	RECYCLING - OTHER EXPENSES	380,000.00
01-201-26-119-100	SNOW REMOVAL S&W	206,500.00
01-201-26-119-200	SNOW REMOVAL - OTHER EXPENSES	1,200,000.00
01-201-26-120-100	ROAD MAINTENENANCE S&W	719,888.50
01-201-26-120-200	ROAD MAINTENANCE O/E	101,178.00
01-201-26-121-100	VEHICLE MAINTENANCE S&W	197,223.50
01-201-26-121-200	VEHICLE MAINTENANCE O/E	122,287.00
01-201-26-122-100	GROUNDS MAINTENANCE S&W	91,944.00
01-201-26-122-200	GROUNDS MAINTENANCE O/E	190,375.44
01-201-26-125-100	PUBLIC WORKS S & W	147,206.00
01-201-26-125-200	PUBLIC WORKS O/E	6,505.00
01-201-26-126-200	CONDOMINIUM SERVICES ACT - OTHER	80,598.00
01-201-26-129-200	SHADE TREE - OTHER EXPENSES	1,131.50
01-201-27-130-100	REGISTRAR S&W	11,038.07
01-201-27-130-200	REGISTRAR O/E	530.00
01-201-27-134-100	DRUG ABUSE S&W	12,006.50
01-201-27-134-200	DRUG ABUSE CONTROL O/E	9,188.50
01-201-27-136-100	ANIMAL REGULATIONS S & W	25,814.50
01-201-27-136-200	ANIMAL REGULATIONS O/E	0.00
01-201-27-138-100	ENVIRONMENTAL COMMITTEE S&W	1,000.00
01-201-27-138-200	ENVIRONMENTAL PROTEC. O/E	480.50
01-201-28-123-100	PARKS & RECREATION - S&W	228,129.00
01-201-28-123-200	PARKS OTHER EXPENSES	39,900.00
01-201-28-145-100	RECREATION S & W	176,916.00
01-201-28-145-200	RECREATION O/E	66,702.00
01-201-28-146-200	RECREATION TEEN PROGRAMS O/E	1,837.50
01-201-29-150-200	PUBLIC LIBRARY O/E	5,000.00
01-201-30-173-200	PRIOR YEARS BILLS	1,250.00
01-201-30-184-100	ACCUMULATED ABSENCES	500.00
01-201-31-160-200	STREET LIGHTING O/E	325,216.00
01-201-31-161-200	ELECTRIC O/E	164,114.50
01-201-31-162-200	TELEPHONE O/E	59,140.00
01-201-31-164-200	WATER O/E	17,791.50
01-201-31-165-200	SEWER O/E	4,796.00
01-201-31-167-200	NATURAL GAS O/E	42,651.00
01-201-31-168-200	GASOLINE	211,407.50
01-201-32-170-200	LANDFILL DISPOSAL COSTS	165,814.50
01-201-35-180-200	Contingent	5,000.00
01-201-36-174-200	POLICE & FIREMENS RETIREMENT	1,850,000.00
01-201-36-175-200	PUBLIC EMPLOYEES RETIREMENT	890,000.00
01-201-36-176-200	EMPLOYER'S PORTION FICA	568,555.00
01-201-36-179-200	DEFINED CONTRIBUTION RETIREMENT PROGRAM	500.00
01-201-41-313-000	Drunk Driving Enforc Grant	0.00
01-201-41-339-000	ALCOHOL REHABILITATION 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	40,148.00
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
01-201-41-371-000	Chapter 159 - Drive sober Grant	0.00
01-201-43-207-100	MUNICIPAL COURT S&W	174,209.50
01-201-43-207-200	MUNICIPAL COURT O/E	22,189.00
01-201-43-211-100	PUBLIC DEFENDER S&W	8,397.00
01-201-44-222-200	CAPITAL IMPROVEMENT FUND	175,000.00
01-201-45-220-200	BOND PRINCIPAL	1,609,000.00
01-201-45-221-200	LEASE PRINCIPAL	115,600.00
01-201-45-230-200	BOND-INTEREST - OTHER EXPENSES	675,000.00
01-201-45-231-200	DEBT SERVICE LEASE - INTEREST	7,600.00
01-201-45-235-200	NOTE INTEREST	96,000.00
01-201-45-236-200	NOTE PRINCIPAL	165,000.00
01-201-45-240-200	GREEN TRUST DEBT SERVICE	28,865.00
01-201-46-335-200	Deferred Charges Unfunded	0.00
01-201-50-299-200	RESERVE FOR UNCOLLECTED TAXES	0.00
TOTAL		<u>20,509,293.51</u>

WATER UTILITY FUND:

05-201-55-500-100	SALARY & WAGES	416,412.00
05-201-55-500-200000	WATER UTILITY OE	2,977,174.68
05-201-55-501-200000	WATER CAPITAL OUTLAY	2,500.00
05-201-55-503-254010	SOCIAL SECURITY - WATER EMPLOYEE BENEFIT	31,850.47
05-201-55-503-260040	Deferred Charges - NJEIT Payment	0.00
05-201-55-503-261010	Unemployment	2,500.00
05-201-55-503-287010	PENSION - WATER EMPLOYEE BENEFITS	0.00
05-201-55-504-000	Emergency Approp - NJEIT Financing	0.00
05-201-55-509-200000	Emergency Approp - Hurricane Sandy	0.00
05-201-55-520-260040	Bond Principal	1,580,000.00
05-201-55-530-290040	Interest on Bonds	566,000.00
05-201-55-535-260040	Note Principal	33,000.00
05-201-55-535-290040	Interest on Notes	33,000.00
05-201-55-540-260040	NJEIT Loan Principal	610,000.00
05-201-55-545-290040	NJEIT Loan Interest	155,000.00
05-201-55-550-000000	NJEIT Loan Fees	0.00
TOTAL		<u>6,407,437.15</u>

RECREATION UTILITY FUND:

09-201-55-400-101000	RECREATION - SALARY & WAGES	583,161.57
09-201-55-400-200020	RECREATION - OE	668,189.93
09-201-55-451-000000	Capital Outlay	0.00
09-201-55-481-260	Note Principal	13,000.00
09-201-55-481-290	Interest on Notes	14,000.00
09-201-55-487-254413	Social Security Payment	42,736.00
09-201-55-487-261413	Unemployment	2,500.00
09-201-55-487-287413	Pension	0.00
TOTAL		<u>1,323,587.50</u>

RESOLUTION # 2015-134

RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE OF
SNOW PLOW PARTS THROUGH BIDS OBTAINED BY
THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, the Township of Marlboro Department of Public Works is in need of snow plow parts to maintain the fleet of snow removal equipment; and

WHEREAS, the Township is authorized to purchase said parts from bids obtained from a cooperative pricing system such as SOMERSET COUNTY pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, SOMERSET COUNTY conducted a public bidding process and awarded contracts to Chemung Supply Corporation and Creston Hydraulics for the provision of SNOW PLOW PARTS; and

WHEREAS, the Public Works Department has indicated that Chemung Supply Corporation and Creston Hydraulics have agreed to extend the pricing provided through SOMERSET COUNTY to Marlboro Township; and

WHEREAS, at this time, the Director of Public Works has recommended the award of contracts for the purchase of SNOW PLOW PARTS to Chemung Supply Corporation for a total amount not to exceed \$10,000.00 and to Creston Hydraulics for a total amount not to exceed \$5,000.00; 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 said SNOW PLOW PARTS through the SOMERSET COUNTY COOPERATIVE PRICING SYSTEM; and

WHEREAS, funds in the amount of \$15,000.00 have been certified to by the Chief Financial Officer in Operating Account 01-201-26-119-251105 for this purpose; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of SNOW PLOW PARTS from Chemung Supply Corporation and Creston Hydraulics, at pricing pursuant to the bids obtained by SOMERSET COUNTY, for a total amount not to exceed \$15,000.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase SNOW PLOW PARTS, at pricing pursuant to the bids obtained by the SOMERSET COUNTY COOPERATIVE PRICING SYSTEM, for a total amount not to exceed \$15,000.00; and

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

- a. Chemung Supply Corporation
- b. Creston Hydraulics
- c. Township Administrator
- d. Township Chief Financial Officer
- e. Township Public Works Department

RESOLUTION # 2015-135

A RESOLUTION AWARDING CONTRACTS TO BUCKMAN'S INC., GEORGE S. COYNE CHEMICAL CO., INC., MIRACLE CHEMICAL CO., REED & PERRINE SALES INC., AND SHANNON CHEMICAL CORP. FOR THE SUPPLY OF SPECIFIED CHEMICALS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION AND RECREATION AND SWIM UTILITY

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the Supply of Chemicals for the Township of Marlboro Water Utility Division and Recreation and Swim Utility, and on January 21, 2015, received eight (8) bids therefor; and

WHEREAS, the bid specifications indicated that the Township reserved the right to award each item separately to the lowest responsible bidder meeting the specifications; and

WHEREAS, the eight (8) bids received were as follows:

Company	Contract IA Liquid Chlorine	Contract IB Hydrated Lyme	Contract IC Zinc Orthophosphate	Contract ID Sodium Hypochlorite	Contract IE Sodium Hydroxide
George S. Coyne Chemical Co., Inc.	2.9807/lb	.3682/lb	.6475/lb	1.573/gal	1.86/gal
Univar USA, Inc.	3.00/lb	No bid	No bid	No bid	No bid
Shannon Chemical	No bid	No bid	.594/lb	2.74/gal	.847/gal
Miracle Chemical	No bid	No bid	No bid	1.519/gal	No bid
Buckman's Inc.	No bid	No bid	No bid	1.499/gal	1.37/gal
Klenzoid, Inc.	No bid	No bid	.68/lb	No bid	No bid
PVS Minibulk, Inc.	No bid	No bid	No bid	No bid	1.86/gal
Reed & Perrine	No bid	.1362/lb	No bid	No bid	No bid

Company	Contract IF Recreation and Swim Utility Pool Chemicals			
	Sodium Hypochlorite	Sodium Bicarbonate	Calcium Chloride	Sodium Thiosulfate
George S. Coyne Chemical Co., Inc.	No bid	No bid	No bid	No bid

Univar USA, Inc.	No bid	No bid	No bid	No bid
Shannon Chemical	No bid	No bid	No bid	No bid
Miracle Chemical	1.519/gal	20.99/bag	18.99/bag	41.99/bag
Buckman's Inc.	1.649/gal	19.49/bag	17.99/bag	39.99/bag
Klenzoid, Inc.	No bid	No bid	No bid	No bid
PVS Minibulk, Inc.	No bid	No bid	No bid	No bid
Reed & Perrine	No bid	No bid	No bid	No bid

WHEREAS, the Township Administration, the Director of Public Works and the Recreation Director have reviewed said bids received and have recommended that a split award be made; and

WHEREAS, in a memo dated March 3, 2015, the Director of Public Works recommends that George S. Coyne Chemical Co., Inc. be awarded Contract 1A for the following items as the lowest responsible bidder for same:

Type	Quantity: UP TO	Unit Price (\$)	Total Price (\$): NOT TO EXCEED
Liquid Chlorine	7,500 lbs	2.9807/lb.	22,355.25

WHEREAS, in a memo dated March 3, 2015, the Director of Public Works further recommends that Reed & Perrine Sales Inc. be awarded Contract 1B for the following items as the lowest responsible bidder for same:

Type	Quantity: UP TO	Unit Price (\$)	Total Price (\$): NOT TO EXCEED
Hydrated Lime	175,000 lbs	.1362/lb.	23,835.00

WHEREAS, in a memo dated March 3, 2015, the Director of Public Works further recommends that Shannon Chemical Corp. be awarded Contract 1C and Contract 1E for the following items as the lowest responsible bidder for same:

Type	Quantity: UP TO	Unit Price (\$)	Total Price (\$): NOT TO EXCEED
Zinc Orthophosphate	33,000 lbs	.594/lb.	19,602.00
Sodium Hydroxide	30,000 gal.	.847/gal.	25,410.00

WHEREAS, in a memo dated March 3, 2015, the Director of Public Works further recommends that Buckman's Inc. be awarded Contract 1D for the following items as the lowest responsible bidder for same:

Type	Quantity: UP TO	Unit Price (\$)	Total Price (\$): NOT TO EXCEED
Sodium Hypochlorite	10,000 gal.	1.499/gal.	14,990.00*

*Figure adjusted for error in calculation.

WHEREAS, the Director of Public Works and the Director of Recreation have further recommended that Miracle Chemical Co. be awarded Contract 1F for the following items as the lowest responsible bidder for same:

Type	Quantity: UP TO	Unit Price (\$)	Total Price (\$): NOT TO EXCEED
Sodium Hypochlorite	12,000 gal.	1.519/gal.	18,228.00
Sodium Bicarbonate	160 bags	20.99/bag	3,358.40
Calcium Chloride	160 bags	18.99/bag	3,038.40
Sodium Thiosulfate	32 bags	41.99	1,343.68

WHEREAS, the Chief Financial Officer has certified that funds for the 2015 portion of the contracts in the amount of \$105,612.67 are available in the Water Utility Account #05-201-55-500-293020 and Recreation Utility Account #09-201-55-400-293; and

WHEREAS, funds for the 2016 portion of each contract in the total amount of \$26,548.06 will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendations of the Township Director of Public Works and Recreation Director as set forth herein; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1A be awarded to George S. Coyne Chemical Co., Inc. whose address is 3015 State Road, Croydon, PA 19021 for the Supply of Liquid Chlorine for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$22,355.25 and for a term of one (1) year beginning on April 1, 2015 with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1B be awarded to Reed & Perrine Sales Inc. whose address is 396 Main Street, Tennent, NJ 07763 for the Supply of Hydrated Lime for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$23,835.00 and for a term of one (1) year beginning on April 1, 2015 with an option to renew for one two-year or two

one-year periods on the same terms and conditions as specified in the bid; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that a Contract 1C and Contract 1E be awarded to Shannon Chemical Corp. whose address is P.O. Box 376, Malvern, PA 19355 for the Supply of Zinc Orthophosphate and Sodium Hydroxide for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$45,012.00 and for a term of one (1) year beginning on April 1, 2015 with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1D be awarded to Buckman's Inc. whose address is 105 Airport Road, Pottstown, PA 19464 for the Supply of Sodium Hypochlorite for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$14,990.00 and for a term of one (1) year beginning on April 1, 2015 with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1F be awarded to Miracle Chemical Co. whose address is 1151B Highway 33, Farmingdale, NJ 07727 for the Supply of Sodium Hypochlorite, Sodium Bicarbonate, Calcium Chloride, and Sodium Thiosulfate for the Township of Marlboro Recreation and Swim Utility, for a contract amount not to exceed \$25,968.48 and for a term of one (1) year beginning on April 1, 2015 with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, Contracts with BUCKMAN'S INC., GEORGE S. COYNE CHEMICAL CO., INC., MIRACLE CHEMICAL CO., REED & PERRINE SALES INC., AND SHANNON CHEMICAL CORP. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

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

- a. Buckman's Inc.
- b. George S. Coyne Chemical Co., Inc.
- c. Miracle Chemical Co.

- d. Reed & Perrine Sales Inc.
- e. Shannon Chemical Corp.
- f. Township Business Administrator
- g. Township Chief Financial Officer
- h. Township Director of Public Works
- i. Township Recreation Director

RESOLUTION # 2015-136

A RESOLUTION AUTHORIZING AWARD OF CONTRACT TO
HD SUPPLY WATERWORKS LTD FOR THE PROVISION OF
WATER METERS FOR THE MARLBORO TOWNSHIP DEPARTMENT
OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, the Marlboro Township Department of Public Works Water Utility Division requires water meters for monitoring water use by its customers; and

WHEREAS, the Township of Marlboro authorized the continuation of the annual water meter replacement program in its 2014 capital program (500-1); and

WHEREAS, on March 3, 2015, bids were received and opened for the PROVISION OF WATER METERS FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

WHEREAS, the Township received one (1) bid as follows:

COMPANY	Total Bid Amount
HD SUPPLY WATERWORKS LTD Edison, NJ	359,650.00

; and

WHEREAS, the bid submission of the sole bidder, HD SUPPLY WATERWORKS LTD, 61 Gross Avenue, Edison, NJ 08817 has been determined to be responsive as detailed in a March 3, 2015 memo transmitted by the Director of Public Works; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director 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 for THE PROVISION OF WATER METERS FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION to HD SUPPLY WATERWORKS LTD whose address is 61 Gross Avenue, Edison, NJ 08817, for the total bid price amount not to exceed

\$359,650.00 for a term of one (1) year with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with HD SUPPLY WATERWORKS LTD in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED funds in the amount of \$359,650.00 are available and have been certified by the Chief Financial Officer in capital accounts 06-215-12-10A-500288, 06-215-13-10A-500288 and 06-215-14-05B-500288.

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

- a. HD SUPPLY WATERWORKS
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Director of Public Works

RESOLUTION #2015-137

A RESOLUTION AWARING CONTRACT TO CENTRAL JERSEY WASTE & RECYCLING, INC. FOR COMMUNITY SPRING BULK PICK-UP AND DISPOSAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for COMMUNITY SPRING BULK PICK-UP AND DISPOSAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS, and on March 11, 2015, received two (2) bids therefor; and

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

Company	BASE BID (Collection and Disposal)	ALTERNATE OPTION 1 (Collection, Transport and Disposal at Twp Contracted Disposal Rate)
Central Jersey Waste & Recycling, Inc, Ewing, NJ	194,450 – 2015 199,000 – 2016 203,500 – 2017 208,000 – 2018 213,000 - 2019	194,450 - 2015
Freehold Cartage, Inc, Freehold,	308,500 – 2015	308,499 - 2015

NJ	315,500 – 2016 319,500 – 2017 329,500 – 2018 335,500 - 2019	
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; and

WHEREAS, it has been determined that the submission of the apparent low bidder on the Base Bid, CENTRAL JERSEY WASTE & RECYCLING, INC. is responsive as detailed in a March 13, 2015 memo from the Director of Public Works; and

WHEREAS, the Director of Public Works has recommended the award of the Base Bid to CENTRAL JERSEY WASTE & RECYCLING, INC.; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director 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 CENTRAL JERSEY WASTE & RECYCLING, INC. whose address is 432 Stokes Avenue, Ewing, NJ 08638 for COMMUNITY SPRING BULK PICK-UP AND DISPOSAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS, for a contract amount at prices specified in the bid proposal not to exceed \$194,450.00 for a term of one year (2015), with an option to renew the contract based upon the same terms and conditions as specified in the bid proposal and for four (4) additional one (1) year periods in accordance with N.J.S.A. 40A:11-15(3) at the exclusive option of the Township; and

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

BE IT FURTHER RESOLVED funds in the amount of \$194,450.00 for the 2015 contract will be certified by the Chief Financial Officer in account 01-201-26-117-233112 and 01-201-32-170-233112 upon adoption of the 2015 budget.

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

- a. CENTRAL JERSEY WASTE & RECYCLING, INC.
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Township Director of Public Works

RESOLUTION # 2015-138

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO LUCAS CONSTRUCTION GROUP, INC. FOR THE PROVISION OF EMERGENCY WATER MAIN REPAIRS FOR THE TOWNSHIP OF MARLBORO WATER UTILITY DIVISION

WHEREAS, the Township of Marlboro as part of its 2014 capital program (500-3) authorized various water system improvements including emergency repairs; and

WHEREAS, the Township of Marlboro authorized the receipt of bids for the provision of emergency water main repairs for the Township of Marlboro Water Utility Division (the "Services") and on February 12, 2015 received nine (9) bids therefore; and

WHEREAS, the nine (9) bids received are summarized as follows:

	Category I - Labor	Category II - Equipment	Category III - Materials and Other	Category IV - Mobilization/ Demobilization	Total
Lucas Construction Group	44,006.00	13,010.00	31,000.00	20,000.00	108,016.00
B&W Construction Co.	80,004.00	15,012.00	33,000.00	5,000.00	133,016.00
John Garcia Construction Co.	60,002.00	16.00	31,500.00	47,500.00	139,018.00
J. Fletcher Creamer & Son	80,400.00	30,208.00	31,500.00	10.00	142,118.00
J.F. Kiely Construction Co.	128,200.00	29,002.00	32,500.00	16,500.00	206,202.00
Tomco Construction Montana	116,400.00	63,000.00	34,500.00	10,000.00	223,900.00
Construction Corp.	100,000.00	81,000.00	33,000.00	25,000.00	239,000.00
Caruso Excavating	80,000.00	116,600.00	30,000.00	50,000.00	276,600.00
Joseph Jingoli & Son	250,000.00	83,000.00	33,000.00	50,000.00	416,000.00

WHEREAS, the Director of the Department of Public Works has reviewed the bids received and in a memo dated February 13, 2015, recommends that the Contract for the Services be awarded to Lucas Construction Group, Inc. as the lowest bidder, 173 Amboy Road, Morganville, New Jersey 07751, for the total bid

price amount not to exceed \$108,016.00 for a term of one (1) year with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Water Capital Account No. 06-215-14-05C-500288 for the Services; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid for Emergency Water Main Repairs for the Township of Marlboro Department of Public Works be and is hereby awarded to Lucas Construction Group, Inc., 173 Amboy Road, Morganville, NJ 07751 for a contract amount not to exceed \$108,016.00 for a term of one (1) year with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid; and

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

- a. Lucas Construction Group, Inc.
- b. Township Business Administrator
- c. Township Director of Public Works
- d. Township Chief Financial Officer

RESOLUTION # 2015-139

A RESOLUTION AUTHORIZING CHANGE ORDERS TO THE CONTRACTS WITH L.J. PESCE, INC., LUCAS CONSTRUCTION GROUP, INC., PREMIUM GROWERS, INC., AND TRIPLE C NURSERIES FOR THE SUPPLY OF CONTRACT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on October 18, 2012 (R.2012-366), the Township Council of the Township of Marlboro awarded contracts to L.J. PESCE, INC., LUCAS CONSTRUCTION GROUP, INC., PREMIUM GROWERS, INC., AND TRIPLE C NURSERIES for the SUPPLY OF CONTRACT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS through the acceptance of bids for a one (1) year term ending September 30, 2013; and

WHEREAS, on September 12, 2013 (R.2013-284), the Township Council of the Township of Marlboro renewed the contracts with L.J. PESCE, INC., LUCAS CONSTRUCTION GROUP, INC., PREMIUM GROWERS, INC., AND TRIPLE C NURSERIES for a term of one (1)

year, beginning on October 1, 2013 and ending on September 30, 2014; and

WHEREAS, on September 4, 2014 (R.2014-309), the Township Council of the Township of Marlboro renewed the contracts for the final one year term to L.J. PESCE, INC., LUCAS CONSTRUCTION GROUP, INC., PREMIUM GROWERS, INC., AND TRIPLE C NURSERIES for a term of one (1) year, beginning on October 1, 2014 and ending on September 30, 2015; and

WHEREAS, during the 2014/2015 winter season the Township has experienced numerous snow storms requiring the use of snow removal contractors to clear the Township roadways; and

WHEREAS, the Township will require additional contract snow removal assistance in order to clear Township roadways for the remainder of the winter season in amounts which will exceed the existing authorizations by the amounts below:

CONTRACTOR	CONTRACT AMOUNT	CHANGE ORDER AMOUNT
L.J. Pesce, Inc.	\$31,320.00	\$6,264.00
Lucas Construction Group, Inc.	\$56,650.00	\$11,330.00
Premium Growers, Inc.	\$86,486.00	\$17,297.20
Triple C Nurseries	\$148,207.90	\$29,641.58

; and

WHEREAS, funds are available for the change orders in account # 01-201-26-119-288105 and have been certified by the Chief Financial Officer; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that change orders to the contracts with L.J. Pesce Inc., Lucas Construction Group, Inc., Premium Growers, Inc. and Triple C Nurseries are hereby authorized in an amount totaling \$64,532.78.

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

- a. L.J. Pesce Inc.
- b. Lucas Construction Group, Inc.
- c. Premium Growers, Inc.
- d. Triple C Nurseries
- e. Township Business Administrator
- f. Township Chief Financial Officer
- g. Township Director of Public Works

RESOLUTION # 2015-140

A RESOLUTION CONFIRMING EMERGENCY CONTRACTS WITH L.J. PESCE, INC., LUCAS CONSTRUCTION GROUP, PREMIUM GROWERS, INC. AND TRIPLE C NURSERIES FOR THE SUPPLY OF CONTRACT SNOW REMOVAL SERVICES PURUSANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on March 4, 2015 the Governor issued Executive Order No. 175 and declared a state of emergency in response to winter storm Thor; and

WHEREAS, during winter storm Thor the National Oceanic and Atmospheric Administration predicted heavy snow, mixed precipitation including ice, and freezing temperatures, designated as Township Emergency #1506; 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, on March 4, 2015 it was determined that contract snow plow services and additional equipment would be required in order to remove the snow from the roadways prior to temperatures falling below the freezing mark; and

WHEREAS, the storm on March 5, 2015 led to a substantial amount of snow accumulating on the roadways posing a serious threat to the public health, safety and welfare, constituting an emergency under the terms of N.J.S.A. 40A:11-6; and

WHEREAS, the Township of Marlboro accepted bids for the Supply of Contract Snow Removal Services for the Township of Marlboro Department of Public Works, and on October 18, 2012 (R. 2012-366) authorized the award of one year contracts with an option to extend an additional year to the lowest responsible bidders as follows:

LJ Pesce Inc.	31,320.00
Lucas Construction Group	56,650.00

Premium Growers Inc.	86,486.00
Triple C Nurseries	148,207.90

WHEREAS, the Township of Marlboro authorized a one year extension for the Supply of Contract Snow Removal Services for the Township on September 12, 2013 (R. 2013-284); and

WHEREAS, the Township of Marlboro authorized the final one year extension for the Supply of Contract Snow Removal Services for the Township on September 4, 2014 (R. 2014-309); and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized the contract vendors to perform snow removal services at their contract pricing in excess of the contract not to exceed the amounts, estimated at \$8,112.00 for L.J. Pesce Inc., PO Box 88, 19 Windswept Rd., Holmdel, NJ 07733, \$14,760.00 for Lucas Construction Group, Inc., 173 Amboy Road, Morganville, NJ 07751, \$33,123.60 for Premium Growers, Inc., 178 Highway 34, Holmdel, NJ 07733, and \$38,455.44 for Triple C Nurseries, PO Box 306, 915 B Holmdel Rd, Holmdel, NJ 07733; and

WHEREAS, the Chief Financial Officer will certify funds upon adoption of the 2015 budget.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that emergency contract awards pursuant to N.J.S.A. 40A:11-6 be confirmed for snow plowing services required, and estimated to be required, as follows:

LJ Pesce Inc.	8,112.00
Lucas Construction Group	14,760.00
Premium Growers Inc.	33,123.60
Triple C Nurseries	38,455.44

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

- a. Premium Growers, Inc.
- b. Triple C Nurseries
- c. Lucas Construction Group
- d. LJ Pesce, Inc.
- e. Township Business Administrator
- f. Township Chief Financial Officer
- g. Township Director of Public Works

RESOLUTION # 2015-141

A RESOLUTION AUTHORIZING AND APPROVING A CONTRACT WITH CODY COMPUTER SERVICES, INC. FOR CAD/RMS SOFTWARE MAINTENANCE FOR THE CODY SYSTEM FOR THE MARLBORO TOWNSHIP POLICE DEPARTMENT

WHEREAS, there exists a need for CAD/RMS Software Maintenance for the Marlboro Township Police Department Cody System; and

WHEREAS, under Local Public Contracts law, N.J.S.A. 40A:11-5(1)(dd) a municipality may enter into an agreement for a contract amount that exceeds the bid threshold without public advertising for bids and bidding therefor, by resolution of the municipality's governing body, if such services or goods are in connection with the support or maintenance of proprietary computer hardware and software; and

WHEREAS, the amount of the contract in question is capped at \$25,539.35, for a contract period of May 1, 2015 through April 30, 2016; and

WHEREAS, funds are available for this purpose and have been certified by the Chief Financial Officer in account #01-201-25-212-281 in the amount of \$25,539.35; and

WHEREAS, the Local Public Contracts Law, N.J.S.A., 40A:11-1, et seq., as amended, requires that notice of the award of this contract be published once in the Township's official newspaper.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that the Mayor and the Township Clerk are hereby authorized and directed to sign an agreement with CODY Computer Services, Inc., 1005 East High Street, Pottstown, PA 19464, for a flat fee not to exceed \$25,539.35 for CAD/RMS Software Maintenance for the Marlboro Township Police Department CODY SYSTEM for the contract period of May 1, 2015 through April 30, 2016; and

BE IT FURTHER RESOLVED, that this contract is awarded without public advertising for bids and bidding therefore as an "Exception" in accordance with N.J.S.A. 40A:11-5(1)(dd) of the Local Public Contract Law; and

BE IT FURTHER RESOLVED, that a Determination of Value shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

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

- a. CODY Computer Services, Inc.
- b. Marlboro Township Administrator
- c. Marlboro Township Police Chief
- d. Marlboro Township Chief Financial Officer

RESOLUTION # 2015-142

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #70256
TO OCEAN COMPUTER GROUP, INC. 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 2015 (033-1) capital plan; and

WHEREAS, Marlboro IT has recommended that the Township purchase the needed equipment from OCEAN COMPUTER GROUP, INC., 90 Matawan Road, Suite 105, Ocean, New Jersey 07747-2624, an authorized dealer for Dell Marketing LP under State Contract #70256 in an amount not to exceed \$138,835.96; 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 IT Division to obtain the computers from OCEAN COMPUTER GROUP, INC.; and

WHEREAS, funds are available in Accounts 04-215-11-02I-033297, 04-215-12-08C-033297, 04-215-13-08A-033297, 04-215-14-03A-033297 and 04-215-14-03J-212297 for an amount not to exceed

\$138,835.96 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 OCEAN COMPUTER GROUP, INC., 90 Matawan Road, Suite 105, Ocean, New Jersey 07747-2624, an authorized dealer for Dell Marketing LP under State Contract #70256 in an amount not to exceed \$138,835.96; and

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

- a. OCEAN COMPUTER GROUP, INC.
- b. Township Administration
- c. Township Chief Information Officer
- d. Township Chief Financial Officer

RESOLUTION # 2015-143

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL
AUTHORIZING THE TOWNSHIP CLERK TO EXECUTE A DOCUMENT
ASSOCIATED WITH A TRANSFER OF TITLE AFFECTING
3 STONEHENGE WAY, MARLBORO, NEW JERSEY (HAMILTON PARK)

WHEREAS, the Township of Marlboro is operating under the auspices of New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) as well as the administrative rules of the Council on Affordable Housing n/k/a The Office Of Local Planning Services, as well as the Uniform Housing Affordability Controls regulations codified at N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, as part of the foregoing laws the Township of Marlboro is charged with the responsibility of maintaining the affordability controls for its exiting affordable housing stock; and

WHEREAS, Hamilton Park, a manufactured housing community located in Marlboro Township, is a development for which the Township of Marlboro currently receives affordable housing credits; and

WHEREAS, Zachary Slade Blend was the lawful owner of a certain manufactured home in Hamilton Park which was commonly known as 3 Stonehenge Way; and

WHEREAS, Zachary Slade Blend passed away on September 8, 2013; and

WHEREAS, Zachary Slade Blend was not married and he died intestate; and

WHEREAS, Zachary Slade Blend's brother, Slade Perkins Blend, now desires to acquire the manufactured home which is located at 3 Stonehenge Way as his permanent residence; and

WHEREAS, Slade Perkins Blend has produced to Marlboro Township's administrative agent, CGP&H, an affidavit in lieu of administration which confirms that the Estate of Zachary Slade Blend was valued at an amount less than \$10,000 while also providing consents of the next of kin to Zachary Slade Blend which not only reaffirm the said estate's value but also consent to the issuance of an affidavit in lieu of administration to Slade Perkins Blend; and

WHEREAS, as part and parcel of Slade Perkins Blend acquiring the manufactured home at 3 Stonehenge Way that a restriction on the certificate of title to the home (Serial #TWINC GS103 13) against Zachary Slade Blend needs to be released and a newly restricted certificate of title against the home to be owned and occupied by Slade Perkins Blend will need to be issued; and

WHEREAS, the Township Clerk will need, to effectuate the foregoing release of lien and imposition of a new lien, to issue a letter to the New Jersey Motor Vehicle Commission substantially in the form which is attached hereto; and

WHEREAS, it has been determined that there is good cause to authorize the Marlboro Township town clerk to execute instructions to the Motor Vehicle Commission as aforesaid;

NOW, THEREFORE, BE IT RESOLVED that the Marlboro Township Clerk is hereby authorized to execute instructions to the New Jersey Motor Vehicle Commission in a letter form which is substantially similar to the attached document; and

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. Ximena Calle, Administrative Agent
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2015-144

A RESOLUTION OF THE TOWNSHIP OF MARLBORO TOWN COUNCIL
AUTHORIZING A SUBORDINATION OF A REPAYMENT MORTGAGE
DATED FEBRUARY 13, 2015, ON A PROPERTY LOCATED AT
1009 TARRAGON COURT, UNIT 237A, MORGANVILLE,
NEW JERSEY, WHICH IS OWNED BY PATRICIA FALANA

WHEREAS, the Township of Marlboro's affordable housing program is administered in accordance with the New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) and the administrative rules of the Council on Affordable Housing n/k/a The Office Of Local Planning Services; and

WHEREAS, as part of the foregoing program various units throughout the Township have been deed restricted and affordability controls have been recorded against the said units; and

WHEREAS, on or about March 25, 2008, the homeowner hereunder, Patricia Falana ("the Homeowner"), purchased her residence at 1009 Tarragon Court in the Township of Marlboro, Block 176, Lot 7.30; Unit 237A (tax qualifier 7C1009) ("the Residence") with said deed being recorded on July 11, 2008, in the Monmouth County Clerk's Office in deed book OR-8731, at page 2062 et seq.; and

WHEREAS, at or about the same time that the Homeowner acquired the Residence she was supposed to have executed a repayment mortgage in favor of Marlboro Township however, due to an administrative oversight, the said repayment mortgage was never recorded however, upon discovering the oversight Marlboro Township's administrative agent has obtained an executed copy of a repayment mortgage from the Homeowner which has been sent for recording by the Township's Special Counsel with said repayment mortgage being dated February 13, 2015 ("Repayment Mortgage"); and

WHEREAS, the Repayment Mortgage provides, in part, that affordability controls would remain in place as to the Residence for a period of 30 years; and

WHEREAS, the Homeowner had previously given a mortgage against the Resident to Weichert Finance with said mortgage being recorded on July 11, 2008, and with said mortgage being recorded in the Monmouth County Clerk's Office in deed book OR-8731 at page 2067; and

WHEREAS, the Homeowner now desires to refinance the Weichert Finance mortgage with Paramount Equity for the purposes of reducing her interest rate, and, as a consequence of the intended refinance a subordination of the Repayment Mortgage is sought with said subordination to be recorded after a recorded copy of the Repayment Mortgage is returned from the County of Monmouth; and

WHEREAS, Paramount Equity is now prepared to move forward with the refinance for the Homeowner however, Paramount Equity has requested that the Township of Marlboro subordinate the Repayment Mortgage in order to effectuate the refinance (again, with said subordination to take place after the Repayment Mortgage has been recorded); and

WHEREAS, it has been determined that there is good cause to grant this subordination of the Repayment Mortgage as provided for in this resolution;

NOW, THEREFORE, BE IT RESOLVED that the Hon. Mayor Jonathan L. Hornik is hereby authorized to execute the attached subordination of the Repayment Mortgage as to the Residence; 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. Lynn Franco, Municipal Housing Liaison
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel

RESOLUTION # 2015-145

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$80,856.76 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 \$80,856.76 be refunded to the certificate holders as per Schedule "A",

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>SCHEDULE "A"</u> <u>LIENHOLDER</u>	<u>AMOUNT</u>
2013-076 67 River Drive	225/49	US Bank Cust for Pro Cap II 50 S. 16 th Street Suite 1950 Philadelphia, PA 19102 Assessed Owner: Dabag, Michael AKA Amnon	821.78
2014-045 1121 Roseberry Court	176/7/C1121	PC 5, LLC US Bank Cust for PC5 50 S. 16 th Street Suite 1950 Philadelphia, PA 19102 Assessed Owner: Simmons, Brian & Robin	1,688.00
2014-084 16 Jennifer Court	320/4	MTAG Custodian for Fig Capital Investments 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Pitaluga, Senen & Sandra	3,627.64
2013-138 20 Kinglet Court	412.05/12	Bulkwark Systems, LLC 22 Emily Road Manalapan, NJ 07726 Assessed Owner: Ciancio, Salvatore & Michelle	2,706.70
2012-026 446 Boulder Drive	143.02/112	C & E Tax Lien Fund I P.O. Box 23-1308 New York, NY 10023 Assessed Owner: Sood, Promod & Kulji	57,752.36
2013-104 72 Church Road	304/9	Bulkwark Systems, LLC 22 Emily Road Manalapan, NJ 07726 Assessed Owner: Meltzer, Martin & Marcy	2,884.98

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>SCHEDULE "A"</u> <u>LIENHOLDER</u>	<u>AMOUNT</u>
2014-064	223/12 13 North Main Street	MTAG Custodian for Fig Capital Investments 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Alario, Charles P.	4,056.52
2014-079	305/64 38 Vista Drive	PC 5, LLC US Bank Cust for PC5 50 S. 16 th Street Suite 1950 Philadelphia, PA 19102 Assessed Owner: Parachini, Fred & Mary	1,628.29
2014-093	392/28.09 14 Molly Pitcher Road	Signature Enforcement P.O. Box 1314 Monsey, NY 10952 Assessed Owner: Nelms, Robert	2,230.85
2014-042	176/7/C0969 969 Lily Court	PC 5, LLC US Bank Cust for PC5 50 S. 16 th Street Suite 1950 Philadelphia, PA 19102 Assessed Owner: Soltesz, Linda	1,675.91
2014-030	171/39 44 Devonshire Drive	Kimberly S. Pakney 2440 Ivory Ann Drive Sparks, NV 89436 Assessed Owner: Asaro, Charles & Pamela	251.17
2014-080	305/71 30 VISTA DRIVE	PC 5, LLC US Bank Cust for PC5 50 S. 16 th Street Suite 1950 Philadelphia, PA 19102 Assessed Owner: Rapparot, Louis & Sharon	1,532.56
Total:			80,856.76

RESOLUTION # 2015-146

WHEREAS, the attached list in the amount of \$3,316.17

known as Schedule "A", is comprised of amounts representing overpayments for 2014 taxes,

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

		<u>SCHEDULE "A"</u>	
<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>2014 REFUND</u>
193.16/7		Rosemont Estates 11,LLC	1,370.59
222 Bradwick Way		246 Everton Blvd Marlboro, NJ 07746 Assessed Owners: Rosemont Estates 11, LLC	
223/4		Marlboro Fire Company	1,624.88
School Road West		P.O.Box 65 Marlboro, NJ 07746 Assessed Owners: Marlboro Fire Company	
223/4		Marlboro Fire Company	320.70
5 Main Street		P.O.Box 65 Marlboro, NJ 07746 Assessed Owners: Marlboro Fire Company	
Total:			3,316.17

RESOLUTION # 2015-147

WHEREAS, the attached list in the amount of \$1,963.87 known as Schedule "A", is comprised of amounts representing overpayments for 2015 taxes,

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

		<u>SCHEDULE "A"</u>	
<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>2015 REFUND</u>
412/174		OIG Tile & Escrow, LLC	1,829.88
4 Kingfisher Court		5201 W. Kennedy Blvd Suite 510 Tampa, FL 33609 Assessed Owners: Dutta, Mohinder & Brig & Sharma Ka	

193.16/7	Rosemont Estates 11,LLC	133.99
222 Bradwick Way	246 Everton Blvd	
	Marlboro, NJ 07746	
	Assessed Owners:	
	Rosemont Estates 11, LLC	
		Total: 1,963.87

RESOLUTION # 2015-148

WHEREAS, delinquent sewer charges totaling \$ 593.39 has been paid to the township on behalf of Western Monmouth Utilities Authority to avoid tax sale as per Schedule "A",

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$ 593.39 be refunded to Western Monmouth Utilities Authority.

Schedule "A"

SEWER ACCT#	BLOCK/LOT	PAYEE/PROPERTY LOC.	AMT.
4956	288/14	Wolf, Steven & Cyndi 4 Emerson Drive	593.39

The following Resolution #2015-149 (Authorizing and Confirming Transfer of Plenary Retail Consumption License to Pampini, LLC d/b/a Brioso Italian Restaurant) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-149

A RESOLUTION OF THE TOWNSHIP OF MARLBORO AUTHORIZING AND CONFIRMING A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NUMBER 1328-33-008-009 FROM B.T.A., LLC TO PAMPINI, LLC D/B/A BRIOSO ITALIAN RESTAURANT

WHEREAS, application was made to the Township of Marlboro ("Township") by Pampini, LLC, D/B/A Brioso Italian Restaurant ("Applicant") for a person-to-person transfer of Plenary Retail Consumption License Number 1328-33-008-009 ("License") presently held by B.T.A., LLC, which is to be sited at 448 Route 9 North, Marlboro, N.J. (the "Premises");and

WHEREAS, the Applicant has disclosed, and the appropriate Township officials have reviewed, the source of all funds used in connection with the purchase of said license, which information is contained in the report of the Police Department concerning this transfer application; and

1. The submitted application form is complete in all respects;
2. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or Division-approved conditions; and
3. The Applicant has disclosed and the Township has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the application by Pampini, LLC for a person to person transfer of Plenary Retail Consumption License Number 1328-33-008-009 presently held by B.T.A., LLC be and is hereby approved.

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

- a. Pampini, LLC, 448 Route 9, Englishtown
(Marlboro) New Jersey 07726-8239
- b. B.T.A., LLC 448 Route 9 North, Marlboro, New
Jersey 07726
- c. Township Administrator
- d. Township Building Department
- e. Township Chief Financial Officer
- f. DeCotiis, FitzPatrick & Cole, LLP

The following Res. #2015-150 (Awarding Issuance of Plenary Retail Consumption License) was introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-150

A RESOLUTION AWARDING THE ISSUANCE OF A PLENARY RETAIL
CONSUMPTION LICENSE TO ANTHONY'S COAL FIRED PIZZA
OF MARLBORO, LLC

WHEREAS, on November 13, 2014 the Township of Marlboro adopted Resolution #2014-367 authorizing the award of a Plenary Retail Consumption License to Anthony's Coal Fired Pizza Of Marlboro, LLC,; and

WHEREAS, issuance of such Plenary Retail Consumption License was subject to the following terms and conditions:

- (a) Payment of the balance of the bid by certified check made payable to the "Township of Marlboro" by April 29, 2015;
- (b) Payment of the State License Application Fee;
- (c) Payment of the Annual Municipal Retail License Fee;
- (d) Satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license;
- (e) Receipt of favorable State and/or Federal criminal background checks; and
- (f) Compliance with the publication, hearing and Resolution requirements under *N.J.A.C. 13:2-2.1 et seq*; and

WHEREAS, Anthony's Coal Fired Pizza Of Marlboro, LLC shall be situated at Marlboro Plaza, located at 98 Route 9 Rd. #3 at Marlboro Plaza, Englishtown, Marlboro Township New Jersey; and

WHEREAS, Anthony's Coal Fired Pizza of Marlboro, LLC has satisfactorily fulfilled all of the above terms and conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the issuance of a Plenary Retail Consumption License to Anthony's Coal Fired Pizza Of Marlboro, LLC, to be located at Marlboro Plaza, 98 Route 9 Rd. #3 at Marlboro Plaza,

Englishtown, Marlboro Township, New Jersey, be and is hereby authorized and approved; and

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

- a. Anthony's Coal Fired Pizza Of Marlboro, LLC;
- b. State of New Jersey Bureau of Alcoholic Beverage Control
- c. Nicholas Bergman, Esq. of Buchman Law Firm
- d. Township Business Administrator;
- e. Township Chief Financial Officer; and
- f. DeCotiis, FitzPatrick & Cole, LLP

At 7:45PM, Councilwoman Marder moved that the meeting be adjourned. This was seconded by Council Vice President Mazzola, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Scalea).

MINUTES APPROVED: APRIL 16, 2015

OFFERED BY: SCALEA AYES: 4

SECONDED BY: METZGER NAYS: 0

ABSENT: MAZZOLA

ALIDA MANCO
MUNICIPAL CLERK

SCOTT METZGER
COUNCIL PRESIDENT