

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

November 12, 2015

The Marlboro Township Council held its regularly scheduled Meeting on November 12, 2015 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 this meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 13, 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, Municipal Clerk Alida Manco, Deputy Municipal Clerk Suzanne Branagan.

Councilwoman Marder moved that the minutes of October 22, 2015 be approved. This was seconded by Council Vice President Mazzola, and passed on a roll call vote of 3 - 0 in favor with Councilwoman Marder abstaining (Absent: Scalea).

The following Resolution #2015-331 (Providing For Combination of \$17,970,000 General Improvement Bonds, \$2,723,000 Water Utility Bonds and \$1,264,000 Recreation and Swim Utility Bonds into Single Issues) 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 # 2015-331

RESOLUTION PROVIDING FOR THE COMBINATION OF \$17,970,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT BONDS, \$2,723,000 AGGREGATE PRINCIPAL AMOUNT OF WATER UTILITY BONDS AND \$1,264,000 AGGREGATE PRINCIPAL AMOUNT OF RECREATION AND SWIM UTILITY BONDS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY INTO SINGLE ISSUES OF GENERAL IMPROVEMENT BONDS, WATER UTILITY BONDS AND RECREATION AND SWIM UTILITY BONDS, RESPECTIVELY.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the General Improvement Bonds (as defined herein) of the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$17,970,000 (the "General Improvement Bonds").

Section 2. The principal amount of General Improvement Bonds authorized by each bond ordinance to be combined into a single issue as provided in Section 1 hereof, the bond ordinances authorizing the General Improvement Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$14,434	#2004-06	General capital improvements, finally adopted April 29, 2004.	15 years
\$107,719	#2004-21	General improvements, finally adopted September 23, 2004.	13.65 years
\$40,500	#2005-19	Construction/acquisition of computer operated information sign, finally adopted June 2, 2005.	10 years

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$152,500	#2007-12	Various general improvements, finally adopted May 17, 2007.	10.16 years
\$118,717	#2009-28	Improvements to various roads, finally adopted September 10, 2009.	20 years
\$8,680	#2010-16	Reconstruction of various roads and energy efficiency improvements to the Public Buildings, finally adopted August 24, 2010.	10.38 years
\$2,680,115	#2011-02	General capital improvements, finally adopted March 3, 2011.	9.61 years
\$2,228,650	#2011-04	Preservation of open space and farmland, finally adopted March 3, 2011	40 years
\$2,148,867	#2012-08	General capital improvements, finally adopted May 3, 2012.	11.52 years
\$2,917,450	#2013-08	Various general capital improvements, finally adopted April 4, 2013.	11.14 years
\$3,176,278	#2014-03	Various capital improvements, finally adopted February 20, 2014.	12.69 years
\$4,376,090	#2015-02	Various capital improvements, finally adopted February 12, 2015.	11.26 years

Section 3. The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the bond ordinances set forth in Section 2 hereof and the respective periods or average period of usefulness therein determined, is not less than 14.90 years.

b. The General Improvement Bonds of the combined issue shall mature within the average period of usefulness set forth in Section 3(a) hereof.

c. The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of General Improvement Bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Water Utility Bonds (as defined herein) of the Township, authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 6 hereof shall be combined into a single and combined issue of Water Utility Bonds in the principal amount of \$2,723,000 (the "Water Utility Bonds").

Section 6. The principal amount of Water Utility Bonds authorized by each bond ordinance to be combined into a single issue as provided in Section 5 hereof, the bond ordinances authorizing the Water Utility Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$593,000	#2011-03	Improvements to the water utility system, finally adopted April 7, 2011.	15 years
\$323,000	#2012-10	Improvements to water utility system, finally adopted May 3, 2012.	15 years
\$682,000	#2013-10	Improvements to water utility system, finally adopted April 4, 2013.	15 years
\$732,000	#2014-05	Improvements to water utility, finally adopted February 20, 2014.	25.92 years
\$393,000	#2015-03	Various improvements to water utility, finally adopted February 12, 2015.	25.85 years

Section 7. The following matters are hereby determined with respect to the combined issue of Water Utility Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Water Utility Bonds presently authorized to be issued pursuant to each of the bond ordinances set forth in Section 6 hereof and the respective periods or average period of usefulness therein determined, is not less than 19.50 years.

b. The Water Utility Bonds of the combined issue shall mature within the average period of usefulness set forth in Section 7(a) hereof.

c. The Water Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 8. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Water Utility Bonds described in Section 6 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 6 hereof have not

been rescinded and now remain in full force and effect as authorizations for the respective amounts of Water Utility Bonds set opposite the descriptions of the bond ordinances set forth in Section 6 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 6 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which a deduction may be taken in any annual or supplemental debt statement.

Section 9. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Recreation and Swim Utility Bonds (as defined herein) of the Township, authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 10 hereof shall be combined into a single and combined issue of Recreation and Swim Utility Bonds in the principal amount of \$1,264,000 (the "Recreation and Swim Utility Bonds").

Section 10. The principal amount of Recreation and Swim Utility Bonds authorized by each bond ordinance to be combined into a single issue as provided in Section 9 hereof, the bond ordinances authorizing the Recreation and Swim Utility Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$372,000	#2005-37	Improvements to swim utility, finally adopted September 22, 2005.	15 years
\$117,000	#2012-09	Improvements to the swim utility, finally adopted May 3, 2012.	15 years
\$50,000	#2013-09	Improvements to recreation and swim utility, finally adopted April 4, 2013.	15 years
\$725,000	#2014-04	Improvements to recreation and swim utility, finally adopted February 20, 2014.	15 years

Section 11. The following matters are hereby determined with respect to the combined issue of Recreation and Swim Utility Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Recreation and Swim Utility Bonds presently authorized to be issued pursuant to each of the bond ordinances set forth in Section 10 hereof and the respective periods or average period of usefulness therein determined, is not less than 15.00 years.

b. The Recreation and Swim Utility Bonds shall mature within the average period of usefulness set forth in Section 11(a) hereof.

c. The Recreation and Swim Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 12. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Recreation and Swim Utility Bonds described in Section 10 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 10 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Recreation and Swim Utility Bonds set opposite the descriptions of the bond ordinances set forth in Section 10 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 10 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which a deduction may be taken in any annual or supplemental debt statement.

Section 13. This resolution shall take effect immediately.

The following Resolution #2015-332 (Determining Form and Other Details of \$21,957,000 General Obligation Bonds and Providing for Their Sale) 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 # 2015-332

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$21,957,000 GENERAL OBLIGATION BONDS, SERIES 2015, CONSISTING OF \$17,970,000 GENERAL IMPROVEMENT BONDS, \$2,723,000 WATER UTILITY BONDS AND \$1,264,000 RECREATION AND SWIM UTILITY BONDS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND PROVIDING FOR THEIR SALE.

BE IT RESOLVED By The Township Council Of The Township Of Marlboro, In The County Of Monmouth, New Jersey As Follows:

Section 1. The \$17,970,000 General Improvement Bonds (the "General Improvement Bonds"), the \$2,723,000 Water Utility Bonds (the "Water Utility Bonds") and the \$1,264,000 Recreation and Swim Utility Bonds (the "Recreation and Swim Utility Bonds" and, together with the General Improvement Bonds and the Water Utility Bonds, the "Bonds") of the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township") referred to and described in the resolution adopted by the Township Council pursuant to the Local Bond Law of the State of New Jersey on November 12, 2015, and entitled, "Resolution Providing for the Combination of \$17,970,000 Aggregate Principal Amount of General Improvement Bonds, \$2,723,000 Aggregate Principal Amount of Water Utility Bonds and \$1,264,000 Aggregate Principal Amount of Recreation and Swim Utility Bonds of the Township of Marlboro, in the County of Monmouth, New Jersey Into Single Issues of General Improvement Bonds, Water Utility Bonds and Recreation and Swim Utility Bonds, Respectively."

Section 2. The General Improvement Bonds shall mature in the principal amounts on October 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2016	\$ 800,000	2024	\$1,200,000
2017	800,000	2025	1,350,000
2018	800,000	2026	1,600,000
2019	900,000	2027	1,600,000

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	925,000	2028	1,600,000
2021	1,000,000	2029	1,600,000
2022	1,050,000	2030	1,595,000
2023	1,150,000		

Section 3. The Water Utility Bonds shall mature in the principal amounts on October 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2016	\$100,000	2024	\$200,000
2017	100,000	2025	200,000
2018	125,000	2026	200,000
2019	200,000	2027	200,000
2020	200,000	2028	200,000
2021	200,000	2029	200,000
2022	200,000	2030	198,000
2023	200,000		

Section 4. The Recreation and Swim Utility Bonds shall mature in the principal amounts on October 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2016	\$75,000	2024	\$100,000
2017	85,000	2025	80,000
2018	75,000	2026	60,000

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2019	85,000	2027	100,000
2020	75,000	2028	100,000
2021	75,000	2029	100,000
2022	80,000	2030	104,000
2023	70,000		

Section 5. The Bonds shall be subject to redemption prior to their stated maturities in accordance with the Notice of Sale attached hereto as Exhibit A (the "Notice of Sale").

Section 6. The General Improvement Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered GIB-1 to GIB-15, inclusive. The Water Utility Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered WUB-101 and WUB-115. The Recreation and Swim Utility Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered RSUB-1001 to RSUB-1015.

Section 7. The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the fifteenth day of April and October in each year until maturity, commencing on April 15, 2016, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale.

Section 8. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 9. The Bonds shall be substantially in the following form with such additions, deletions and omissions as

may be necessary for the Township to market the Bonds, including in accordance with the requirements of The Depository Trust Company, New York, New York ("DTC"), acting as securities depository:

REGISTERED REGISTERED

NUMBER A. _____ \$ _____

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

COUNTY OF MONMOUTH

TOWNSHIP OF MARLBORO

B. _____

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

RATE OF INTEREST PER ANNUM:

INTEREST PAYMENT DATES:

INITIAL INTEREST PAYMENT DATE:

RECORD DATES:

CUSIP NUMBER:

TOWNSHIP OF MARLBORO, a body politic and corporate of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the REGISTERED OWNER, or registered assigns, on the MATURITY DATE, upon presentation and surrender of this bond, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE until it matures at the RATE OF INTEREST PER ANNUM specified above semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Principal of and interest due on this bond will be paid to the REGISTERED OWNER by the Township or its designated paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the RECORD DATES next preceding the respective INTEREST PAYMENT DATES (the "Record Dates"). The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to October 15, 2024, are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after October 15, 2024 are redeemable at the option of the Township in whole or in part on any date on or after October 15, 2023 at 100% of the principal amount outstanding (the "Redemption Price") plus interest accrued to the date of redemption upon notice as required herein.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township or a duly appointed

Bond Registrar. Any failure of the securities depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Township; the bonds to be redeemed having the same maturity shall be selected by the securities depository in accordance with its regulations.

So long as Cede & Co., as nominee of DTC, is the registered owner of the Bonds, the Township shall send redemption notices only to Cede & Co.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Township adopted November 12, 2015, and entitled, "Resolution Providing for the Combination of \$17,970,000 Aggregate Principal Amount of General Improvement Bonds, \$2,723,000 Aggregate Principal Amount of Water Utility Bonds and \$1,264,000 Aggregate Principal Amount of Recreation and Swim Utility Bonds of the Township of Marlboro, in the County of Monmouth, New Jersey Into Single Issues of General Improvement Bonds, Water Utility Bonds and Recreation and Swim Utility Bonds, Respectively" and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been

performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such constitution or statutes.

The following Resolution #2015-333 (Authorizing Application for Drunk Driving Enforcement Funds) was introduced by reference, offered by Council President Metzger, seconded by Councilwoman Marder, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-333

RESOLUTION AUTHORIZING THE TOWNSHIP OF MARLBORO TO APPLY FOR DRUNK DRIVING ENFORCEMENT FUNDS FROM THE NEW JERSEY DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY

WHEREAS, the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety (DHTS) is responsible for the administration of the Drunk Driving Enforcement Fund (DDEF) established by N.J.S.A.39:4-50.8; and

WHEREAS, under the Statute, police departments are entitled to \$95 of the \$100 surcharge resulting from a drunk driving conviction in their community; and

WHEREAS, at least 50% of the grant must be used for overtime patrols, checkpoints, or court proceedings related to drunk driving enforcement while the remainder can be used to purchase equipment, provide training and other tasks related to drunk driving enforcement; and

WHEREAS, the funds are dedicated funds and cannot be used for any other purpose; and

WHEREAS, \$5,518.74 in funds are currently available to the Township; and

WHEREAS, the Township wishes to apply for the maximum amount of funding available.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the Township is hereby authorized to submit an application to the New Jersey Department of Law and Public Safety, Division of Highway Traffic

Safety (DHTS) and execute an agreement for funding from the Drunk Driving Enforcement Fund.

The following Resolution #2015-334 (Authorizing Application 2015 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown Police) 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 # 2015-334

SUPPORTING THE 2015 DRIVE SOBER OR GET PULLED
OVER STATEWIDE YEAR END HOLIDAY CRACKDOWN GRANT

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, nearly 50 people per day, and almost 18,000 people each year; and

WHEREAS, 22% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *2015 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 11, 2015 through January 1, 2016; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadway.

NOW, THEREFORE, BE IT RESOLVED that Marlboro Township declares its support for the *2015 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown* from December 11, 2015 through January 1, 2016; and pledges to increase awareness of the dangers of drinking and driving.

The following Resolution #2015-335 (Authorizing Application for NJ2015 Body Armor Replacement Program Funding from NJ Department of Criminal Justice) 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 # 2015-335

RESOLUTION AUTHORIZING THE TOWNSHIP OF MARLBORO TO APPLY FOR THE NJ FY2015 BODY ARMOR REPLACEMENT PROGRAM FUNDING FROM THE NEW JERSEY DEPARTMENT OF CRIMINAL JUSTICE FOR THE MARLBORO TOWNSHIP POLICE

Whereas, The State Body Armor Replacement Fund Program is provided to assist all eligible law enforcement agencies in offsetting costs of purchasing body armor vests for their officer's; and,

Whereas, the funds are dedicated funds and cannot be used for any other purpose; and,

Whereas, funds were requested on 8/11/15 for the FY2015 Body Armor Replacement Program, Funding from the NJ Dept. of Criminal Justice; and,

Whereas, the Township wishes to apply for the maximum amount of funding available to offset the costs for replacement vests; and,

Whereas, the funding is a reimbursement that is requested after confirmation of receipt of the ballistic vest.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the Township is hereby authorized to submit an application to the New Jersey Department of Criminal Justice and execute an agreement for funding from the FY2015 Body Armor Replacement Fund.

The following Resolution #2015-336 (Authorizing Application for NJ2015 NJDOT Highway Safety Grant) was introduced by reference, offered by Council President Metzger, seconded by Councilwoman Marder, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-336

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY SAFETY FUND PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of Marlboro formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as FY-2015 Highway Safety Fund Safe Corridors Act to the New Jersey Department of Transportation on behalf of The Township of Marlboro.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Marlboro Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The following Resolution #2015-337 (Authorizing Application - "Cops in Shops") was introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President Mazzola and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2015-337

RESOLUTION AUTHORIZING THE MARLBORO TOWNSHIP POLICE DEPARTMENT TO APPLY TO THE STATE OF NEW JERSEY OFFICE OF THE ATTORNEY GENERAL DEPARTMENT OF LAW AND PUBLIC SAFETY DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR THE COPS IN SHOPS - COLLEGE/FALL INITIATIVE 2015-2016

Whereas, the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control has received grant funds from the Division of Highway Traffic Safety to administer the Cops-In-Shops- College/Fall Initiative for 2015-2016; and

Whereas, this program is a cooperative effort between the Division of Highway Traffic Safety (HTS) and the Division of Alcoholic Beverage Control (ABC); and

Whereas, it is the intent and spirit of the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control to use the grant to assist local undercover law enforcement officers to join forces with local retail establishments to deter the sales of alcohol to underage individuals and to stop adults from attempting to purchase alcohol for people under the legal age; and

Whereas, the Marlboro Township Police Department wishes to apply to the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control for the Cops-In-Shops-College/Fall Initiative 2015-2016 grant.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the Township is hereby authorized to submit a grant application to the State of New Jersey Office of the Attorney General Department of Law and Public Safety Division of Alcoholic Beverage Control for the COPS IN SHOPS program.

BE IT FURTHER RESOLVED THAT that Mayor and Township Clerk are hereby authorized to execute the "COPS IN SHOPS - COLLEGE/FALL INITIATIVE 2015-2016" grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President Mazzola and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea): Res. #2015-338 (Amendment Professional Services Contract - COAH Counsel), Res. #2015-339 (Amendment Professional Services Contract - Audit Services in Connection with Issuance of Bonds), Res. #2015-340 (Authorizing SCAT Agreement with Monmouth County), Res. #2015-341 (Authorizing Final Close Out Change Order and Acceptance of 2014 Road, Drainage and Sidewalk Improvement Project), Res. #2015-342 (Authorizing Amendment to State Contract - Overhead Doors Grounds Maintenance), Res. #2015-343 (Authorizing Change Order - Pool Maintenance Service), Res. #2015-344 (Authorizing One Year Renewal - Property Maintenance), Res. #2015-345 (Authorizing One Year Renewal - Sodium Chloride (Solar Salt)), Res. #2015-346 (Authorizing One Year Renewal - Curbside Bulk Pick-up), Res. #2015-347 (Authorizing One Year Renewal - Coach Bus Transportation for Travel Camp), Res. #2015-348 (Authorizing One Year Renewal - Printing Services), Res. #2015-349 (Authorizing 2015 Budget Transfers), Res. #2015-350 (Authorizing Participation - NJ E-procurement Pilot Program - for sale of Solar Renewable Energy Credits), Res. #2015-351 (Authorizing Removal of Hazardous Overgrown Vegetation and Recording of a Lien by Tax Collector - 4 Evan Drive), Res. #2015-352 (Authorizing Removal of Hazardous Overgrown Vegetation and Recording of a Lien by Tax Collector - 8 Route 520), Res. #2015-353 (Authorizing Removal of Hazardous Overgrown Vegetation and Recording of a Lien by Tax Collector - 18 Whistler Way),

Res. #2015-354 (Authorizing Removal of Hazardous Overgrown Vegetation and Recording of a Lien by Tax Collector - 139 Tennent Road), Res. #2015-355 (Authorizing Removal of Hazardous Overgrown Vegetation and Recording of a Lien by Tax Collector - 30 Duncan Drive), Res. #2015-356 (Authorizing Removal of Hazardous Overgrown Vegetation and Recording of a Lien by Tax Collector - 35 Stony Hill Drive), Res. #2015-357 (Authorizing Removal of Hazardous Overgrown Vegetation and Recording of a Lien by Tax Collector - 161 Gordons Corner Rd), Res. #2015-358 (Authorizing Right of Way Agreement Cross River Fiber, LLC - Fiber Optic Cabling), Res. #2015-359 (Authorizing the Transfer and Acceptance of Surplus Military Equipment from the US Department of Defense (DOD) 1033 Program), Res. #2015-360 (Authorizing Fireworks Permit - Hindu Temple Diwali Celebration), Res. #2015-361 (Refunds to WMUA - Tax Sale Certificates), Res. #2015-362 (Refunds to WMUA - Delinquent Sewer Charges), Res. #2015-363 (Refunds to MTWUD - Tax Sale Certificates), Res. #2015-364 (Refunds to MTWUD - Delinquent Water Charges), Res. #2015-365 (Redemption Tax Sale Certs - Various).

RESOLUTION # 2015-338

RESOLUTION AUTHORIZING AMENDMENT TO PROFESSIONAL SERVICES CONTRACT WITH KENNETH BIEDZYNSKI, ESQ. OF THE FIRM GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC AS SPECIAL COUNSEL FOR AFFORDABLE HOUSING FOR THE TOWNSHIP OF MARLBORO FOR THE YEAR 2015

WHEREAS, on January 8, 2015, the Township Council adopted Resolution 2015-015 authorizing a contract for legal services for SPECIAL COUNSEL FOR AFFORDABLE HOUSING for the period of January 1, 2015 through December 31, 2015; 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, in a memo dated November 3, 2015, KENNETH BIEDZYNSKI, ESQ. has requested an increase in the contract amount of \$6,000.00 due to an increase in foreclosures for affordable units and the fact that many of these units are now going to sale; 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 authorizes and approves an amendment to the Professional Services Contract with KENNETH BIEDZYNSKI, ESQ. OF THE FIRM GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, increasing the contract not to exceed amount by \$6,000.00; and

2. The Chief Financial Officer has certified that sufficient funds in the amount of \$6,000.00 are available for the aforesaid contract in the Affordable Housing Trust Fund 15-228-55-054; and

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

- a. KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC.
- b. Township Administrator
- c. Chief Financial Officer

RESOLUTION # 2015-339

RESOLUTION CONFIRMING AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH WISS & COMPANY, LLP AS THE INDEPENDENT AUDITOR FOR THE TOWNSHIP OF MARLBORO FOR THE YEAR 2015

WHEREAS, on January 8, 2015, the Township Council adopted Resolution 2015-019 authorizing a contract with WISS & COMPANY, LLP to provide the services of an INDEPENDENT AUDITOR for the period of January 1, 2015 through December 31, 2015; 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, the Township requires additional services from the Township Auditor as outlined in an engagement letter dated 11/4/15 in connection with the issuance of bonds scheduled for early December, 2015; and

WHEREAS, the Chief Financial Officer received a proposal from WISS & COMPANY, LLP to perform the additional needed services for an amount not to exceed \$3,500.00; and

WHEREAS, as the services required can only be performed by the Township Auditor, and due to the fact that the Township desires to hold a bond sale in early December, the Business Administrator authorized WISS & COMPANY, LLP to perform the additional services; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to confirm the contract amendment with WISS & COMPANY, LLP; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds in the amount of \$3,500.00 are available for the aforesaid contract amendment in various Capital Accounts, as evidenced in purchase orders 19018, 19022, and 19026.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the contract amendment with WISS & COMPANY, LLP, whose address is 485C Route 1 South, Suite 250, Iselin, NJ 08830, in an amount not to exceed \$3,500.00 for additional services as the INDEPENDENT AUDITOR in connection with the issuance of bonds, be and is hereby confirmed; and

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

- a. WISS & COMPANY, LLP
- b. Township Administrator
- c. Chief Financial Officer

RESOLUTION # 2015-340

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH, FOR SPECIAL CITIZENS AREA TRANSPORTATION SYSTEM (SCAT) SERVICES TO ELIGIBLE PERSONS

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth (hereinafter, "the County") has established the Special Citizens Area Transportation System (hereinafter, "SCAT"); and

WHEREAS, the Township of Marlboro has requested that the County provide services to eligible residents and wishes to enter into a Shared Services Agreement with the County for the provision of transportation services to eligible residents of Marlboro Township for the year 2016; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes local units to enter into shared services agreements for the provision of services, including the transportation services contemplated herein; and

WHEREAS, the proposed shared services agreement for SCAT is on file in the Township Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-5(b); and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the proposed shared services agreement in a form similar as that attached hereto for the provision of transportation services pursuant to the "Special Citizens Area Transportation System" ("SCAT") to eligible residents of Marlboro Township for the year 2016; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the shared services agreement authorized herein shall be filed with the Division of Local Government Services in the Department of Community Affairs for informational purposes; and

BE IT FURTHER RESOLVED, that a copy of the shared services agreement authorized herein shall be open to the public for inspection in the Township Clerk's Office; and

BE IT FURTHER RESOLVED that a duly certified copy of this resolution be forwarded to:

- a. Monmouth County
- b. Business Administrator
- c. Ted Ernst, Recreation Director
- d. Chief Financial Officer

RESOLUTION # 2015-341

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND BLACK ROCK ENTERPRISES, LLC AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF THE 2014 ROAD, DRAINAGE AND SIDEWALK IMPROVEMENT PROGRAM

WHEREAS, on August 14, 2014 (R.2014-279) the Township of Marlboro authorized the award of contract to Black Rock Enterprises, LLC for the 2014 ROAD, DRAINAGE AND SIDEWALK IMPROVEMENT PROGRAM project (the "Project"); and

WHEREAS, due to additional work required during the reconstruction of Amboy Road, a Closeout Change Order has been requested resulting in an increase in the original contract amount of \$713,832.00 to \$732,853.97, a net increase of \$19,021.97; and

WHEREAS, in a Letter dated October 23, 2015 the Township Engineer has confirmed that the Project has been completed in accordance with the approved plans and specifications and has recommended approval of the Closeout Change Order, acceptance of the Project improvements, and issuance of final payment in the amount of \$37,870.34; and

WHEREAS, pursuant to the terms of the contract, Black Rock Enterprises, LLC has provided a two-year maintenance bond in an amount equal to 15% of the final contract amount or \$109,928.09; and

WHEREAS, the Township Council of the Township of Marlboro is amenable to approving Closeout Change Order, accepting the Project improvements and issuing a final payment to Black Rock Enterprises, LLC in the amount of \$37,870.34 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order to the existing contract with Black Rock Enterprises, LLC, be and is hereby approved, increasing the original contract total of \$713,832.00 to \$732,853.97, a net increase of \$19,021.97.

BE IT FURTHER RESOLVED, by the Township Council of the

Township of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$37,870.34 for work completed by Black Rock Enterprises, LLC is hereby approved.

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified funds for the change order in the amount of \$19,021.97 from Capital Account #04-215-14-03B-060288.

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

- a. Black Rock Enterprises, LLC
- b. Township Administrator
- c. Township Engineer
- d. Township Chief Financial Officer

RESOLUTION # 2015-342

A RESOLUTION AUTHORIZING AMENDMENT TO THE
PURCHASE OF REPLACEMENT OVERHEAD DOORS FOR THE
TOWNSHIP OF MARLBORO GROUNDS MAINTENANCE
BUILDING UNDER STATE CONTRACT #85294

WHEREAS, on August 13, 2015, the Township Council of the Township of Marlboro approved Resolution #2015-274 which authorized Township officials to purchase replacement overhead doors for the first aid buildings in the amount of \$36,759.95; and

WHEREAS, on October 8, 2015, the Township Council of the Township of Marlboro approved amendment Resolution #2015-316 which authorized Township officials to purchase additional equipment for the first aid buildings in the amount of \$300.00; 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, the Department of Public Works has advised that additional replacement overhead doors will be needed for the grounds maintenance building in an amount which will exceed the total authorization by \$2,465.00; 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 Department of Public Works to obtain the additional equipment from Louis A Jammer Co. Inc. dba Jammer Doors under State Contract #85294; and

WHEREAS, funds in the amount of \$2,465.00 have been certified to by the Chief Financial Officer in Capital Account #04-215-14-03G-122288; and

WHEREAS, the Township Council desires to approve the amendment to the purchase of said equipment.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to amend the purchase of equipment from Louis A Jammer Co. Inc. dba Jammer Doors, 2850 Brunswick Pike, Lawrenceville, New Jersey 08648 under State Contract #85294 in an amount not to exceed \$2,465.00; and

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

- a. Louis A Jammer Co. Inc. dba Jammer Doors
- b. Township Administrator
- c. Township Director of Public Works
- d. Township Chief Financial Officer

RESOLUTION # 2015-343

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH AQUATIC SERVICE INC. FOR THE PROVISION OF POOL MAINTENANCE SERVICES FOR THE TOWNSHIP OF MARLBORO SWIM CLUB AND THE MARLBORO RECREATION AQUATIC CENTER

WHEREAS, on April 3, 2014 (R.2014-158), the Township of Marlboro authorized a contract with AQUATIC SERVICE, INC., the lowest responsible bidder, for the PROVISION OF POOL MAINTENANCE SERVICES FOR THE TOWNSHIP OF MARLBORO SWIM CLUB AND THE MARLBORO RECREATION AQUATIC CENTER for calendar years 2014 and 2015; and

WHEREAS, the Recreation Director has advised that additional POOL MAINTENANCE SERVICES will be needed prior to the expiration of the contract in an amount which will exceed the existing 2015 authorization by approximately \$4,701.54; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a change order to the contract with AQUATIC SERVICE, INC. whose address is 170 Burlington Avenue, Spotswood, NJ 08884 be authorized in a total amount not to exceed \$4,701.54; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$4,701.54 are available for the aforesaid change order in Utility Account #09-201-55-400-288452; 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 Administrator
- c. Township Chief Financial Officer
- d. Department of Recreation

RESOLUTION # 2015-344

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO CLINTAR
LANDSCAPE MANAGEMENT SERVICES FOR THE PROVISION OF
TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP
OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on April 16, 2015 (R.2015-176) the Township Council of the Township of Marlboro awarded a contract to CLINTAR LANDSCAPE MANAGEMENT SERVICES for THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract for an additional one two-year, or two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, in a memo dated November 4, 2015, the Director of Public Works has recommended that the Township approve a one (1) year renewal of the contract; 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 a contract be awarded to CLINTAR LANDSCAPE MANAGEMENT SERVICES whose address is PO Box 294, Perrineville, NJ 08535 for a period of one year commencing on January 1, 2016 and expiring on December 31, 2016, in a total amount not to exceed \$164,428.89; 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 \$153,875.00 are available for the aforesaid contract in Stormwater Trust Account #21-228-55-059 (\$58,989.00) and Open Space Trust Account #14-228-55-053 (\$94,886.00); and

BE IT FURTHER RESOLVED, that funds in the remaining amount of \$10,553.89 will be made available and certified in 2016 upon adoption of the budget.

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 Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2015-345

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO OCEANPORT, LLC FOR THE SUPPLY OF SODIUM CHLORIDE (SOLAR SALT) FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on January 29, 2015 (R.2015-071) the Township Council of the Township of Marlboro awarded a contract to OCEANPORT, LLC for the SUPPLY OF SODIUM CHLORIDE (SOLAR SALT) FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

WHEREAS, the bid specifications included the option to renew said contract for an additional one (1) two-year or two (2) one-year extensions on the same terms and conditions as specified in the bid proposal; and

WHEREAS, in a memo dated November 4, 2015, the Director of the Department of Public Works has recommended that the Township approve a one (1) year renewal of the contract; 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 a contract be awarded to OCEANPORT, LLC whose address is 6200 Philadelphia Pike, PO Box 608, Claymont, DE 19703 for a period of one year beginning on January 1, 2016 through December 31, 2016, in a total amount not to exceed \$28,845.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with OCEANPORT, LLC 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 funds in the amount of \$28,845.00 will be made available and certified by the Chief Financial Officer from account number 05-201-55-500-293020 at the time of the adoption of the 2016 municipal budget; and

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

- a. OCEANPORT, LLC
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Department of Public Works

RESOLUTION # 2015-346

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO
CENTRAL JERSEY WASTE & RECYCLING, INC. FOR COMMUNITY
SPRING BULK PICK-UP FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS

WHEREAS, on March 19, 2015 (R.2015-137) the Township Council of the Township of Marlboro awarded a contract to CENTRAL JERSEY WASTE & RECYCLING, INC. for COMMUNITY SPRING BULK PICK-UP FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract for four (4) additional one (1) year periods in accordance with N.J.S.A. 40A:11-15(3) on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, in a memo dated November 4, 2015, the Director of Public Works has recommended that the Township approve a one (1) year renewal of the contract; 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 a contract be awarded to CENTRAL JERSEY WASTE & RECYCLING, INC. whose address is 432 Stokes Avenue, Ewing, NJ 08638 for a period of one year commencing on January 1, 2016 and expiring on December 31, 2016, in a total amount not to exceed \$199,000.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts 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; and

BE IT FURTHER RESOLVED, that funds in the amount of \$199,000.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2016 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. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2015-347

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO STARR TRANSIT CO., INC. FOR THE PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT TRAVEL CAMP

WHEREAS, on March 20, 2014 (R.2014-146) the Township Council of the Township of Marlboro awarded a contract to STARR TRANSIT CO., INC. for the PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT TRAVEL CAMP; and

WHEREAS, the bid specifications included the option to renew said contracts for one two-year or two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, on February 12, 2015 (R.2015-104) the Township Council of the Township of Marlboro awarded the first one-year extension of the contract to STARR TRANSIT CO., INC. for the PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT TRAVEL CAMP; and

WHEREAS, the Director of Recreation has recommended that the Township approve a second and final one (1) year renewal of the contract; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation 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 STARR TRANSIT CO., INC. whose address is 2531 East State Street, Trenton, New Jersey 08619 for a period of one year beginning on January 1, 2016 through December 31, 2016, in a total amount not to exceed \$81,192.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with STARR TRANSIT CO., INC. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED, funds will be certified from Account Number 09-201-55-400-288485 at the time user fees are collected and services are committed to; and

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

- a. STARR TRANSIT CO., INC.
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Director of Recreation

RESOLUTION # 2015-348

A RESOLUTION AWARDING YEAR 2 OF CONTRACT TO CENTURION PRINTING, CRAFTMASTER PRINTING, INC., MGL PRINTING SOLUTIONS, RIDGEWOOD PRESS, AND URNER BARRY PUBLICATIONS, INC. FOR PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro authorized the acceptance of bids for PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO, and on December 18, 2014 (R.2014-432) authorized the award of contracts to the lowest responsible bidders as follows:

	Centurion Printing, Kenilworth, NJ	Craftmaster Printing, Inc., Neptune City, NJ	MGL Printing Solutions New Providence, NJ	Ridgewood Press, Ridgewood, NJ	Urner Barry Publications, Inc., Bayville, NJ
SECTION A: ENVELOPES	8,137.50	10,166.00	0.00	8,105.40	14,048.00
SECTION B: BUSINESS CARDS	3,466.50	3,014.00	0.00	0.00	3,961.00
SECTION C: LETTERHEAD	183.00	211.00	0.00	232.00	275.00
SECTION D: FORMS (BUILDING ITEMS D14-D18, & D21, ENGINEERING & ZONING)	4,761.50	6,768.10	0.00	1,288.00	10,136.00
SECTION D: FORMS (BUILDING ITEMS D19, D20 & D22, COURT & FIRE PREVENTION)	1,713.00	8,404.55	0.00	1,565.00	5,003.00
SECTION D: FORMS (TAX COLLECTOR & WATER)	3,584.00	0.00	5,706.00	235.00	0.00
SECTION D: FORMS (POLICE & RECREATION)	975.00	1,039.00	0.00	1,023.00	1,790.00
SECTION E: BOOKLETS/BROCHURES (RECREATION ITEM E4)	0.00	0.00	0.00	0.00	580.00
SECTION E: BOOKLETS/BROCHURES (RECREATION ITEMS E3, E5-E9 EXCEPT E7, POLICE, DRUG ALLIANCE)	0.00	1,118.00	0.00	763.00	2,130.00
SECTION F: POSTERS/SIGNS	0.00	1,702.30	0.00	150.00	0.00
SECTION G: STICKERS (BUILDING)	0.00	1,218.00	0.00	1,282.00	1,875.00
SECTION G: STICKERS (SWIM)	0.00	0.00	0.00	265.00	350.00
SECTION H: COPIES	1,330.00	3,515.00	0.00	0.00	0.00
SECTION I: MISCELLANEOUS (COURT)	0.00	538.50	0.00	0.00	0.00

SECTION I: MISCELLANEOUS (POLICE, TAX COLLECTOR, RECREATION ITEMS I7, I8 & I13)	3,894.00	5,109.00	0.00	3,057.00	3,650.00
SECTION I: MISCELLANEOUS (RECREATION ITEMS I14-I17)	0.00	1,410.00	0.00	0.00	1,250.00
SECTION J: PRINT/MAILING (CLERK, POLICE, RECREATION, SWIM)	0.00	0.00	0.00	0.00	15,031.50
SET-UP FEE (ESTIMATE OF 7 QTY.)	45.00 x 7 = 315.00	0.00	0.00	0.00	0.00
	5,259.50	20,821.35	5,706.00	13,213.40	16,861.50

; and

WHEREAS, the bid specifications included the option to renew said contracts for one two-year or two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, the Department of Administration recommends that the Township extend the contracts for an additional year for the period of January 1, 2016 through December 31, 2016 at the contract unit prices; 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 a contract be awarded to Centurion Printing in an amount not to exceed \$5,259.50, Craftmaster Printing, Inc. in an amount not to exceed \$20,821.35, MGL Printing Solutions in an amount not to exceed \$5,706.00, Ridgewood Press in an amount not to exceed \$13,213.40 and Urner Barry Publications, Inc. in an amount not to exceed \$16,861.50 for PRINTING-DIRECT MAILING SERVICES for the period January 1, 2016 through December 31, 2016; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with Centurion Printing, 352 Market Street, Kenilworth, NJ 07033, Craftmaster Printing, Inc., 2024 Corlies Avenue, Neptune City, NJ 07753, MGL Printing Solutions, 154 South Street, New Providence, NJ 07974, Ridgewood Press, 609 Franklin Turnpike, Ridgewood, NJ 07450 and Urner Barry Publications, Inc., 182 Queens Blvd., Bayville, NJ 08721, 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 funds will be certified by the Chief Financial Officer in 2016 upon adoption of the 2016 budget; and

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

- a. Centurion Printing
- b. Craftmaster Printing, Inc.
- c. MGL Printing Solutions
- d. Ridgewood Press
- e. Urner Barry Publications, Inc.
- f. Township Business Administrator
- g. Township Chief Financial Officer

RESOLUTION # 2015-349

AUTHORIZING
2015 BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Calendar Year 2015 Municipal Budget as follows:

Account	From	To
Zoning Salary & Wages	\$ 5,000.00	
Employee Insurance Other Expenses	6,000.00	
Zoning Other Expenses		\$ 5,000.00
Health Insurance Waivers		6,000.00
	<u>\$ 11,000.00</u>	<u>\$ 11,000.00</u>

RESOLUTION # 2015-350

A RESOLUTION AUTHORIZING PARTICIPATION IN THE NEW JERSEY E-PROCUREMENT PILOT PROGRAM, AUTHORIZING THE ENGAGEMENT OF AN ON-LINE PURCHASING AGENT AND AUTHORIZING INTERNET-BASED AUCTIONS AND EXECUTION OF AGREEMENTS FOR THE SALE OF SOLAR RENEWABLE ENERGY CREDITS

WHEREAS, the Marlboro Township Municipal Utilities Authority (MTMUA) had a contract for the sale of solar renewable energy credits (S-RECs) which expired on May 31, 2011; and

WHEREAS, in 2012, 2013, 2014 and 2015, the Township Council authorized the engagement of Marex Spectron, an on-line purchasing agent authorized by the State of New Jersey to conduct internet-based auctions for the sale of S-RECs generated or anticipated to be generated; and

WHEREAS, the Township has been closely monitoring market conditions and wishes to enter into a contract to sell approximately 50% of future S-RECS generated between June 1, 2017 and May 31, 2018, estimated at approximately 450 S-RECS; and

WHEREAS, the Township wishes to conduct a sale of S-RECS before December 31, 2015; and

WHEREAS, the State of New Jersey allows local government units, through participation in an *E-Procurement Pilot Program* in accordance with the provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30), to utilize on-line auction services for the sale of S-RECS; and

WHEREAS, pursuant to provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30), local contracting units are specifically authorized to engage, without competitive bidding, on-line purchasing agents for the purpose of conducting internet-based auctions to procure certain bulk commodities, including S-RECS; and

WHEREAS, the Township has previously solicited proposals from three of the vendors authorized by the State of New Jersey to conduct internet-based auctions of S-RECS; and

WHEREAS, Marex Spectron has once again offered to serve as Marlboro Township's on-line purchasing agent for the reasonable sum of \$3.00 per S-REC sold totaling \$1,350.00 for up to approximately 450 S-RECs to be generated and sold between June 1, 2017 and May 31, 2018; and

WHEREAS, the Department of Public Works, Water Utility Division has recommended the selection of Marex Spectron to serve as Marlboro Township's on-line purchasing agent in accordance with its proposal.

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

Section 1. The participation of Marlboro Township in the New Jersey *E-Procurement Pilot Program* pursuant to the provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30) is hereby authorized and approved for the sale of Solar Renewable Energy Credits utilizing on-line competitive bidding services and, in particular, an internet-based auction platform.

Section 2. The Township is hereby authorized to enter into an agreement with Marex Spectron, with corporate offices located at 360 Madison Avenue, Third Floor, New York, NY 10017, as an on-line purchasing agent, to conduct competitive auctions utilizing an internet-based platform in conjunction with the Township's planned sale of S-RECs.

Section 3. The engagement of Marex Spectron, shall be effected through the execution of an Agreement substantially in the form attached hereto and made a part hereof as Exhibit A, which said contract is hereby awarded, without competitive bidding, pursuant to the provisions of Section 7 of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30).

BE IT FURTHER RESOLVED that

Section 1. The Mayor, or his designee, is hereby authorized to conduct internet-based auctions through Marex Spectron for the sale of up to 50% or approximately 450 S-RECs to be generated between June 1, 2017 and May 31, 2018; and

Section 2. The Mayor, or his designee, is hereby authorized to award a contract to and execute an agreement, in a form approved by the Township Attorney, with the responsible bidder(s) which offer(s) the highest per credit price offering resulting from the aforementioned internet-based auction for the sale of S-RECs, provided the bid accepted offers a per S-REC price equal to or higher than \$220.00; and

Section 3. The Mayor, or his designee, shall report on the bid results at the first meeting of the Township Council following the conclusion of the auctions to enable the Township Council to ratify and confirm the contract award.

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

- a. Mayor Jonathan L. Hornik
- b. Marlboro Township Chief Financial Officer
- c. Marlboro Township Director of Public Works
- d. Marex Spectron
- e. NJ Division of Local Government Services

RESOLUTION # 2015-351

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 4 EVAN DRIVE (BLOCK 180, LOT 45) MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 4 EVAN DRIVE (Block 180, Lot 45); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 4 EVAN DRIVE, (Block 180, Lot 45) at a total cost of \$128.51; and

WHEREAS, it is recommended that the amount of \$128.51 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 4 EVAN DRIVE (Block 180, Lot 45) in the amount of \$128.51 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2015-352

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 8 ROUTE 520, (BLOCK 175, LOT 25), MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 8 Route 520 (Block 175, Lot 25); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 8 Route 520 (Block 175, Lot 25) at a total cost of \$270.04; and

WHEREAS, it is recommended that the amount of \$270.04 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 8 Route 520, (Block 175, Lot 25) in the amount of \$270.04 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2015-353

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 18 WHISTLER WAY (BLOCK 392.02, LOT 6), MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 18 WHISTLER WAY, (Block 392.02, Lot 6); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 18 WHISTLER WAY, (Block 392.02, Lot 6) at a total cost of \$408.56; and

WHEREAS, it is recommended that the amount of \$408.56 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 18 WHISTLER WAY (Block 392.02, Lot 6) in the amount of \$408.56 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2015-354

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 139 TENNENT ROAD (BLOCK 243, LOT 14) MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 139 TENNENT ROAD (Block 243, Lot 14); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 139 TENNENT ROAD, (Block 243, Lot 14) at a total cost of \$507.80; and

WHEREAS, it is recommended that the amount of \$507.80 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 139 TENNENT ROAD (Block 243, Lot 14) in the amount of \$507.80 to reflect the costs incurred by the

Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2015-355

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 30 DUNCAN DRIVE (BLOCK 301, LOT 36) MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 30 DUNCAN DRIVE (Block 301, Lot 36); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 30 DUNCAN DRIVE, (Block 301, Lot 36) at a total cost of \$277.02; and

WHEREAS, it is recommended that the amount of \$277.02 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 30 DUNCAN DRIVE (Block 301, Lot 36) in the amount of \$277.02 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2015-356

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 35 STONY HILL ROAD (BLOCK 192, LOT 4) MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 35 Stony Hill Drive (Block 192, Lot 4); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 35 Stony Hill Road, (Block 192, Lot 4) at a total cost of \$585.08; and

WHEREAS, it is recommended that the amount of \$585.08 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 35 Stony Hill Road (Block 192, Lot 4) in the amount of \$585.08 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2015-357

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 161 GORDONS CORNER ROAD (BLOCK 314, LOT 1) MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 61 GORDONS CORNER ROAD (Block 314, Lot 1); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 161 GORDONS CORNER ROAD, (Block 314, Lot 1) at a total cost of \$370.12; and

WHEREAS, it is recommended that the amount of \$370.12 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 161 GORDONS CORNER ROAD (Block 314, Lot 1) in the amount of \$370.12 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2015-358

AUTHORIZING A RIGHT OF WAY USE AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND CROSS RIVER FIBER, LLC TO PERMIT THE INSTALLATION, USE AND MAINTENANCE OF FIBER OPTIC CABLING

ON TELEPHONE, ELECTRIC OR CABLE CONDUITS AND POLES IN
THE TOWNSHIP'S PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF
PROVIDING TELECOMMUNICATIONS SERVICES

WHEREAS, Cross River Fiber, LLC ("User") is a public utility as defined by N.J.S.A. 48:2-13 and is authorized by the Board of Public Utilities to provide telecommunications service in the State of New Jersey; and

WHEREAS, the User has approached the Township of Marlboro ("Township") with a proposal to occupy public rights-of-way within the Township for a term of fifty (50) years from the date of execution of the Right-of-Way Use Agreement, unless such Right-of-Way Use Agreement is terminated by either party in accordance with the provisions therein, for the purpose of installing, operating, repairing, maintaining and replacing fiber optic cables on telephone, electric or cable conduits and poles in the Township's public rights-of-way for providing a telecommunications system (the "Fiber Optic System"), pursuant to the terms and conditions of a Right-of-Way Use Agreement; and

WHEREAS, N.J.S.A. 48:17-10 through 48:17-12 authorizes the Township to grant approval to the User to install, operate and maintain the Fiber Optic System in the thoroughfares and public rights of way within the Township for purposes of providing telecommunications services; and

WHEREAS, the granting of such consent is and shall be conditioned upon User's continued compliance with all existing and future ordinances of the Township and User's entering into a written Right of Way Use Agreement with the Township to, inter alia, indemnify and hold the Township harmless as to all claims and liability resulting from any injury or damage and related costs thereto, which may arise from User's activities contemplated in such Right of Way Use Agreement and to provide liability insurance coverage for personal injury and property damage in connection therewith; and

WHEREAS, the installation of such Fiber Optic System would provide a public benefit to the citizens of the Township; and

WHEREAS, the Township Council of the Township has indicated its willingness to grant a Right of Way Use Agreement to the User for the purpose of constructing, installing, operating, repairing, maintaining and replacing a Fiber Optic System within the municipal rights-of-way within the Township;

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 Township Clerk are hereby authorized to execute a Right of Way Use Agreement with Cross River Fiber, LLC in a form substantially similar to the Agreement attached hereto and made a part hereof, for the purpose of installing, operating, repairing, maintaining and replacing fiber optic cables on telephone, electric or cable conduits and poles in the Township's public rights-of-way for providing a telecommunications system (the "Fiber Optic System"), pursuant to the terms and conditions of the attached Right of Way Use Agreement for a term of fifty (50) years from the date of execution of the Right-of-Way Use Agreement, unless such Right-of-Way Use Agreement is terminated by either party in accordance with the provisions therein.

RESOLUTION # 2015-359

AUTHORIZING THE TRANSFER AND ACCEPTANCE OF SURPLUS MILITARY EQUIPMENT FROM THE UNITED STATES DEPARTMENT OF DEFENSE (DoD) 1033 PROGRAM FOR THE MARLBORO DIVISION OF POLICE

WHEREAS, the 1033 Program (formerly the 1208 Program) permits the Secretary of Defense to transfer, without charge, excess U.S. Department of Defense (DoD) personal property (supplies and equipment) to state and local law enforcement agencies (LEAs); and

WHEREAS, the Township Council authorized the Township through the Division of Police (R 2014-217) to make application to the Department of Defense 1033 Program for military surplus equipment from the United States DoD; and

WHEREAS, the Division of Police made application and has received the transferred surplus equipment identified in Schedule A attached.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township through the Division of Police is hereby authorized to accept the military surplus equipment identified in Schedule A from the Department of Defense 1033 Program.

RESOLUTION # 2015-360

RESOLUTION AUTHORIZING THE ISSUANCE OF A FIREWORKS DISPLAY PERMIT TO THE HINDU AMERICAN TEMPLE AND CULTURAL CENTER

WHEREAS, N.J.S.A. 21:3-1, et seq. regulates the sale, exposure for sale, use, distribution or possession of fireworks or pyrotechnics in the State of New Jersey so as to advance the interests of public health, safety and welfare of the people of the State of New Jersey; and

WHEREAS, upon satisfaction of the conditions set forth in N.J.S.A. 21:3-1, et seq., and more particularly those set forth in N.J.S.A. 21:3-3, the governing body of any municipality may, by resolution, approve the granting of a permit for said purposes to a qualified organization, when such display is to be handled by a competent operator in the manner approved by the Chief of the Police and the Fire Department of the municipality so as not to be hazardous to property or endanger any person or persons; and

WHEREAS, the HINDU AMERICAN TEMPLE AND CULTURAL CENTER ("Hindu Temple"), has applied for a permit to host a fireworks display as part of their annual carnival event on property owned by the HINDU TEMPLE within the Township of Marlboro on November 15, 2015, such fireworks display to be undertaken by the HINDU TEMPLE's operator, Serpico Pyrotechnics, LLC, upon satisfaction of the conditions set forth in N.J.S.A. 21:3-1, et seq. and in accordance with all applicable New Jersey Administrative Code regulations promulgated in accordance therewith, as amended from time to time.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED that the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey does hereby grant approval to the HINDU AMERICAN TEMPLE AND CULTURAL CENTER to host a fireworks display on November 15, 2015 for its annual carnival on property owned by the HINDU TEMPLE within the Township of Marlboro, such fireworks display to be undertaken by the HINDU TEMPLE's operator, Serpico Pyrotechnics, LLC, pursuant to N.J.S.A. 21:3-1, et seq., and more particularly N.J.S.A. 21:3-3, subject to the following terms and conditions:

1. Receipt of approval by the Chief of the Police and Fire Official in accordance with the terms set forth hereinabove;

2. The furnishing of the necessary Certificates of Insurance to the Township in a form acceptable to the Township Attorney; and

3. The execution of a Hold Harmless Agreement in a form acceptable to the Township Attorney; and

4. The presentation of the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC's Fire Safety Certificate (Rules); and

5. The presentation of the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC's drivers' Safety Documents; and

6. Proof of issuance by the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC, of its FAA Notification Letter; and

7. Proof from the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC, of its Worker's Compensation and Employers Liability Policy; and

8. Receipt of a copy of the Fireworks Contract Agreement between the HINDU TEMPLE and Serpico Pyrotechnics, LLC; and

9. Receipt of the Plot/Site Plan for the fireworks' display.

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to send copies of this resolution to the following:

- a. Hindu American Temple and Cultural Center
- b. Serpico Pyrotechnics, LLC
- c. The Chief of the Police and Fire Department.
- d. The Fire Prevention Bureau.
- e. Township Business Administrator.

RESOLUTION # 2015-361

WHEREAS, tax sale certificates sold at the 2015 Tax Lien Sale included delinquent sewer charges in the amount of \$ 54,277.44 as per Schedule "A",

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$ 54,277.44 be refunded to the W.M.U.A.

RESOLUTION # 2015-362

WHEREAS, delinquent sewer charges totaling \$ 68,399.69 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 \$ 68,399.69 be refunded to Western Monmouth Utilities Authority.

RESOLUTION # 2015-363

WHEREAS, tax sale certificates sold at the 2015 Tax Lien Sale included delinquent water charges in the amount of \$3,475.35 as per Schedule "A",

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned water charges in the amount of \$3,475.35 be refunded to the M.T.W.U.D.

RESOLUTION # 2015-364

WHEREAS, delinquent water charges totaling \$ 610.75 has been paid to the township on behalf of Marlboro Township Water Utility Division 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 water charges in the amount of \$ 610.75 be refunded to Marlboro Township Water Utility Division.

RESOLUTION # 2015-365

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$ 63,631.89as 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 \$ 63,631.89 to be refunded to the certificate holders as per Schedule "A",

At 7:20 PM, 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: DECEMBER 3, 2015

OFFERED BY: MARDER AYES: 3

SECONDED BY: METZGER NAYS: 0

ABSTAIN: SCALEA

ABSENT: CANTOR

ALIDA MANCO
MUNICIPAL CLERK

SCOTT METZGER
COUNCIL PRESIDENT