

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

January 7, 2016

The Marlboro Township Council held its reorganization meeting on January 7, 2016 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 December 7, 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.

Invocation was given by Rabbi Kanelnski of the Center for Jewish Life.

Swearing in:

Mayor Jonathan L. Hornik was sworn in by Robert Salman, Esq.

Councilwoman Randi Marder was sworn in by Judge Frank LaRocca.

Councilman Michael Scalea was sworn in by Judge Frank LaRocca.

Mayor Hornik spoke of his administration's accomplishments of the last eight years and his plans for his third term as mayor.

Affirmation was offered by Rabbi Pont of Marlboro Jewish Center and Dr. Mani of the Hindu Temple.

The Clerk called the Roll.

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

Also present were: Mayor Jonathan L. Hornik,

Louis N. Rainone, Esq., Business Administrator
Jonathan Capp, Municipal Clerk Alida Manco and
Deputy Municipal Clerk Suzanne Branagan.

The following Resolution #2016-1 (Election of Council President) was introduced by reference, offered by Councilwoman Marder, and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2016-1

BE IT RESOLVED by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro, CAROL MAZZOLA shall serve as the Council President of the Marlboro Township Council.

Former Council President Metzger thanked everyone for giving him the honor of serving as Council President. Newly appointed Council President Mazzola chaired the remaining portion of the reorganization meeting.

The following Resolution #2016-2 (Election of Council Vice President) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2016-2

BE IT RESOLVED by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro, RANDI MARDER shall serve as the Council Vice President of the Marlboro Township Council.

The following Resolution #2016-3 (Confirmation of Re-Appointments of Municipal Officials) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Scalea and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2016-3

RESOLUTION CONFIRMING APPOINTMENT OF MUNICIPAL
OFFICIALS FOR THE TOWNSHIP OF MARLBORO

WHEREAS, Mayor Jonathan Hornik has reappointed Lawrence Rosen as Director of Economic Development (Deputy Mayor) for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Terry Lau as Director of Community Relations (Deputy Mayor) for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Jonathan Capp as Business Administrator for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Ted Ernst as Recreation Director for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Robert Miller as Superintendent of Public Works for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed James Newman, Esq. as Municipal Court Judge for the Township of Marlboro for a term ending on December 31, 2018; and

WHEREAS, Mayor Jonathan Hornik has reappointed Louis N. Rainone, Esq. as Director of Law for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Pasquale (Pat) Menna, Esq. as Township Prosecutor for the Township of Marlboro for a term ending on December 31, 2016; and

WHEREAS, Mayor Jonathan Hornik has reappointed Michael Dupont, Esq. as Public Defender for the Township of Marlboro for a term ending on December 31, 2016; and

WHEREAS, Mayor Jonathan Hornik has appointed Raymond Raya, Esq. as Public Defender for the Township of Marlboro for a term ending on December 31, 2016; and

WHEREAS, Mayor Jonathan Hornik has reappointed Adrienne Spota as Deputy Registrar of Vital Statistics for the Township of Marlboro for a three year term ending on December 31, 2018; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that it hereby confirms the appointments, by Mayor Jonathan Hornik, of:

1. Lawrence Rosen as Director of Economic Development

- (Deputy Mayor) for a term ending on December 31, 2019;
2. Terry Lau as Director of Community Relations (Deputy Mayor) for a term ending on December 31, 2019; and
 3. Jonathan Capp as Business Administrator for a term ending on December 31, 2019;
 4. Ted Ernst as Recreation Director for a term ending on December 31, 2019;
 5. Robert Miller as Superintendent of Public Works, for a term ending on December 31, 2019;
 6. James Newman, Esq. as Municipal Court Judge for a term ending on December 31, 2018;
 7. Louis N. Rainone, Esq., as Director of Law for a term ending on December 31, 2019;
 8. Pasquale (Pat) Menna, Esq. as Municipal Prosecutor, for a term ending on December 31, 2016;
 9. Michael Dupont, Esq. as Public Defender, for a term ending on December 31, 2016; and
 10. Raymond Raya, Esq. as Public Defender, for a term ending December 31, 2016; and
 11. Adrienne Spota as Deputy Registrar, for a term ending on December 31, 2018.

Deputy Mayors Lawrence Rosen and Terry Lau were sworn in by Mayor Hornik, assisted by Mayor Steven Fulop of Jersey City.

The following Resolution #2016-4 (Appointment Class III member to Planning Board) was introduced by reference, offered by Councilman Scalea, seconded by Council Vice President Marder and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2016-4

BE IT RESOLVED by the Township Council of the Township of Marlboro that pursuant to Section 220-9 of the Code of the Township of Marlboro, CAROL MAZZOLA be and is hereby appointed to the Planning Board, as a Class III member.

The following Resolution #2016-5 (Appointments to Zoning Board) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Scalea and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2016-5

RESOLUTION APPOINTING ZONING BOARD
OF ADJUSTMENT MEMBERS

WHEREAS, Section 4-90 of the Code of the Township of Marlboro created the Marlboro Township Zoning Board of Adjustment pursuant to the authority granted by N.J.S.A. 40:55D-69; and

WHEREAS, Section 220-8 of the Code of the Township of Marlboro provides that the Township Council shall appoint members of the Zoning Board of Adjustment; and

WHEREAS, the Township Council wishes to reappoint MATTHEW WEILHEIMER to serve as a regular member of the Zoning Board of Adjustment, for a four (4) year term; and

WHEREAS, the Township Council wishes to reappoint JOSEPH NAPPI to serve as Alternate #2, for a two (2) year term.

NOW, THEREFORE BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro as follows:

That it hereby appoints MATTHEW WEILHEIMER and JOSEPH NAPPI to serve as members of the Marlboro Township Zoning Board of Adjustment in the positions specified above, and for the terms indicated above.

The following Resolution #2016-6 (Confirming Appointment Agricultural Advisory Committee) was introduced by reference, offered by Council Vice President Marder seconded by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2016-6

A RESOLUTION REAPPOINTING HEIDI RAJAN AND THOMAS CHENAL TO SERVE ON THE TOWNSHIP OF MARLBORO AGRICULTURAL ADVISORY COMMITTEE AND DESIGNATING A CHAIRPERSON OF SAID COMMITTEE

WHEREAS, pursuant to Chapter 30 "Farmland, Open Space and Historic Sites" of the Code of the Township of Marlboro, specifically Sections 30-12 through 30-17, the Township of Marlboro created an Agricultural Advisory Committee; and

WHEREAS, pursuant to Section 30-13, the Mayor shall appoint three (3) citizens to the Agricultural Advisory Committee with the consent of the Township Council and the Mayor shall designate a Chairperson; and

WHEREAS, the Mayor wishes to reappoint HEIDI RAJAN to the Agriculture Advisory Committee for a term of two (2) years; and

WHEREAS, the Mayor wishes to reappoint THOMAS CHENAL to the Agriculture Advisory Committee for a term of two (2) years; and

WHEREAS, the Mayor has indicated that HEIDI RAJAN shall be the Chairperson of said Committee for a term of one (1) year; and

WHEREAS, the Township Council now desires to consent to said reappointments.

NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED, that the Township Council of the Township of Marlboro consents to the reappointment of HEIDI RAJAN and THOMAS CHENAL to the Agricultural Advisory Committee for terms of two (2) years and also consents to the designation of HEIDI RAJAN as the Chairperson of the Agricultural Advisory Committee for a term of one (1) year.

The following Resolution #2016-7 (Appointment of Council Liaisons) was introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Marder and was passed on a roll call vote of 4 - 0 (Absent: Cantor).

RESOLUTION # 2016-7

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following are hereby appointed as Council Liaisons, to serve at the discretion of the Township Council:

Open Space Committee	- Randi Marder
Recreation & Swim Advisory Committee	- Randi Marder and Michael Scalea
W.M.U.A.	- Joseph Pernice

Senior Advisory Committee	- Terry Lau
Freehold Regional Board of Education	- Michael Messinger
Environmental Commission	- Rohit Gupta
Youth Exchange Advisory Committee	- Michael Scalea
Economic Development Committee	- Carol Mazzola
Veterans & Volunteers Committee.	- Jeff Cantor
Teen Advisory	- Scott Metzger
Historical Commission	- Bill Waple
Marlboro Drug Alliance	- Randi Marder
Affordable Housing	- Carol Mazzola
Shade Tree	- Randi Marder
Local Emergency Planning Committee	- Jeff Cantor
Ethics Board	- Carol Mazzola and Michael Scalea

The following Resolution #2016-8 (Meeting Dates - 2016) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Scalea and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2016-8

BE IT RESOLVED by the Township Council of the Township of Marlboro that it hereby adopts the following dates for its regularly scheduled meetings in 2016. Notice of these dates shall be mailed to the Asbury Park Press and the Star Ledger in accordance with the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-18. Notice of any other meetings of the Township Council shall be provided in accordance with the Open Public Meetings Act. All meetings shall be held at 7:00 PM at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

January 28, 2016	
February 11, 2016	February 25, 2016
March 10, 2016	March 24, 2016
April 14, 2016	
May 5, 2016	May 19, 2016
June 16, 2016	
July 7, 2016	

August 11, 2016

September 1, 2016

October 6, 2016

November 3, 2016

December 1, 2016

September 15, 2016

October 20, 2016

December 15, 2016

Res. #2016-18 (Authorizing Contract Special Counsel for Affordable Housing - Goldzweig, Green, Eiger & Biedzynski, LLC), Res. #2016-19 (Authorizing Contract Special Counsel for Ethics Board - Goldzweig, Green, Eiger & Biedzynski, LLC), Res. #2016-41 (Authorizing Appointment of Qualified Purchasing Agent and Establishing Bid Threshold), and Res. #2016-42 (Authorizing Business Administrator Execute Contracts) were pulled from the consent agenda and voted on separately.

As the consent agenda, the following resolutions were introduced by reference, offered by Councilman Scalea, seconded by Council Vice President Marder, and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor): Res. #2016-9 (Designating Community Development Representative, Robert Miller, Jonathan Capp, Alternate), Res. #2016-10 (Designating Coordinator of Compliance with ADA 2016 - Jonathan Capp and Robert Miller, Alternate), Res. #2016-11 (Authorizing Contract Township Attorney - Louis N. Rainone, Esq, DeCotiis, Fitzpatrick & Cole), Res. #2016-12 (Authorizing Contract - Public Defender - Raymond Raya), Res. #2016-13 (Authorizing Contract Conflict Prosecutor - Diegnan & Brophy), Res. #2016-14 (Authorizing Contract Bond Counsel - McManimon), Res. #2016-15 (Authorizing Contract Township Engineer - CME), Res. #2016-16 (Authorizing Contract Conflict Engineer - MASER), Res. #2016-17 (Authorizing Contract Township Planner - CME), Res. #2016-20 (Authorizing Contract Special Tax Counsel - Cleary), 2016-21 (Authorizing Contract Conflict Special Tax Counsel - Sukel), Res. #2016-22 (Authorizing Contract Auditor - Wiss), Res. #2016-23 (Authorizing Contract Risk Management Services - North American), Res. #2016-24 (Authorizing Contract Risk Management Services - North American), Res. #2016-25 (Authorizing Contract - Tax Map Services - Adams, Rehmann & Heggan Associates, Inc.), Res. #2016-26 (Authorizing Contracts - Appraisal Services - Open Space and Farmland Preservation - Bettina Durmaskin Sholk), Res. #2016-27 (Authorizing Contracts - Appraisal Services - Open Space and Farmland Preservation - Sterling, Disanto), Res. #2016-28 (Authorizing Contract - Appraisal Services - Tax

Appeals - Gagliano & Company), Res. #2016-29 (Authorizing Contract - Cable Television Station - Curt Ciumei - MV Digital Productions, LLC), Res. #2016-30 (Order of Business of Council Meetings), Res. #2016-31 (Official Newspapers), Res. #2016-32 (Duplicate Bills), Res. #2016-33 (Appointing Tax Search Officer), Res. #2016-34 (Rate of Interest - Delinquent Taxes), Res. #2016-35 (Authorizing Return Check Fee for Tax Collector), Res. #2016-36 (Cancelling Balances under \$5.00), Res. #2016-37 (Continuation of Bonds - Officers and Employees), Res. #2016-38 (Designating Municipal Clerk/Certificate of Searches), Res. #2016-39 (Cash Management Plan), 2016-40 (Continuation of Petty Cash Funds), Res. #2016-43 (Authorizing Tax Assessor to Perform Various Duties), Res. #2016-44 (Authorizing Tax Collector to enter into installment payment agreements for property tax arrears & delinquent water charges in an amount not to exceed one thousand dollars (\$1,000.00), Res. #2016-45 (Establish rates payable for inspection services performed outside of the township's normal business hours and days of operation).

RESOLUTION # 2016-9

APPOINTING TOWNSHIP OF MARLBORO COMMUNITY DEVELOPMENT
REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE
COUNTY OF MONMOUTH COMMUNITY DEVELOPMENT OFFICE

WHEREAS, the County of Monmouth requires that the Township of Marlboro appoint a Community Development Representative and an Alternate Community Development Representative to act as liaison between County's Community Development staff and the Township of Marlboro; and

WHEREAS, the Mayor & Township Council desire to appoint ROBERT MILLER as the Community Development Representative and JONATHAN CAPP as the Alternate Community Development Representative for the year 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Marlboro that ROBERT MILLER is hereby appointed as Community Development Representative to the County of Monmouth Community Development Office and JONATHAN CAPP be and is hereby appointed as Alternate Community Development Representative.

RESOLUTION # 2016-10

RESOLUTION DESIGNATING JONATHAN CAPP AS COORDINATOR
OF COMPLIANCE EFFORTS IN CONNECTION WITH THE AMERICANS
WITH DISABILITIES ACT AND ROBERT MILLER AS DEPUTY
OR ALTERNATE COORDINATOR FOR 2016

WHEREAS, a coordinator must be named to facilitate compliance with the Americans with Disabilities Act (hereinafter "ADA"); and

WHEREAS, the Township wishes to designate JONATHAN CAPP as the Coordinator of ADA Compliance; and

WHEREAS, the Township also wishes to designate an alternate or Deputy ADA Coordinator to work in conjunction with, or in the absence of, the Coordinator to ensure that the important work of compliance continues and is maintained.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that:

1. JONATHAN CAPP be and is hereby designated as Coordinator of compliance efforts in connection with the Americans with Disabilities Act; and
2. ROBERT MILLER is designated as Deputy/Alternate Coordinator of compliance efforts in connection with the Americans with Disabilities Act.

RESOLUTION # 2016-11

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO DECOTIIS, FITZPATRICK & COLE, LLP FOR TOWNSHIP ATTORNEY FOR THE YEAR 2016 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, pursuant to N.J.S.A. 40A:69A-43, Mayor Jonathan Hornik appointed Louis N. Rainone, Esq., of the law firm of DeCotiis, FitzPatrick & Cole, LLP, as Director of Law of the Township of Marlboro for the period of January 1, 2016 through December 31, 2019; and

WHEREAS, such appointment received the advice and consent of the Township Council by Resolution #2016-3; and

WHEREAS, the Township of Marlboro requires legal defense pertaining to affordable housing lawsuits, to be

authorized pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such legal services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 18, 2015 (the "Proposal") from DeCotiis, FitzPatrick & Cole, LLP (the "Business Entity") in response to Request for Qualifications for Township Attorney services issued by the Township which set 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, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; 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 the award of a Professional Services Contract to DeCotiis, FitzPatrick & Cole, LLP pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 18,

2015, copies of which are attached hereto, in an amount not to exceed \$400,000.00 for Township Attorney services; and

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

4. The Business Entity's 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. DeCotiis, FitzPatrick & Cole, LLP
- b. Township Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2016-12

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT
TO THE FIRM OF RAYMOND ALBERT RAYA, ESQ AS PUBLIC
DEFENDER FOR THE YEAR 2016 PURSUANT TO A FAIR AND
OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of a Public Defender, such services to be awarded pursuant to pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such legal services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated October 28, 2015 (the "Proposal") from RAYMOND ALBERT RAYA, ESQ (the "Business Entity") in response to Request for Qualifications for Township Public Defender services issued by the Township which set 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, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals; 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 the award of a Professional Services Contract to RAYMOND ALBERT RAYA, ESQ pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal dated October 28, 2015; and

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

4. The Business Entity's 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. Raymond Albert Raya, ESQ
- b. Township Administrator
- c. Municipal Court Administrator
- d. Township Chief Financial Officer

RESOLUTION # 2016-13

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO
THE FIRM OF DIEGNAN & BROPHY, LLC AS CONFLICT PROSECUTOR
FOR THE YEAR 2016 PURSUANT TO A FAIR AND OPEN PROCESS
IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of a Conflict Prosecutor, such services to be awarded pursuant to pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such legal services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 12, 2015 (the "Proposal") from DIEGNAN & BROPHY, LLC (the "Business Entity") in response to Request for Qualifications for Township Prosecutor services issued by the Township which set 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, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals; 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 the award of a Professional Services Contract to DIEGNAN & BROPHY, 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 Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 12, 2015, copies of which are attached hereto; and

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

4. The Business Entity's 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. Diegnan & Brophy, LLC
- b. Township Administrator
- c. Township Attorney
- d. Township Prosecutor
- e. Township Chief Financial Officer

RESOLUTION # 2016-14

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO MCMANIMON, SCOTLAND & BAUMANN, LLC FOR BOND COUNSEL SERVICES FOR THE

YEAR 2016 PURSUANT TO A FAIR AND OPEN PROCESS
IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires bond counsel services, to be authorized pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such legal services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 24, 2015 (the "Proposal") from MCMANIMON, SCOTLAND & BAUMANN, LLC (the "Business Entity") in response to Request for Qualifications for bond counsel services issued by the Township 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, it has been determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, funds will be available through various bond authorizations to be financed; 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 the award of a Professional Services Contract to MCMANIMON, SCOTLAND & BAUMANN, 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 Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 24, 2015, a copy of which is attached hereto; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; 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. Mc Manimon, Scotland & Baumann, LLC
- b. Township Administrator
- c. Chief Financial Officer
- d. Township Attorney

RESOLUTION # 2016-15

RESOLUTION APPOINTING CME ASSOCIATES AS TOWNSHIP
ENGINEER AND AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
THEREFOR FOR THE YEAR 2016 PURSUANT TO A FAIR AND OPEN
PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro is in need of the services of a Township Engineer, to be appointed pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such engineering services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 20, 2015 (the "Proposal") from CME ASSOCIATES (the "Business Entity") in response to a Request for Qualifications for the services of a Township Engineer issued by the Township 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, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; 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 the award of a Professional Services Contract to CME ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 20, 2015, a copy of which is attached hereto, in an amount not to exceed \$128,500.00; and

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

4. The Business Entity's 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. CME Associates
- b. Township Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2016-16

RESOLUTION APPOINTING MASER CONSULTING, P.A. AS TOWNSHIP CONFLICT/ALTERNATE ENGINEER AND AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR THE YEAR 2016 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro is in need of the services of a Township Conflict/Alternate Engineer, to be appointed pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such engineering services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 20, 2015 (the "Proposal") from MASER CONSULTING, P.A. (the "Business Entity") in response to a Request for Qualifications for the services of a Township Engineer issued by the Township 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, it has been determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals; 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 the award of a Professional Services Contract to MASER CONSULTING, P.A. pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 20, 2015, a copy of which is attached hereto; and

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

4. The Business Entity's 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. Maser Consulting, P.A.
- b. Township Administrator
- c. Township Engineer
- d. Township Chief Financial Officer

RESOLUTION # 2016-17

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT
TO CME ASSOCIATES AS TOWNSHIP PLANNER FOR THE

YEAR 2016 PURSUANT TO A FAIR AND OPEN PROCESS IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro is in need of the services of a Township Planner, to be appointed pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such planning and engineering services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 20, 2015 (the "Proposal") from CME ASSOCIATES (the "Business Entity") in response to a Request for Qualifications for the services of Township Planner issued by the Township 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, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; 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 the award of a Professional Services Contract to CME ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 20, 2015, a copy of which is attached hereto, in an amount not to exceed \$60,000.00; and

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

4. The Business Entity's 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. CME Associates
- b. Township Administrator
- c. Township Engineer
- d. Township Chief Financial Officer

RESOLUTION # 2016-20

A RESOLUTION AUTHORIZING THE APPOINTMENT OF
AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT
WITH CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC TO
ACT AS SPECIAL TAX COUNSEL FOR THE YEAR 2016
PURSUANT TO A FAIR AND OPEN PROCESS IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special tax counsel services, such services 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, such services are to be performed and rendered by a person or persons licensed and authorized to practice law in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to

the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 20, 2015 (the "Proposal") from CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC (the "Business Entity") in response to a Request for Qualifications for the services of special tax counsel issued by the Township 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, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; 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 the award of a Professional Services Contract to CLEARY, GIACOBBE, ALFIERI, JACOBS, 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 Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 20, 2015, a copy of which is attached hereto, in an amount not to exceed \$50,000.00; and

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

4. The Business Entity's 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. Cleary, Giacobbe, Alfieri, Jacobs, LLC
- b. Township Administrator
- c. Tax Assessor
- d. Township Attorney
- e. Township Chief Financial Officer

RESOLUTION # 2016-21

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT
TO STEVEN P. SUKEL, ESQ., P.C., TO ACT AS SPECIAL
TAX CONFLICT COUNSEL FOR THE YEAR 2016 PURSUANT
TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH
N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special tax conflict counsel services, such services 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, such services are to be performed and rendered by a person or persons licensed and authorized to practice law in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 12, 2015 (the "Proposal") from STEVEN P. SUKEL, ESQ., P.C. (the "Business Entity") in response to a Request for Qualifications for the services of special tax conflict counsel issued by the Township 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, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; 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 the award of a Professional Services Contract to STEVEN P. SUKEL, ESQ., P.C. pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 12, 2015, a copy of which is attached hereto, in an amount not to exceed \$10,000.00; and

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

4. The Business Entity's 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. Steven P. Sukel, ESQ., P.C.
- b. Township Administrator
- c. Township Tax Assessor

- d. Special Tax Counsel
- e. Township Attorney
- f. Chief Financial Officer

RESOLUTION # 2016-22

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR
PROFESSIONAL SERVICES TO WISS & COMPANY, LLP
TO ACT AS THE INDEPENDENT AUDITOR FOR THE
YEAR 2016 PURSUANT TO A FAIR AND OPEN PROCESS
IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires the services of an auditor to provide the 2015 statutory audit of Township financial records and to perform the duties and render such services as may from time to time be requested by the Township Council, the Chief Financial Officer or the Township Administrator (collectively referred to hereinafter as the "Audit and Related Services") and issued a Request for Qualifications for Audit and Related Services in October 2015; and

WHEREAS, such Audit and Related Services are to be performed and rendered by a person or persons licensed and authorized to practice accounting in the State of New Jersey and accordingly constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 20, 2015 (the "Proposal") from WISS & COMPANY (the "Business Entity") in response to a Request for Qualifications for the services of Independent Auditor issued by the Township 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, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; 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 the award of a Professional Services Contract to WISS & COMPANY pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 20, 2015, a copy of which is attached hereto, in an amount not to exceed \$46,800.00 for performance of the Audit; and

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

4. The Business Entity's 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. Wiss & Company, LLP
- b. Township Administrator
- c. Chief Financial Officer

RESOLUTION # 2016-23

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH NORTH AMERICAN INSURANCE MANAGEMENT CORPORATION ("NAIM") FOR BENEFITS CONSULTING, RISK MANAGEMENT AND BROKERAGE SERVICES AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER

N.J.S.A. 40A:11-5(M) PURSUANT TO A FAIR AND OPEN PROCESS
IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires the services of a consultant to provide insurance benefits consulting, risk management and brokerage services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5, pursuant to the provisions of N.J.S.A. 40A:10-36; and

WHEREAS, such services, i.e., insurance, including the benefits consulting and brokerage services are Extraordinary Unspecifiable Services, are exceptions pursuant to N.J.S.A. 40A:11-5(m) and may be awarded without competitive bidding therefor; and

WHEREAS, said services cannot reasonably be described by written specifications; and

WHEREAS, the Township received proposals dated November 19, 2015 (the "Proposal") from North American Insurance Management Corporation ("NAIM") (the "Business Entity") in response to a Request for Qualifications for insurance consulting and brokerage services issued by the Township 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, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. as amended requires that the Resolution authorizing the award of contracts which are treated in accordance with the requirements for extraordinary unspecifiable services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, it has been determined and certified that the value of the contract will exceed \$17,500.00; 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, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of a Broker of Record Letter with North American Insurance Management Corporation ("NAIM") regarding the provision of insurance benefits consulting, risk management and brokerage services, beginning January 1, 2016 and terminating on December 31, 2016, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(m) and in accordance with the terms of the Contract; and

2. The contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

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

4. The Business Entity's 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. North American Insurance Management Corporation
- b. Monmouth County Municipal Joint Insurance Fund
- c. Township Administrator

RESOLUTION # 2016-24

RESOLUTION APPOINTING COMMUNITY GRANTS, PLANNING & HOUSING, LLC AS AFFORDABLE HOUSING AGENT AND AUTHORIZING AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT FOR 2016 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 November 20, 2015 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 totaling \$16,200.00; 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	\$2,250.00 x 12 =
\$27,000.00	
Affordability Assistance	\$ 725.00 x 20 = \$14,500.00
Rehabilitation of Units	\$6,195.83 x 6 = \$37,175.00

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 \$94,875.00 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 November 20, 2015, a copy of which is attached hereto, in an amount not to exceed \$94,875.00; and

3. 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

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

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

- a. Community Grants, Planning & Housing, LLC
101 Interchange Plaza, Suite 301
Cranbury, NJ 08512
- b. Municipal Housing Liaison
- c. Special Counsel on COAH
- d. New Jersey Council on Affordable Housing
- e. Township Administrator
- f. Township Attorney
- g. Township Chief Financial Officer

RESOLUTION # 2016-25

RESOLUTION AUTHORIZING A CONTRACT WITH ADAMS, REHMANN & HEGGAN ASSOCIATES, INC FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO FOR THE YEAR 2016 AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER N.J.S.A. 40A:11-5(d) PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires tax map maintenance services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5, pursuant to the provisions of N.J.S.A. 40A:10-36; and

WHEREAS, such services are exceptions pursuant to N.J.S.A. 40A:11-5(d) and may be awarded without competitive bidding therefor; and

WHEREAS, the Township received proposals dated November 12, 2015 (the "Proposal") from ADAMS, REHMANN & HEGGAN ASSOCIATES, INC (the "Business Entity") in response to a Request for Qualifications for THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO issued by the Township 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, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds will be made available and certified by the Chief Financial Officer upon adoption of the 2016 municipal budget; 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, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of an agreement with ADAMS, REHMANN & HEGGAN ASSOCIATES, INC FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO, beginning January 1, 2016 and terminating on December 31, 2016, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(d) and in accordance with the terms of the Contract, in an amount not to exceed \$17,500.00; and

2. The contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(d); and

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

4. The Business Entity's 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. Adams, Rehmann & Heggan Associates, INC
- b. Township Administrator
- c. Chief Information Officer
- d. Tax Assessor
- e. Township Chief Financial Officer

RESOLUTION # 2016-26

A RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT BETWEEN BETTINA
DURMASKIN SHOLK AND THE TOWNSHIP OF MARLBORO FOR
APPRAISAL SERVICES IN CONNECTION WITH THE ACQUISITION
OF CERTAIN PARCELS PURSUANT TO A FAIR AND OPEN PROCESS
IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires real estate appraisal services in connection with the acquisition of certain parcels, such services 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, such services are to be performed and rendered by a person or persons licensed and authorized to practice in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 11, 2015 (the "Proposal") from BETTINA DURMASKIN SHOLK (the "Business Entity") in response to a Request for Qualifications for appraisal services issued by the Township 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, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds have been certified by the Chief Financial Officer in account #04-215-11-04A-140291; 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 the award of a Professional Services Contract to BETTINA DURMASKIN SHOLK pursuant to a

fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 11, 2015, a copy of which is attached hereto, in an amount not to exceed \$10,000.00; and

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

4. The Business Entity's 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. Bettina Durmaskin Sholk
- b. Township Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2016-27

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT BETWEEN STERLING, DISANTO & ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR APPRAISAL SERVICES IN CONNECTION WITH THE ACQUISITION OF CERTAIN PARCELS PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires real estate appraisal services in connection with the acquisition of certain parcels, such services 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, such services are to be performed and rendered by a person or persons licensed and authorized to practice in the State of New Jersey and, accordingly, constitute

professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 24, 2015 (the "Proposal") from STERLING, DISANTO & ASSOCIATES (the "Business Entity") in response to a Request for Qualifications for appraisal services issued by the Township 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, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds have been certified by the Chief Financial Officer in account #04-215-11-04A-140291; 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 the award of a Professional Services Contract to STERLING, DISANTO & ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 24, 2015, a copy of which is attached hereto, in an amount not to exceed \$10,000.00; and

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

4. The Business Entity's 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. Sterling, Disanto & Associates
- b. Township Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2016-28

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT BETWEEN GAGLIANO & COMPANY AND THE TOWNSHIP OF MARLBORO FOR VARIOUS APPRAISAL SERVICES PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro is in need of professional appraisal services in connection with the defense of tax appeals, such services 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, such services are to be performed and rendered by a person or persons licensed and authorized to practice in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated October 30, 2015 (the "Proposal") from GAGLIANO & COMPANY (the "Business Entity") in response to a Request for Qualifications for appraisal services issued by the Township 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, it has been determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, the Tax Assessor has recommended the selection of GAGLIANO & COMPANY, and a budget for appraisal services in support of the defense of tax appeals in the amount of \$15,000.00 for 2016; and

WHEREAS, funds will be made available and certified by the Chief Financial Officer upon adoption of the 2016 municipal budget; 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 awards a Professional Services Contract to the firm of GAGLIANO & COMPANY, 1129 BROAD STREET, SUITE 104, SHREWSBURY, NEW JERSEY 07702 to provide appraisal services to the Township of Marlboro pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i), in accordance with a proposal dated October 30, 2015 in a total amount not to exceed \$15,000.00; and

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

4. The Business Entity's 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 as required by law; and

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

- a. Gagliano & Company

- b. Township Administrator
- c. Township Tax Assessor
- d. Township Chief Financial Officer

RESOLUTION # 2016-29

A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT
TO CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC FOR
THE PROVISION OF SERVICES FOR THE OPERATION OF THE
TOWNSHIP OF MARLBORO CABLE TELEVISION STATION
PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE
WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special services for the operation of the Township of Marlboro Cable Television Station, such services 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, pursuant to 40A:11-2(6), Professional Services are defined as services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field of artistic endeavor; and

WHEREAS, the Township received a proposal dated November 12, 2015 (the "Proposal") from MV DIGITAL PRODUCTIONS, LLC (the "Business Entity") in response to a Request for Qualifications for special services for the operation of the Township of Marlboro Cable Television Station issued by the Township 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, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds will be made available and certified by the Chief Financial Officer upon adoption of the 2016 municipal budget; 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 the award of a Professional Services Contract to MV DIGITAL PRODUCTIONS, 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 Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 12, 2015, a copy of which is attached hereto, in an amount not to exceed \$26,500.00; and

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

4. The Business Entity's 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. MV Digital Productions, LLC
- b. Township Administrator
- c. Information Technology
- d. Township Chief Financial Officer

RESOLUTION # 2016-30

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following rules of order shall govern the meetings of the Council for 2016:

Rule 1. The Regular Meetings of the Council shall be held on the first and third Thursday of each month (unless otherwise posted) at the Marlboro Municipal Complex.

Rule 2. The Order of Business at Meetings of the Council shall be as follows:

1. Salute to the Flag
2. Announcement of Meeting (Sunshine Law)
3. Roll Call
4. Citizen's Voice
5. Council Speaks Out
6. Administrative Report
7. Correction and/or Approval of Minutes
8. Public Hearings
9. Introduction of Ordinances
10. Resolutions
11. Adjournment of Meeting

Rule 3. At Regular Meetings of the Council, any individual desiring to speak during Citizen's Voice will be allotted a maximum of five (5) minutes and will not be permitted to transfer unused time. Citizen's Voice will be limited to a total of fifteen (15) minutes at Special Meetings. Said time shall be divided equally among those speakers listed on the sign in sheet for the Special Meeting, but shall not exceed five (5) minutes for any one speaker.

Rule 4. Matters listed on the Consent Agenda are considered to be routine and may be enacted by one motion and one roll call vote. If discussion is desired by a Council Member, the item will be removed from the Consent Agenda and considered separately. All Consent Agenda items will be reflected in full in the minutes.

RESOLUTION # 2016-31

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following newspapers are hereby designated as the official newspapers of the Township of Marlboro for the year 2016:

ASBURY PARK PRESS
NEWARK STAR LEDGER

RESOLUTION # 2016-32

BE IT RESOLVED by the Township Council of the Township of Marlboro that the cost charged by the Tax Collector for Duplicate Bills for 2016 be as follows:

Duplicate Bills	-	\$ 5.00
Duplicate Bills (second copy)	-	<u>25.00</u>

RESOLUTION # 2016-33

WHEREAS, N.J.S.A. 54:5-11 provides that the governing body of each municipality shall from time to time by resolution designate an official in the municipality to make examinations of its records as to unpaid municipal liens and to certify the results thereof.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that KELLY A. MONTECINOS be and she is hereby appointed Tax Search Officer for the Township of Marlboro, until a successor is duly qualified and appointed.

RESOLUTION # 2016-34

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments and also permits the fixing of said rate at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum of any amount in excess of \$1,500.00 and allows an additional penalty of a flat 6% to be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes or other municipal charges becoming delinquent after due date and 18% per annum on any amount of taxes or other municipal charges in excess of \$1,500.00 becoming delinquent after due date, and if a delinquency (including interest) is in excess of \$10,000.00 and remains in arrears after December 31, an additional flat penalty of 6% shall be charged against the delinquency.

BE IT FURTHER RESOLVED that this resolution shall be effective as of January 7, 2016.

RESOLUTION # 2016-35

WHEREAS, N.J.S.A. 40:5-18 authorizes a municipality to impose a service charge of \$20.00 to be added to any account owing to the municipality if payment tendered on the account was by a check or other written instrument which was returned for insufficient funds; and

WHEREAS, whenever an account owing to a municipality is for tax or special assessment, the service charge authorized by N.J.S.A. 40:5-18 shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien; and

WHEREAS, the Township is required to determine the service charge for a check or other written instrument returned for insufficient funds from time to time, as appropriate; and

WHEREAS, any service charge shall be collected in the same manner as prescribed by law for the collection of the account for which the check or other written instrument was tendered and the governing body may require that future payments be tendered in cash or by certified or cashier's check.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that, Kelly A. Montecinos, Tax Collector, be and hereby is authorized to impose a service charge of \$20.00 per check or other written instrument returned for insufficient funds; and

BE IT FURTHER RESOLVED that the Tax Collector is authorized to require that once a check or other instrument is returned for insufficient funds, that all future payments to be tendered in cash or by certified or cashier's check.

RESOLUTION # 2016-36

WHEREAS, the Tax Collector of the Township of Marlboro has requested that the Township Council of the Township of Marlboro adopt a resolution annually authorizing the Tax Collector to cancel all underpayment and overpayment of taxes of \$5.00 or less.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Marlboro that the Tax Collector is hereby authorized to cancel all underpayment and overpayments of \$ 5.00 or less.

RESOLUTION # 2016-37

BE IT RESOLVED by the Township Council of the Township of Marlboro that the bonds presently in effect for the officers and employees of the Township of Marlboro, which are required by Township Code Section 4-104, be continued for the year 2016.

BE IT FURTHER RESOLVED that the Township Auditor and Director of Finance shall review these bonds and make recommendations as to any changes to the Township Council within thirty (30) days.

RESOLUTION # 2016-38

WHEREAS, N.J.S.A. 54:5-18.3 requires that the governing body of a municipality designate by resolution either the Municipal Clerk or the Municipal Engineer as the person to make official "Certificates as to Liability for Assessment for Municipal Improvements";

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that, Alida Manco, the Municipal Clerk be and is hereby designated as the person to make Certificates as to Liability for Assessment for Municipal Improvements.

RESOLUTION # 2016-39

RESOLUTION ESTABLISHING A CASH MANAGEMENT
PLAN AND NAMING OFFICIAL DEPOSITORIES
FOR THE TOWNSHIP OF MARLBORO FOR 2016

WHEREAS, N.J.S.A. 40A:5-14 mandates that a Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, N.J.S.A 40A:5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth wish to comply with the above statutes;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth adopts a cash management plan including the official depositories for the Township of Marlboro, County of Monmouth for the calendar year 2016.

RESOLUTION # 2016-40

RESOLUTION AUTHORIZING PETTY CASH
FUND FOR CALENDAR YEAR 2016

WHEREAS, in accordance with N.J.S.A. 40A:5-21 "A local unit may establish a petty cash fund upon written application to and after approval by the Director. All matters relating to the establishment, accounting, repayment and discontinuance of such funds shall be in the discretion of the Director, who shall promulgate reasonable rules and regulation in respect thereto."

WHEREAS, regulations require all petty cash funds be returned to the Local Unit's Chief Financial Officer prior to December 31st of each year to be re-established by subsequent resolution on or after January 1st of the following year.

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

1. That the Township Council authorizes continuation of Petty Cash funds for immediate needs. By virtue of this resolution, a petition is filed to of Division of Local Government Service to reestablish a petty cash funds consistent with prior years levels at:

<u>DEPARTMENT</u>	<u>2015 LEVEL</u>	<u>2016 REQUEST</u>
FINANCE	\$ 200.00	\$ 200.00
RECREATION	\$ 1,500.00	\$ 1,500.00

2. That certified copies of this resolution be provided to the Director of the Local Government Services, Business Administrator, Chief Financial Officer, Auditor and any other interested parties.

RESOLUTION # 2016-43

RESOLUTION AUTHORIZING THE TAX ASSESSOR TO PERFORM
VARIOUS DUTIES ASSOCIATED WITH HER POSITION

WHEREAS, statutory provision is made for the review and correction of errors by the local Tax Assessor prior to certification of an assessment list; and

WHEREAS, statutory provision is also made for the discovery and correction of errors by the local Tax Assessor during the establishment of the tax rate; and

WHEREAS, changes in the property ownership at times necessitates adjustments in the Veterans and/or Senior Citizen deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local Tax Assessor subject to laws and regulations; and

WHEREAS, in certain instances outlined in N.J.S.A. 54:3-21, taxpayers and taxing districts are authorized to file appeals to the county board of taxation or, if the statutory requirements are satisfied, to file a complaint directly with the Tax Court; and

WHEREAS, in the case of an appeal or complaint filed by a taxpayer, the taxing district may file a cross petition of appeal or counterclaim; and

WHEREAS, the Township Council now desires to authorize the Tax Assessor to perform certain duties associated with her position.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that, in addition to those powers given to the Tax Assessor by statute, the Tax Assessor may authorize the filing with the Monmouth County Board of Taxation or Tax Court such appeals or complaints as may be necessary to maintain the accuracy and equality in the assessment list of the Township of Marlboro, in accordance with the procedures set forth by the applicable statutory provisions and/or approved by the New Jersey Division of Taxation and/or the New Jersey Attorney General's Office; and

BE IT FURTHER RESOLVED that the Tax Assessor is hereby authorized to file complaints on behalf of the Township of Marlboro based upon farmland and rollback procedures; and

BE IT FURTHER RESOLVED that, with respect to appeals or complaints filed by a taxpayer with the Monmouth County Board of Taxation or Tax Court, the Tax Assessor may authorize the filing of cross petitions of appeal and counterclaims; and

BE IT FURTHER RESOLVED that the Tax Assessor is authorized to negotiate settlements of appeals or complaints filed with the Monmouth County Board of Taxation or the Tax Court and to authorize settlements of such appeals without obtaining Township Council's approval in the event the settlement involves \$17,500 or less per parcel per tax year on behalf of the Township of Marlboro.

RESOLUTION # 2016-44

RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE
TOWNSHIP OF MARLBORO TO ENTER INTO INSTALLMENT PAYMENT
AGREEMENTS FOR PROPERTY TAX ARREARS AND DELINQUENT
WATER CHARGES IN AN AMOUNT NOT TO EXCEED
ONE THOUSAND (\$1,000.00) DOLLARS

WHEREAS, N.J.S.A. 54:5-19 authorizes installment payment agreements for property tax arrears and other charges which would be a lien against real property such as delinquent water charges; and

WHEREAS, Kelly A. Montecinos, the Tax Collector of the Township of Marlboro, has requested approval from the Township Council to enter into installment payment agreements for property tax arrears and/or delinquent water charges in cases of hardship provided the amount of the arrears or delinquent charges do not exceed One Thousand (\$1,000.00) Dollars; and

WHEREAS, the installment payment agreements must provide payments large enough to pay back the tax arrears or delinquent charges and must require that all taxes or other charges are kept current as they come due; and

WHEREAS, the installment payment agreements must be reduced to a written agreement signed by the property owner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that it hereby grants its authority to Kelly A. Hahn, the Tax Collector of the Township of Marlboro to enter into installment payment agreements for tax arrears and delinquent water charges in the case of hardships in an amount not to exceed One Thousand (\$1,000.00) Dollars and said installment payment agreements are to provide that all taxes or other charges are to be kept current as they become due and shall require prompt payments of the installment payments agreed to; and

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

- a. Township Business Administrator
- b. Chief Financial Officer
- c. Kelly A. Montecinos, Tax Collector

RESOLUTION # 2016-45

RESOLUTION ESTABLISHING RATES PAYABLE FOR INSPECTION
SERVICES PERFORMED OUTSIDE OF THE TOWNSHIP'S
NORMAL BUSINESS HOURS AND DAYS OF OPERATION

WHEREAS, the Code of the Township of Marlboro establishes the Department of Community Development in Section 4-65 which consists of the Division of Engineering, the Division of Planning, the Division of Zoning/Code Enforcement and the Division of Uniform Construction Code; and

WHEREAS, the Code of the Township of Marlboro establishes the Bureau of Fire Prevention in Section 183-1 in order to enforce the Uniform Fire Code in buildings, structures and premises within the Township of Marlboro; and

WHEREAS, upon occasion, there is a need for special inspections to be performed by the Department of Community Development and Bureau of Fire Prevention outside of the Township's normal business hours and days of operation; and

WHEREAS, there is a need to establish the rate to be charged for the Department of Community Development and Bureau of Fire Prevention providing inspection services outside of the normal business hours and days of operation of the Township; and

WHEREAS, the Chief Financial Officer has calculated that the rate to be charged for such special inspections outside of the normal business hours and days of operation is \$85.00 per hour for a Sub-Code Official and \$70.00 per hour for an Inspector; and

WHEREAS, the rate to be charged for such special inspections outside of the normal business hours and days of operation of the Township shall be charged at a minimum of two hours per discipline times the applicable rate.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of

Monmouth, State of New Jersey that the fees to be charged for inspections performed by the Department of Community Development and Bureau of Fire Prevention outside of the normal business hours and days of operation of the Township of Marlboro shall be \$85.00 per hour for a Sub-Code Official and \$70.00 per hour for an Inspector with a minimum charge of two hours per discipline for such special inspections; and

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

- a. Township Business Administrator
- b. Township Chief Financial Officer
- c. Township Engineer
- d. Construction Code Official
- e. Fire Official

The following Res. #2016-18 (Authorizing Contract special Counsel for Affordable Housing) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger and was passed on a roll call vote of 3-0 in favor, with Council Vice President Marder abstaining (Absent: Cantor).

RESOLUTION # 2016-18

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC AS SPECIAL COUNSEL FOR AFFORDABLE HOUSING FOR THE YEAR 2016 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of an attorney as Special Counsel for Affordable Housing, such services to be rendered by Kenneth Biedzynski, Esq. of the firm of Goldzweig, Green, Eiger & Biedzynski, LLC under a contract awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized to practice law in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 17, 2015 (the "Proposal") from GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC (the "Business Entity") in response to a Request for Qualifications for the services of special counsel for affordable housing issued by the Township 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, it has been determined that the value of the contract will exceed \$17,500.00; and

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

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

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to 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; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 17, 2015, a copy of which is attached hereto, in an amount not to exceed \$30,000.00; and

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

4. The Business Entity's 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. Goldzweig, Green, Eiger & Biedzynski, LLC
- b. Township Administrator
- c. Township Attorney
- d. Township Chief Financial Officer

The following Resolution #2016-19 (Authorizing Contract special Counsel for Ethics Board) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Scalea and was passed on a roll call vote of 3 - 0 in favor, with Council Vice Marder abstaining (Absent: Cantor).

RESOLUTION # 2016-19

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT
TO KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG,
GREEN, EIGER & BIEDZYNSKI, LLC FOR THE PROVISION OF
ETHICS BOARD COUNSEL SERVICES FOR THE YEAR 2016
PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE
WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of an attorney as Ethics Board Counsel for the Township of Marlboro, such services to be rendered by Kenneth Biedzynski, Esq. of the firm of Goldzweig, Green, Eiger & Biedzynski, LLC under a contract awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized to practice law in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 17, 2015 (the "Proposal") from GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC (the "Business Entity") in response to a Request for Qualifications for legal services as Ethics Board Counsel issued by the Township 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, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2016 Municipal Budget; 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 the award of a Professional Services Contract to 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; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with a proposal dated November 17, 2015, a copy of which is attached hereto, in an amount not to exceed \$10,000.00; and

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

4. The Business Entity's 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. Goldzweig, Green, Eiger & Biedzynski, LLC
- b. Township Administrator
- c. Township Attorney
- d. Township Chief Financial Officer
- e. Township Ethics Board

The following Res. #2016-41 (Authorizing Appointment of Qualified Purchasing Agent and Establishing Bid Threshold) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Scalea and was passed on a roll call vote of 3 - 0 in favor, with Council Vice President Marder abstaining (Absent: Cantor).

RESOLUTION # 2016-41

A RESOLUTION AUTHORIZING THE APPOINTMENT OF
A QUALIFIED PURCHASING AGENT AND ESTABLISHING
THE BID THRESHOLD (Pursuant to N.J.S.A. 40A:11-9(g))

WHEREAS, the recent changes to the Local Public Contracts Law gave local Contracting units the ability to increase their bid threshold; and

WHEREAS, N.J.S.A. 40A:11-3(a) permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et. Seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Jonathan A. Capp, Business Administrator possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.S.A. 40A:11-2(30) and will be appointed as the Qualified Purchasing Agent without any additional compensation; and

WHEREAS, effective July 1, 2015, the bid threshold established by the State of New Jersey Department of Treasury is \$40,000.00 for municipalities with an appointed Qualified Purchasing Agent; and

WHEREAS, the Township of Marlboro wishes to establish a local bid threshold of \$30,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, hereby appoints Jonathan A. Capp, Business Administrator as the Qualified Purchasing Agent commencing January 1, 2016. As Qualified Purchasing Agent Jonathan A. Capp is authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

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

- a. Township Administrator
- b. Director of the Local Government Services
(With a copy of the QPA Certification)

The following Res. #2016-42 (Authorizing Business Administrator to Execute Contracts) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Scalea and was passed on a roll call vote of 3 - 0 in favor, with Council Vice President Marder abstaining (Absent: Cantor).

RESOLUTION # 2016-42

A RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR
TO EXECUTE CONTRACTS UP TO \$30,500

WHEREAS, with Resolution #2016-41, the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, authorized the appointment of Jonathan A. Capp, Business Administrator as the Qualified Purchasing Agent commencing January 1, 2016; and

WHEREAS, in addition, pursuant to N.J.S.A. 40A:11-3(a), the Township Council established a bid threshold of \$30,500 and authorized the Business Administrator to execute and approve any and all contracts of up to \$30,500; and

WHEREAS, the Township Council authorizes the Business Administrator to execute and approve any and all contracts of up to \$30,500; and

WHEREAS, when awarding such contracts, the Business Administrator shall be obligated to adhere to all applicable provisions of the Local Public Contracts Law, including N.J.S.A. 40A:11-6.1 requiring that, if practicable, at least two

competitive quotations must be solicited for all contracts that are less than the bid threshold, but 15% or more of that amount; and

WHEREAS, the Township Council believes that providing such authorization to the Business Administrator will allow the business of the Township to proceed in the most efficient manner, while at the same time, allowing the Business Administrator to ensure that the process by which all contracts under \$30,500 are awarded complies with the applicable requirements and the intent of the Local Public Contracts Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro in the County of Monmouth that the Business Administrator, is hereby authorized to execute and approve any and all contracts up to \$30,500; and

BE IT FURTHER RESOLVED that the Business Administrator, when awarding such contracts, is obligated to adhere to all applicable provisions of the Local Public Contracts Law, including N.J.S.A. 40A:11-6.1 requiring that, if practicable, at least two competitive quotations must be solicited for all contracts that are less than the bid threshold, but 15% or more of that amount; and

BE IT FURTHER RESOLVED that the Business Administrator, is authorized, in accordance with N.J.S.A. 40A:11-6.1, to award contracts that are less than 15% of the bid threshold without soliciting competitive quotations; and

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

- a. Business Administrator
- b. Township Chief Financial Officer
- c. Township Attorney

Benediction was given by Deacon Sansevere of St. Gabriel's Church.

At 8:10 PM, Council Vice President Marder moved that the meeting be adjourned. This was seconded by Councilman Metzger, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor).

MINUTES APPROVED: JANUARY 28, 2016

OFFERED BY: METZGER AYES: 3

SECONDED BY: MARDER NAYS: 0

ABSTAIN: CANTOR, SCALEA

ALIDA MANCO
MUNICIPAL CLERK

CAROL MAZZOLA
COUNCIL PRESIDENT