

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

February 11, 2016

The Marlboro Township Council held its regularly scheduled Meeting on February 11, 2016 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Mazzola opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 11, 2016; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

The Clerk called the Roll.

PRESENT: Councilman Cantor, Councilman Metzger, Councilman Scalea (via conference call), and Council President Mazzola. Council Vice President Marder was absent.

Also present were: Mayor Jonathan L. Hornik, Ronald Gordon, Esq., Business Administrator Jonathan Capp, Municipal Clerk Alida Manco, Deputy Municipal Clerk Suzanne Branagan.

Councilman Metzger moved that the minutes of January 28, 2016 be approved. This was seconded by Councilman Cantor, and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

The following Resolution #2016-69/Ord. #2016-1 (2016 Salary Ordinance) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Cantor, and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

RESOLUTION # 2016-69

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

ORDINANCE # 2016-1

ORDINANCE AMENDING CHAPTER 4, ARTICLE XX
(ADMINISTRATION OF GOVERNMENT, OFFICERS AND EMPLOYEES)
AND FIXING THE SALARIES OF VARIOUS OFFICERS AND
EMPLOYEES OF THE TOWNSHIP OF MARLBORO 2016

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 25, 2016 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2016-1

ORDINANCE AMENDING CHAPTER 4, ARTICLE XX
(ADMINISTRATION OF GOVERNMENT, OFFICERS AND EMPLOYEES)
AND FIXING THE SALARIES OF VARIOUS OFFICERS AND
EMPLOYEES OF THE TOWNSHIP OF MARLBORO 2016

BE IT ORDAINED by the Township Council of the Township of Marlboro, County of Monmouth, as follows:

SECTION 1. The salaries of the hereinafter designated Township officers and employees in accordance with Schedule "A" are attached hereto.

SECTION 2. All salary ordinances heretofore adopted are hereby repealed, and all other parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. This Ordinance shall take effect upon passage and publication as required by law.

SCHEDULE A

2016	
Mayor	4,800
Councilperson	3,600
Business Administrator	85,000.00 - 148,000.00
Municipal Clerk	65,000.00 - 113,000.00
Deputy Municipal Clerk	45,000.00 - 72,000.00
Chief Financial Officer	78,000.00 - 123,000.00

Finance Director	2,500.00 - 6,000.00
Tax Collector	65,000.00 - 92,000.00
Tax Assessor	65,000.00 - 92,000.00
Municipal Presiding Judge	27,000.00 - 51,000.00
Municipal Judge	20,000.00 - 31,000.00
Township Engineer	90,000.00 - 123,000.00
Superintendent of Public Works	99,900.00 - 148,000.00
Recreation Director	70,000.00 - 97,000.00
Chief of Police	107,000.00 - 185,000.00

The following Resolution #2016-70/Ord. #2016-2 (Bond Ordinance - General Capital Improvements) was introduced by reference, offered by Councilman Cantor, seconded by Councilman Metzger, and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

RESOLUTION # 2016-70

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

ORDINANCE # 2016-2

BOND ORDINANCE PROVIDING FOR THE VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$3,341,669 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,174,582 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 25, 2016 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2016-2

BOND ORDINANCE PROVIDING FOR THE VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$3,341,669 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,174,582

BONDS OR NOTES OF THE TOWNSHIP TO FINANCE
PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,341,669, and further including the aggregate sum of \$167,087 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,174,582 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>General Computer Office</u> Acquisition of MIS equipment, including			

<p>but not limited to, MS Licensing Enterprise Agreement, the Annual PC and Laptop Replace Program, and the acquisition of various equipment, including MIS equipment, MIS infrastructure, rack mount servers, firewall and network improvement hardware and a map machine, including all related costs and expenditures incidental thereto.</p>	<p>\$196,248</p>	<p>\$186,435</p>	<p>5 years</p>
<p>b) <u>Engineering</u> 1) Engineering for various capital projects, including but not limited to, road and sidewalk improvements, as more fully described on a list of file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.</p> <p>2) Engineering for various drainage projects, including but not limited to Church Road and Orchard Parkway and including all work and materials necessary therefor and incidental thereto.</p>	<p>\$1,822,081</p>	<p>\$1,730,976</p>	<p>10 years</p>
	<p>\$173,273</p>	<p>\$164,609</p>	<p>15 years</p>

<p>c) <u>Police</u> 1) The acquisition of a truck/van and a copier, including all related costs and expenditures incidental thereto.</p>	<p>\$44,720</p>	<p>\$42,484</p>	<p>5 years</p>
<p>2) The acquisition of equipment, including portable and mobile radios, a portable thermal night vision camera and communications equipment including all related costs and expenditures incidental thereto.</p>	<p>\$24,842</p>	<p>\$23,599</p>	<p>10 years</p>
<p>3) The acquisition of equipment, including equipment for police vehicles, trucks/vans, portable public address system and equipment for Emergency Response Team, including all related costs and expenditures incidental thereto.</p>	<p>\$57,665</p>	<p>\$54,781</p>	<p>15 years</p>
<p>d) <u>Road Maintenance</u> 1) The acquisition of trucks, including a pickup truck with plow and a dump truck with plow/spreader, including all related costs and expenditures incidental thereto.</p>	<p>\$239,200</p>	<p>\$227,240</p>	<p>5 years</p>
<p>2) The acquisition</p>			

of equipment, including but not limited to, a front end loader with straight and claw bucket and a trailer, including all related costs and expenditures incidental thereto.	\$265,200	\$251,940	15 years
e) <u>Vehicle Maintenance</u> Above-ground storage tank improvements at the Department of Public Works Yard, including all work and materials necessary therefor and incidental thereto.	\$199,160	\$189,202	15 years
f) <u>Grounds Maintenance</u> Improvements to public buildings and the construction of a salt shed, including work and materials necessary therefore and incidental thereto.	\$155,480	\$147,706	15 years
g) <u>Park and Recreation</u> 1) The acquisition of trucks, including a pickup truck with plow and a dump truck with plow/spreader, including all related costs and expenditures	\$93,600	\$88,920	5 years

incidental thereto.			
2) The acquisition of equipment, including but not limited to, landscape trailers, zero turn mowers and a zero turn mower decks, including all related costs and expenditures incidental thereto.	\$45,240	\$42,978	15 years
h) <u>Recreation</u> The acquisition of a minivan, including all related costs and expenditures incidental thereto.	\$21,840	\$20,748	5 years
i) <u>Municipal Court</u> The acquisition of furniture, including all related costs and expenditures incidental thereto.	\$3,120	\$2,964	5 years
TOTAL:	<u>\$3,341,669</u>	<u>\$3,174,582</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to

all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.44 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross

debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,174,582, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$128,526 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The following Resolution #2016-71/Ord. #2016-3 (Bond Ordinance - Water Capital Improvements) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Cantor, and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

RESOLUTION # 2016-71

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

ORDINANCE # 2016-3

BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$543,920 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$543,920 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 25, 2016 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2016-3

BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$543,920 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$543,920 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$543,920. No down payment is required as the purposes authorized herein are deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$543,920 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of a pickup truck with plow, including all related costs and expenditures incidental thereto.	\$83,200	\$83,200	5 years
b) Various improvements, including, but not			

limited to, emergency repairs and in-house repair materials for hydrants, valves and pipes, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$260,000	\$260,000	15 years
c) Well redevelopment and rehabilitation, including all work and materials necessary therefor and incidental thereto.	\$200,720	\$200,720	40 years
TOTAL:	<u>\$543,920</u>	<u>\$543,920</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale

and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 22.69 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$543,920, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized

herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,920 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the costs of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable

for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The following Resolution #2016-72/Ord. #2016-04 (Amending Fees - Various) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Cantor, and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

RESOLUTION # 2016-72

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

ORDINANCE # 2016-4

AN ORDINANCE AMENDING AND SUPPLEMENTING LICENSING AND PERMITTING FEES FOR WRECKER LICENSES; PARKING PERMITS; STORMWATER MANAGEMENT MAINTENANCE; WATER UTILITY CONNECTION FEES; NON-RESIDENT COMMUNITY GARDEN PERMIT FEES; UNIFORM CONSTRUCTION CODE; LAND USE AND DEVELOPMENT ESCROW AND NON-REFUNDABLE FEES; FEES FOR CERTIFICATE OF CONTINUED OCCUPANCY AND RECREATION & SWIM PROGRAM FEES OF THE CODE OF THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 25, 2016 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2016-4

AN ORDINANCE AMENDING AND SUPPLEMENTING LICENSING AND PERMITTING FEES FOR WRECKER LICENSES; PARKING PERMITS; STORMWATER MANAGEMENT MAINTENANCE; WATER UTILITY CONNECTION FEES; NON-RESIDENT COMMUNITY GARDEN PERMIT FEES; UNIFORM CONSTRUCTION CODE; LAND USE AND DEVELOPMENT ESCROW AND NON-REFUNDABLE FEES; FEES FOR CERTIFICATE OF CONTINUED OCCUPANCY AND RECREATION & SWIM PROGRAM FEES OF THE CODE OF THE TOWNSHIP OF MARLBORO

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Section 362-10 License Fee

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Wrecker License	Wreckers 362-10	Application Fee	\$100

Section 362-11 Insurance Requirements

No license shall be issued for a wrecker unless there is in force with respect to such vehicle a valid policy of insurance issued by an insurance company authorized to do business in the State of New Jersey with the following coverages and limits: General Liability - 1,000,000 per occurrence/2,000,000 aggregate; Automobile Liability 1,000,000 CSL - "Any Auto"; Workers Compensation - Statutory; Employers Liability - 1,000,000; Umbrella Liability - 2,000,000; Garage Liability - 1,000,000 each accident; Garage keepers Legal Liability 500,000/On Hook 100,000 (1,000 deductible). Such insurance policies shall remain in force for the duration of each wrecker's license. All insurance policies shall contain an endorsement requiring that at least sixty (60) days of prior written notice shall be given to the Township by the Insurer of any intention not to renew such policy or to cancel, replace or materially alter the same. To be eligible for inclusion in the Police Department call list as provided for in § 362-20 hereof, each insurance policy referred to in this section shall specifically name the Township as an insured party. Proof of compliance with the requirements of this section shall be evidenced by a certificate of insurance issued by the insurance carrier at the time of application for the license.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Section 258-4 Permits

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Permit Fees (after April 1)	Parking at Municipal Facilities; 258, 11A	Meter Parking Union Hill Recreation Lot Daily Fee (effective April 1, 2016)	\$3
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C(1)	Parking Cambridge, Union Hill and Texas Road Annual Fee (effective April 1, 2017)	\$216
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C(1)	Parking Cambridge, Union Hill and Texas Road Annual Fee Refund Admin Fee (effective April 1, 2017)	10%
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C(2)	Parking Cambridge, Union Hill and Texas Road Mid Year Annual Fee to be prorated on quarterly basis (effective April 1, 2017)	\$54.00/qtr

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Section 220-18 Stormwater Management Maintenance Fees

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Stormwater Management maintenance fees	Land use and development; Schedule C 220, 18A	Stormwater Improvement Fees (residential and non-residential development)	\$2,900

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended as follows:

Section 220-16 Escrow fees: Schedule B.

A. The fees required by Schedule B[1] shall be for the purpose of reimbursing the Township for direct and indirect fees, costs, charges and expenses of professional consultants retained by or on behalf of the Township, its boards, commissions or agencies and employees and staff of the Township, its boards, commissions or agencies in reviewing and testifying and/or assisting the Township in the processing of applications pursuant to the Land Use Ordinance and/or assisting the Township in evaluation, planning and proper design of municipal services and facilities in order to meet the needs of the proposed project and for on-site inspections related thereto. The fees required by Schedule B shall be deposited with the Township at the time the initial development documents are submitted and shall remain in an interest-bearing escrow fund.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Section 4-88.1 Division of Water Utility

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Division of Water Utility	Administration of Government; 4-88.1 T(2)D(1)Schedule A	Water Connection Fees (per service unit)	\$5,000

88.1(H) Violations and penalties. Any person, firm or corporation violating the provisions of this section or any succeeding ordinances or resolutions pertaining to the subject matter of this section which might be enacted or adopted shall be punished in accordance with the fines and penalties established by § 4-3 of the Code of Marlboro Township. Further, any party found guilty of unauthorized connection to and/or theft of water from the water system shall be subject to a minimum fine of \$500.00 and be responsible for repayment of the cost of water used.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Section 337-26 Fees

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Shade Tree Community Garden Plot (Non Resident)	Trees; 337-26.3	Permit Fee	\$60

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 125, "Construction Codes, Uniform", Section 125-3 "FEES" is hereby amended and supplemented as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Fees for additions and expansion of floor area	Construction Codes, Uniform; 125 3 A 1 a	Building. (1) Alterations, repairs, and remodeling: (a) General (per \$1,000, first \$50,000 of construction)	\$45
Fees for additions and expansion of floor area	Construction Codes, Uniform; 125 3 A 1 a	Building. (1) Alterations, repairs, and remodeling: (a) General (per \$1,000, next \$150,000 of construction)	\$35
Fees for additions and expansion of floor area	Construction Codes, Uniform; 125 3 A 1 a	Building. (1) Alterations, repairs, and remodeling: (a) General (per \$1,000 for balance)	\$25
Fence	Construction Codes, Uniform; 125 3 A 1 b	Building. (1) Alterations, repairs, and remodeling: (b) Fence	\$120
Residential Roof	Construction Codes, Uniform; 125 3 A 1 c	Building. (1) Alterations, repairs, and remodeling: (c) Residential roof (per \$1,000 of cost of construction)	\$35
Commercial Roof	Construction Codes, Uniform; 125 3 A 1 d	Building. (1) Alterations, repairs, and remodeling: (d) Commercial roof (for the first \$1,000 cost of construction)	\$60
Commercial Roof	Construction Codes, Uniform; 125 3 A 1 d	Building. (1) Alterations, repairs, and remodeling: (d) Commercial roof (for the second \$1,000 cost of construction and every \$1,000 thereafter)	\$50

Residential Siding	Construction Codes, Uniform; 125 3 A 1 e	Building. (1) Alterations, repairs, and remodeling: 3) Residential Siding (per \$1,000 of cost of construction)	\$35
New Residential, commercial and industrial	Construction Codes, Uniform; 125 3 A 2 a	Building. (2) New residential, commercial and industrial: (a) for the following use groups: R-2, R-3, R-4, R-5 AND U (per cubic foot)	\$0.031
New Residential, commercial and industrial	Construction Codes, Uniform; 125 3 A 2 c	Building. (2) New residential, commercial and industrial: c) <u>For large open volume building</u> (per cubic foot)	\$0.03
Demolition or removal of residential buildings	Construction Codes, Uniform; 125 3 A 4 b 1	Building. (4) Demolition or removal of: (b) Residential buildings; [1] Two thousand square feet and less than 30 feet high	\$150
Demolition or removal of residential buildings	Construction Codes, Uniform; 125 3 A 4 b 2	Building. (4) Demolition or removal of: (b) Residential buildings; [2] Two thousand square feet to 5000 square feet	\$200
Demolition or removal of residential buildings	Construction Codes, Uniform; 125 3 A 4 b 3	Building. (4) Demolition or removal of: (b) Residential buildings; [3] More than 5000 square feet and less than 35 feet high	\$250
Demolition or removal of asbestos	Construction Codes, Uniform; 125 3 A 4 e	Building. (4) Demolition or removal of : e) asbestos	\$200
Signs Minimum fee	Construction Codes, Uniform; 125 3 A 5 a	Building. (5) Signs: (a) Minimum fee	\$75
Certificates of occupancy, Certificate of continued occupancy	Construction Codes, Uniform; 125 3 A 6 c	Building. (6) Certificates of occupancy: c) Certificate of continued occupancy (all)	\$250
Additional fees minimum building subcode fee	Construction Codes, Uniform; 125 3 A 7 a	Building. (7) Additional fees:(a) Minimum building subcode fee	\$75

Additional fees extending expired permits	Construction Codes, Uniform; 125 3 A 7 b	Building. (7) Additional fees:(b) extending/updating expired permits	\$75
Additional fees for anything not listed	Construction Codes, Uniform; 125 3 A 7 c	Building. (7) Additional fees: c) For anything no listed	\$75
Additional fees for resubmission of an application for variation of class II and class III	Construction Codes, Uniform; 125 3 A 7 e 2	Building. (7) Additional fees: e) Resubmission of an application for variation: [2] Class II and Class III structures	\$75
Additional fees a change of Contractor Review Fee	Construction Codes, Uniform; 125 3 A 7 g	Building. (7) Additional fees:(g) A change of Contractor Review Fee	\$75
Additional fees Security Cameras. First set of 10	Construction Codes, Uniform; 125 3 A 7 h	Building. (7) Additional fees:(h) Security Cameras. First set of 10.	\$75
Additional fees Security Cameras. Each additional set of 10	Construction Codes, Uniform; 125 3 A 7 h	Building. (7) Additional fees:(h) Security Cameras. Each additional set of 10.	\$75
Additional fees Radon mitigation	Construction Codes, Uniform; 125 3 A 7 i	Building. (7) Additional fees:(i) Radon mitigation	\$75
Plumbing minimum fee	Construction Codes, Uniform; 125 3 B 1	Plumbing. (1) Minimum plumbing fee	\$75
Plumbing each fixture	Construction Codes, Uniform; 125 3 B 2	Plumbing. (2) Each fixture	\$20
Plumbing water utility connection	Construction Codes, Uniform; 125 3 B 3	Plumbing. (3) Water utility connection	\$75
Plumbing sewer utility connection	Construction Codes, Uniform; 125 3 B 4	Plumbing. (4) Sewer utility connection	\$75
Plumbing Air-conditioner unit	Construction Codes, Uniform; 125 3 B 6	Plumbing. (6) Air-conditioner unit	\$75
Plumbing sewer ejector	Construction Codes, Uniform; 125 3 B 7	Plumbing. (7) Sewer ejector	\$75
Plumbing grease trap	Construction Codes, Uniform; 125 3 B 8	Plumbing. (8) Grease trap	\$75
Plumbing condensate line	Construction Codes, Uniform; 125 3 B 9	Plumbing. (9) Condensate line	\$20
Plumbing Backflow device	Construction Codes, Uniform; 125 3 B 10	Plumbing. (10) Backflow device	\$75

Plumbing vent stack	Construction Codes, Uniform; 125 3 B 11	Plumbing. (11) Vent Stack	\$20
Plumbing gas to gas domestic furnace with electric permit	Construction Codes, Uniform; 125 3 B 12	Plumbing. (12) Gas-to-gas domestic furnace with electric permit	\$100
Plumbing active solar system	Construction Codes, Uniform; 125 3 B 14	Plumbing. (14) Active solar systems	\$75
Plumbing devices other than listed	Construction Codes, Uniform; 125 3 B 19	Plumbing. (19) Plumbing devices other than listed	\$75
Steam unit-shower	Construction Codes, Uniform; 125 3 B 20	Plumbing. (20) Steam unit-shower	\$75
Gas generator	Construction Codes, Uniform; 125 3 B 21	Plumbing. (21) Gas generator	\$75
Gravity water heater	Construction Codes, Uniform; 125 3 B 22	Plumbing. (22) Gravity water heater	\$75
Power vent or instantaneous water heater with electric permit	Construction Codes, Uniform; 125 3 B 23	Plumbing. (23) Power vent or instantaneous water heater with electric permit	\$100
Floor, roof, and hub drains	Construction Codes, Uniform; 125 3 B 24	Plumbing. (24) Floor, roof, and hub drain	\$20
Whirlpool/spa and hot tube	Construction Codes, Uniform; 125 3 B 25	Plumbing. (25) Whirlpool/spa and hot tubes	\$75
Gas piping each appliance	Construction Codes, Uniform; 125 3 B 26	Plumbing. (26) Gas piping, each appliance	\$20
Extending expired permits	Construction Codes, Uniform; 125 3 B 27	Plumbing. (27) Extending/updating expired permits	\$75
Vacuum relief system	Construction Codes, Uniform; 125 3 B 28	Plumbing. (28) Vacuum relief system	\$75
Refrigerator Ice Maker	Construction Codes, Uniform; 125 3 B 29	Plumbing. (29) Refrigerator Ice Maker	\$15
Medical Gas	Construction Codes, Uniform; 125 3 B 30	Plumbing. (30) Medical Gas (per outlet)	\$15
Additional fees a change of Contractor Review Fee	Construction Codes, Uniform; 125 3 B 31 a	Plumbing. (31) Additional fees:(a) a change of contractor review fee	\$75
Air handler	Construction Codes, Uniform; 125 3 B 32	Plumbing. (32) Air Handler	\$65

Sump Pumps	Construction Codes, Uniform; 125 3 B 33	Plumbing. (33) Sump Pumps	\$65
Humidifiers	Construction Codes, Uniform; 125 3 B 34	Plumbing. (34) Humidifiers	\$25
Studor Vent/Air Admittance Device	Construction Codes, Uniform; 125 3 B 35	Plumbing. (35) Studor Vent/Air Admittance Device	\$25
Additional fees each standpipe	Construction Codes, Uniform; 125 3 C 3 a	Fire. (3) Additional fees (a) Each standpipe	\$220
CO2 suppression	Construction Codes, Uniform; 125 3 C 4 b	Fire. (4) Pre-engineered suppression systems (b) CO2 suppression	\$150
Halon suppression	Construction Codes, Uniform; 125 3 C 4 c	Fire. (4) Pre-engineered suppression systems c) Halon suppression	\$150
Foam suppression	Construction Codes, Uniform; 125 3 C 4 d	Fire. (4) Pre-engineered suppression systems (d) Foam suppression	\$150
Replacement heating unit	Construction Codes, Uniform; 125 3 C 7	Fire. (7) Replacement heating unit	\$75
Wood stove installation	Construction Codes, Uniform; 125 3 C 8	Fire. (8) Wood stove installation	\$85
Extending expired permits	Construction Codes, Uniform; 125 3 C 9	Fire. (9) Extending/updating expired permits	\$75
Anything not listed	Construction Codes, Uniform; 125 3 C 10	Fire. (10) Anything not listed	\$75
Minimum fire sub-code fee (commercial)	Construction Codes, Uniform; 125 3 C 11	Fire. (11) Minimum fire subcode fee (commercial)	\$75
Minimum fire sub-code fee (residential)	Construction Codes, Uniform; 125 3 C 12	Fire. (12) Minimum fire subcode fee (residential)	\$75
Additional fees underground main and water tanks	Construction Codes, Uniform; 125 3 C 3 e	Fire. (3) Additional fees:(e) Underground Main and Water Tanks	\$250
Additional fees change of Contractor Review fee	Construction Codes, Uniform; 125 3 C 3 f	Fire. (3) Additional fees:(f) A change of Contractor Review Fee	\$75
Fire pump	Construction Codes, Uniform; 125 3 C 3 h	Fire. (3) Additional fees:(h) Fire pump	\$225

Generator	Construction Codes, Uniform; 125 3 C 3 i	Fire. (3) Additional fees:(i) Generator	\$75
Switching, lighting, and receptacle outlet (a)	Construction Codes, Uniform; 125 3 D 1 a	Electrical. (1) Switching, lighting, and receptacle outlet (a) One to 50	\$75
Switching, lighting, and receptacle outlet (b)	Construction Codes, Uniform; 125 3 D 1 b	Electrical. (1) Switching, lighting, and receptacle outlet (b) Each additional 25	\$40
Service panels, entrances and subpanels (a)	Construction Codes, Uniform; 125 3 D 2 d	Electrical. (2) Service panels, entrances, and subpanels (a) 100 amps or less	\$100
Service panels, entrances and subpanels (a)	Construction Codes, Uniform; 125 3 D 2 e	Electrical. (2) Service panels, entrances, and subpanels (a) For 101 to 200 amps or less	\$175
Service panels, entrances and subpanels (a)	Construction Codes, Uniform; 125 3 D 2 f	Electrical. (2) Service panels, entrances, and subpanels (a) For 201 to 400 amps or less	\$300
Service panels, entrances and subpanels (a)	Construction Codes, Uniform; 125 3 D 2 g	Electrical. (2) Service panels, entrances, and subpanels (a) For 401 to 600 amps or less	\$300
Service panels, entrances and subpanels (a)	Construction Codes, Uniform; 125 3 D 2 h	Electrical. (2) Service panels, entrances, and subpanels (a) For 601 to 1000 amps or less	\$500
Service panels, entrances and subpanels (a)	Construction Codes, Uniform; 125 3 D 2 i	Electrical. (2) Service panels, entrances, and subpanels (a) For 1001 amps or more	\$600
Transformers and generators (a)	Construction Codes, Uniform; 125 3 D 3 a	Electrical. (3) Transformers and generators. (a) From zero kilowatts to 10 kilowatts	\$100
Transformers and generators (b)	Construction Codes, Uniform; 125 3 D 3 b	Electrical. (3) Transformers and generators. (b) From 10 kilowatts to 45 kilowatts	\$125

Transformers and generators (c)	Construction Codes, Uniform; 125 3 D 3 c	Electrical. (3) Transformers and generators. C) from 45 kilowatts to 112.5 kilowatts	\$175
Motors and electrical devices (a)	Construction Codes, Uniform; 125 3 D 4 a	Electrical. (4) Motors and electrical devices. (a) zero horsepower to 10 horsepower	\$75
Motors and electrical devices (b)	Construction Codes, Uniform; 125 3 D 4 b	Electrical. (4) Motors and electrical devices. (b) Eleven horsepower to 50 horsepower	\$75
Motors and electrical devices c)	Construction Codes, Uniform; 125 3 D 4 c	Electrical. (4) Motors and electrical devices. c) Fifty horsepower to 100 horsepower	\$115
Motors and electrical devices c)	Construction Codes, Uniform; 125 3 D 4 d	Electrical. (4) Motors and electrical devices. C) 101 horsepower to 150 horsepower	\$150
Motors and electrical devices c)	Construction Codes, Uniform; 125 3 D 4 f	Electrical. (4) Motors and electrical devices. C) 151 horsepower to 200 horsepower	\$300
Motors and electrical devices c)	Construction Codes, Uniform; 125 3 D 4 g	Electrical. (4) Motors and electrical devices. C) 201 horsepower to 300 horsepower	\$600
Motors and electrical devices (d)	Construction Codes, Uniform; 125 3 D 4 h	Electrical. (4) Motors and electrical devices. (d) 301 horsepower or larger	\$700
Bonding, pool/vault	Construction Codes, Uniform; 125 3 D 5	Electrical (5) Bonding, pool/vault (outlets/receptacles):	\$75
Feeders (a)	Construction Codes, Uniform; 125 3 D 6 a	Electrical. (6) Feeders. (a) Each 100 amperes	\$65
Feeders (b)	Construction Codes, Uniform; 125 3 D 6 b	Electrical. (6) Feeders. (b) Each additional 100 amperes	\$65
Photovoltaic systems(1-50 kw)	Construction Codes, Uniform; 125 3 D 7 a	Electrical. (7) Photovoltaic systems(1-50 kw)	\$300

Photovoltaic systems(51-100 kw)	Construction Codes, Uniform; 125 3 D 7 b	Electrical. (7) Photovoltaic systems(51-100 kw)	\$400
Any other device	Construction Codes, Uniform; 125 3 D 8	Electrical. (8) Any other device	\$75
Extending expired permits	Construction Codes, Uniform; 125 3 D 9	Electrical. (9) Extending/updating expired permits	\$75
Anything not listed	Construction Codes, Uniform; 125 3 D 10	Electrical. (10) Anything not listed	\$75
Minimum electrical sub-code fee	Construction Codes, Uniform; 125 3 D 11	Electrical. (11) Minimum electrical subcode fee	\$75
Escalators	Construction Codes, Uniform; 125 3 D 12	Electrical. (12) Escalators	\$225
Elevators (1-10 floors)	Construction Codes, Uniform; 125 3 D 13	Electrical. (13) Elevators (1-10 floors)	\$250
Residential Elevator	Construction Codes, Uniform; 125 3 D 14	Electrical. (14) Residential Elevator	\$200
Commercial Ground Level HVAC	Construction Codes, Uniform; 125 3 D 15	Electrical. (15) Commercial Ground Level HVAC	\$100
Commercial Rooftop HVAC	Construction Codes, Uniform; 125 3 D 16	Electrical. (16) Commercial Rooftop HVAC	\$200
Boiler and Furnace with Plumbing	Construction Codes, Uniform; 125 3 D 17	Electrical. (17) Boiler and Furnace with Plumbing	\$100
Disconnect 100 amps or less	Construction Codes, Uniform; 125 3 D 18	Electrical. (18) Disconnect 100 amps or less	\$75
Disconnect 101-200 amps	Construction Codes, Uniform; 125 3 D 19	Electrical. (19) Disconnect 101-200 amps	\$125
CSST (gas line) bonding	Construction Codes, Uniform; 125 3 D 20	Electrical. (20) CSST (gas line) bonding	\$75
A change of Contractor Review Fee	Construction Codes, Uniform; 125 3 D 21 a	Electrical. (21) Additional fees:(a) A change of Contractor Review Fee.	\$75
In-ground Pools	Construction Codes, Uniform; 125 3 D 22	Electrical (22) In-ground Pools	\$300
Above-ground Pools	Construction Codes, Uniform; 125 3 D 23	Electrical (23) Above-ground Pools	\$100
Car Charging Outlets (a)	Construction Codes, Uniform; 125 3 D 24 a	Electrical (24) Car Charging Outlets. (a) 20 amp	\$75
Car Charging Outlets (b)	Construction Codes, Uniform; 125 3 D 24 b	Electrical (24) Car Charging Outlets. (b) 30 amp	\$85
Car Charging Outlets c)	Construction Codes, Uniform; 125 3 D 24 c	Electrical (24) Car Charging Outlets. C) 40 amp	\$95

Car Charging Outlets (d)	Construction Codes, Uniform; 125 3 D 24 d	Electrical (24) Car Charging Outlets. (d) 50 amp	\$105
Car Charging Outlets (e)	Construction Codes, Uniform; 125 3 D 24 e	Electrical (24) Car Charging Outlets. E) 480 volts	\$125
New and replacements residential A/C	Construction Codes, Uniform; 125 3 D 25	Electrical (25) New and replacement residential A/C	\$75
Radon mitigation	Construction Codes, Uniform; 125 3 D 26	Electrical (26) Radon mitigation	\$75

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Section 200-4 Regulations and Requirements

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Regulations and requirements	Homebuyers' Protection, 200-4 E (3)	Sales maps Homebuyers Protection-- Per Initial Review	\$100
Regulations and requirements	Homebuyers' Protection, 200-4 E (3)	Sales maps Homebuyers Protection-- Per Revision	\$60

Chapter 220 Land Use and Development

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Tennis and sports courts	Land use and Development, 220-43 F (6)	Tennis/sport courts	\$100 plan review; \$100 inspection
Wireless telecommunications towers and facilities	Land use and Development 220-102 (L)	Antennas/telecommunication towers	\$100 per review
Certificate of Occupancy	Land use and Development 220-126 (F)(3)(a)	Grading permit fee	\$50 min (under 1000 sf), \$50 min + 100 per disturbance over 1000 sf
Certificate of Occupancy	Land use and Development 220-126 (F)(3)(b)	Retaining Wall review/inspection fee	\$100 per 50 lf or part of wall

Plot Plans and As-Built Survey	Land use and Development 220-23 (K)(2)	Building addition engineering review fee	\$50 per review; \$50 per inspection
Fees	Trees; 337-19	Tree Removal permit fee	\$35/permit 5 or less trees; \$100 6 or over

Section 326-2 Streets and Sidewalks. Procedure for Obtaining Permit.

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Procedure for obtaining permit	Streets and Sidewalks; 326-2 C	Road Opening street excavations (3x3 only)	\$100 app fee; Bond-greater of \$500 or \$25/sq ft; Inspection \$150 3x3 only
Procedure for obtaining permit	Streets and Sidewalks; 326-2 C (2)	Road Openings-new apron/replace exist.	\$100 per curb-cut/apron

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 220, Land Use and Development Schedule B ("Escrow Fees") is hereby amended and supplemented as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Final Major Subdivision; 25 lots or less	Land Use and Development; 220 schedule B	Escrow Final Major Subdivision; 25 lots or less	\$2,500
Final Major Subdivision; 26-100 lots	Land Use and Development; 220 schedule B	Escrow Final Major Subdivision; 26-100 lots	\$3,000
Final Major Subdivision; 101-500 lots	Land Use and Development; 220 schedule B	Escrow Final Major Subdivision; 101-500 lots	\$5,000
Final Major Subdivision; 501-1000 lots	Land Use and Development; 220 schedule B	Escrow Final Major Subdivision; 501-1000 lots	\$6,250
Final Major Subdivision; 1001 lots plus	Land Use and Development; 220 schedule B	Escrow Final Major Subdivision; 1001 lots plus	\$7,500
Escrow Preliminary site plans	Land Use and Development; 220 schedule B	Escrow Preliminary site plans	

Escrow Final Site Plan Not involving Structures; 0-3 lots	Land Use and Development; 220 schedule B	Escrow Final Site Plan Not involving Structures; 0-3 lots	\$2,500
Escrow Final Site Plan Not involving Structures; 3 plus lots	Land Use and Development; 220 schedule B	Escrow Final Site Plan Not involving Structures; 3 plus lots	\$7,500
Escrow Final Site plans; 0-1249 sf	Land Use and Development; 220 schedule B	Escrow Final Site plans; 0-1249 sf	\$1,250
Involving structures; 1250-1999 sf	Land Use and Development; 220 schedule B	Escrow Involving structures; 1250-1999 sf	\$2,500
Involving structures; 2000-10000 sf	Land Use and Development; 220 schedule B	Escrow Involving structures; 2000-10000 sf	\$3,750
Involving structures; 10001-20000 sf	Land Use and Development; 220 schedule B	Escrow Involving structures; 10001-20000 sf	\$5,000
Involving structures; 20000 plus sf	Land Use and Development; 220 schedule B	Escrow Involving structures; 20000 plus sf	\$6,250
Residential bulk variances: single-family developments, sports courts, pools, additions	Land Use and Development; 220 schedule B	Escrow Bulk Variances	\$1,500

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 220, Land Use and Development Schedule A ("Non Refundable Fees") is hereby amended and supplemented as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Application	Land Use and Development; 220 schedule A (f) 2	Final Major Subdivision	\$500
Plat	Land Use and Development; 220 schedule A (f) 3	Minor Subdivision	\$0
Concept	Land Use and Development; 220 schedule A (f) 4	Minor Subdivision	\$500

Application	Land Use and Development; 220 schedule A (h) 2	Minor Site Plan	\$500
Preliminary Review	Land Use and Development; 220 schedule A (h) 3	Minor Site Plan	\$0
Final	Land Use and Development; 220 schedule A (h) 4	Minor Site Plan	\$0
Application	Land Use and Development; 220 schedule A (g) 2	Preliminary Major Subdivision Fee	\$500
Application	Land Use and Development; 220 schedule A (g) 4	Preliminary Major Subdivision Fee	\$500
Zoning Permit	Land Use and Development; 220 schedule A (r) 1	Zoning Permit General	\$60

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Section 278-3 Fee for Certificate of Continued Occupancy

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Fees for certificate of continued occupancy	Property Maintenance; 278-3A	Property Maintenance-CCO for apartments	\$100
Fees for certificate of continued occupancy	Property Maintenance; 278-3B	Property Maintenance-CCO for SFD's	\$125
Fees	Fees; 171-6	Mercantile License Fee-New Business	\$50

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of Chapter 265 ("Parks and Recreation Facilities") of the Marlboro Township Code be and are hereby amended and supplemented to increase the fees for licensing and

permitting as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Membership and other fees	Parks and Recreation Facilities; 265-18 B 1 a	Non-resident full-time family membership (remove sponsored)	\$586
Membership and other fees	Parks and Recreation Facilities; 265-18 B 1 b	Non-resident full-time individual membership (remove sponsored)	\$299
Membership and other fees	Parks and Recreation Facilities; 265-18 B 1 c	Non-resident senior membership (remove sponsored)	\$162
Membership and other fees	Parks and Recreation Facilities; 265-18 E 5 a	Swim Club Day Camp Resident	\$730
Membership and other fees	Parks and Recreation Facilities; 265-18 E 5 a.1[1]	Swim Club Activities Camp Resident	\$755
Membership and other fees	Parks and Recreation Facilities; 265-18 E 5 a.1[2]	Swim Club Sports Camp Resident	\$755
Membership and other fees	Parks and Recreation Facilities; 265-18 E 5 b	Swim Club Day Camp Non-resident	\$830
Membership and other fees	Parks and Recreation Facilities; 265-18 E 5 b.1[1]	Swim Club Activities Camp Non-resident	\$855
Membership and other fees	Parks and Recreation Facilities; 265-18 E 5 b.1[2]	Swim Club Sports Camp Non-resident	\$855
Membership and other fees	Parks and Recreation Facilities; 265-18 E 5 c 1	Swim Club Pre-Camp	\$190
Guest Books	Parks and Recreation Facilities; 265-21 A	Guest Book Coupons- Book	\$75
Membership and other fees	Parks and Recreation Facilities; 265-18 A 3 a	Tier III full-time family membership starting 2016 season	\$484
Membership and other fees	Parks and Recreation Facilities; 265-18 A 3 b	Tier III full-time individual membership starting 2016 season	\$247
Membership and other fees	Parks and Recreation Facilities; 265-18 A 3 c	Tier III full-time senior membership starting 2016 season	\$125
Membership and other fees	Parks and Recreation Facilities; 265-18 A 1 a	Tier I full-time family membership starting 2017 season	\$409

Membership and other fees	Parks and Recreation Facilities; 265-18 A 1 b	Tier I full-time individual membership starting 2017 season	\$212
Membership and other fees	Parks and Recreation Facilities; 265-18 A 1 c	Tier I full-time senior membership starting 2017 season	\$110
Membership and other fees	Parks and Recreation Facilities; 265-18 A 2 a	Tier II full-time family membership starting 2017 season	\$459
Membership and other fees	Parks and Recreation Facilities; 265-18 A 2 b	Tier II full-time individual membership starting 2017 season	\$237
Membership and other fees	Parks and Recreation Facilities; 265-18 A 2 c	Tier II full-time senior membership starting 2017 season	\$120
Membership and other fees	Parks and Recreation Facilities; 265-18 A 3 a	Tier III full-time family membership starting 2017 season	\$497
Membership and other fees	Parks and Recreation Facilities; 265-18 A 3 b	Tier III full-time individual membership starting 2017 season	\$253
Membership and other fees	Parks and Recreation Facilities; 265-18 A 3 c	Tier III full-time senior membership starting 2017 season	\$128
Membership and other fees	Parks and Recreation Facilities; 265-18 A 4 a 1	Mid-season family membership starting 2016 season	\$265
Membership and other fees	Parks and Recreation Facilities; 265-18 A 4 a 2	Mid-season individually membership starting 2016 season	\$135
Membership and other fees	Parks and Recreation Facilities; 265-18 A 4 a 3	Mid-season senior membership starting 2016 season	\$81
Membership and other fees	Parks and Recreation Facilities; 265-18 B 2 a	Mid-season Non-resident family membership starting 2016 season	\$322
Membership and other fees	Parks and Recreation Facilities; 265-18 B 2 b	Mid-season Non-resident individual membership starting 2016 season	\$164
Membership and other fees	Parks and Recreation Facilities; 265-18 B 2 c	Mid-season Non-resident senior membership starting 2016 season	\$122
Facility usage fees (indoors)	Parks and Recreation Facilities; 265-41 A 2	Meeting Room fees for Rec Center	\$10

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

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

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

The following Resolution #2016-73/Ord. #2016-5 (Providing for Lease Purchase Financing and Acquisition of Police Cars) was introduced by reference, offered by Councilman Cantor, seconded by Councilman Metzger, and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

RESOLUTION # 2016-73

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

ORDINANCE # 2016-5

ORDINANCE PROVIDING FOR THE LEASE PURCHASE
FINANCING AND ACQUISITION OF POLICE CARS FOR
AND BY THE TOWNSHIP OF MARLBORO, IN THE
COUNTY OF MONMOUTH, NEW JERSEY.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 25, 2016 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2016-5

ORDINANCE PROVIDING FOR THE LEASE PURCHASE
FINANCING AND ACQUISITION OF POLICE CARS FOR
AND BY THE TOWNSHIP OF MARLBORO, IN THE
COUNTY OF MONMOUTH, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey hereby authorizes the lease purchase financing and acquisition of police cars for the Township pursuant to N.J.S.A. 40A:11-15(7) for a total principal cost of not to exceed \$160,000. The procurement of the police cars is available through a State Contract. The rental payments will be paid over three years at an interest rate per annum to be approved by the Chief Financial Officer of the Township through a procurement process authorized herein and in accordance with law. The Chief Financial Officer of the Township is authorized to take financing bids or proposals or procure financing by other lawful means, including through a national purchasing cooperative, as she deems most cost effective for the Township.

Section 2. The Mayor and/or the Chief Financial Officer are hereby authorized to negotiate, execute and deliver, subject to the review of Bond Counsel, a lease purchase agreement (the "Lease") in accordance with the terms set forth in this ordinance, an agent or an escrow agreement, an assignment agreement, if necessary, and such other documents as may be necessary to consummate the transaction. The Township Council authorizes the Chief Financial Officer to establish an escrow account for the deposit of the lease proceeds and to direct the deposit and investment of the lease proceeds in the escrow for the term of the Lease in accordance with the requirements of law. The Township Council hereby authorizes and directs the Mayor or the Chief Financial Officer to execute the Lease and such other documents as may be required to consummate the transaction in forms approved by Bond Counsel, such approval to be evidenced by the execution of the Lease or such other documents by the Mayor or Chief Financial Officer. The Clerk is authorized to attest to such documents under the seal of the Township. The Mayor and /or the Chief Financial Officer are also authorized and directed to take on behalf of the Township such other actions as shall be necessary and appropriate to accomplish the lease purchase financing of the police cars in accordance with the terms of the Lease and this ordinance and pursuant to the terms of the agreements and instruments authorized to be prepared hereby and to accomplish the

performance of the obligations of the Township in respect thereto.

Section 3. The payment of rent or other monies due under the Lease shall be made from operating funds, subject to the availability of funds and appropriation annually of sufficient funds as may be required to meet the obligations of the Lease, and the Lease shall contain a clause making it subject to such appropriation or shall contain an annual cancellation clause. Neither the Township nor any agency, department or political subdivision thereof shall be obligated to pay any sum to the purchaser or lessor under the Lease from any taxing source for the payment of any sums due under the Lease unless an appropriation is made in a duly approved budget of the Township. The obligations of the Township shall not constitute indebtedness of the Township or of any department, agency or political subdivision thereof. The Lease shall set forth the term of the Lease, the rental payments to be paid by the Township in respect thereof, and the dates on which such rental payments shall be due and payable.

Section 4. The Township Council hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of the interest portion of rental payments due on the Lease, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Lease, if applicable.

Section 5. The Township Council hereby declares its intent to issue the Lease in the expected maximum principal amount of the Lease set forth herein and to use the proceeds of the Lease to pay or reimburse expenditures for the costs of the purpose for which the Lease is authorized herein. This resolution is a declaration of intent within the meaning and for the purposes of Treasury Regulations Section 1.150-2 or any successor provisions of federal income tax law.

Section 6. This ordinance shall take effect 20 days following final publication after final adoption and otherwise as provided by law.

The following Resolution #2016-74 (Setting Special Council Budget Meeting - Feb. 17 - 6PM) was introduced by reference, offered by Councilman Metzger, seconded by Councilman Cantor,

and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

RESOLUTION # 2016-74

SETTING SPECIAL COUNCIL BUDGET MEETING

BE IT RESOLVED by the Marlboro Township Council that a "Special" Council Meeting will be held on February 17, 2016 at 6:00 PM at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, N. J. 07746. The purpose of this special meeting is to discuss the 2016 Municipal Budget and any other finance related business.

Action will not be taken and Citizen's Voice will be limited to 15 minutes.

Councilman Metzger introduced a motion to amend the Consent Agenda to include Res. #2016-84 (Reject and Rebid - Recycling Collection and Disposal Services), seconded by Council President Mazzola, and passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Metzger, seconded by Councilman Cantor and passed on a roll call vote of 4 - 0 in favor (Absent: Marder). Res. #2016-75 (Authorizing Professional Services Contract - Associated Appraisal Group - Acquisition of Certain Parcels), Res. #2016-76 (Approving Official Hunting Map), Res. #2016-77 (Award of Bid - Supply of Water Distribution Products), Res. #2016-78 (Award of Bid - Coach Bus Transportation - Rec Department), Res. #2016-79 (Award of Bid - Freneau Drive Headwall Replacement), Res. #2016-80 (Authorizing Final Close Out Change Order & Acceptance of Route 79 Streetscape Improvement Project), Res. #2016-81 (Amending Shared Services Agreement Marlboro Board of Education - Architectural Services), Res. #2016-82 (Temporary Emergency Appropriations 2016,), Res. #2016-83 (Temporary Capital Budget 2016), Res. #2016-84 (Reject and Rebid - Recycling Collection and Disposal Services).

RESOLUTION # 2016-75

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT BETWEEN ASSOCIATED APPRAISAL GROUP, INC. 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 ASSOCIATED APPRAISAL GROUP, INC. (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 ASSOCIATED APPRAISAL GROUP, INC. 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. Associated Appraisal Group, Inc.
- b. Township Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2016-76

RESOLUTION APPROVING THE OFFICIAL HUNTING MAP FOR
THE TOWNSHIP OF MARLBORO PURSUANT TO SECTION 177-1
OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED
FIREARMS: DISCHARGE RESTRICTIONS

WHEREAS, Section 177-1 of the Code of the Township of Marlboro reads as follows:

"No person shall discharge a gun or any firearm within the areas shown and marked with bold diagonal lines on the Official Hunting Map of the Township of Marlboro, dated May 31, 1995, to be amended and updated annually by the Township Engineer to include new schools, public recreational facilities, ballfields and lands which have obtained final site plan and or subdivision approval upon which site work has commenced. The Hunting Map, as amended, shall be approved by formal resolution of the Township

Council. Copies of said map are on file in the offices of the Township Clerk and Township Engineer."

; and

WHEREAS, in accordance with State Law (R.S.23:4-16), "no person, except the owner or lessee of the building and persons specifically authorized by him in writing...shall, for the purposes of hunting, taking or killing any wildlife, have in his possession a loaded firearm while within 450 feet of any occupied building in this State, or of any school playground"; and

WHEREAS, the Township Engineer has drafted an updated Hunting Map dated October 18, 2013 which incorporates structures, and facilities that have been constructed or approved and is consistent with the existing terms of State Law and the Township Code governing firearms discharge; and

WHEREAS, the Chief of Police recommends that the official Hunting Map dated February 1, 2016 be approved as the official Hunting Map of the Township of Marlboro; and

WHEREAS, the Township Council supports the recommendation of the Chief of Police and believes that it is prudent to approve the amended Hunting Map.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the Hunting Map dated February 1, 2016 be approved.

BE IT FURTHER RESOLVED, that a copy of the updated Hunting Map be posted on the Township website.

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

- a. Township Administrator
- b. Chief of Police
- c. Township Engineer

RESOLUTION # 2016-77

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO
WATER WORKS SUPPLY CO., INC. FOR THE SUPPLY OF WATER
DISTRIBUTION PRODUCTS FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, the Township of Marlboro as part of its 2015 capital program (500-23) authorized certain water utility system improvements; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for THE SUPPLY OF WATER DISTRIBUTION PRODUCTS, and on February 3, 2016 received one (1) bid, as follows:

#	Bidder	Bid Amount
1	Water Works Supply Co., Inc. Pompton Plains, NJ 07444	\$189,713.90*

* Amount adjusted for mathematical error.

; and

WHEREAS, the bid submission of the sole bidder, WATER WORKS SUPPLY CO., INC. of Pompton Plains, NJ has been determined to be responsive as detailed in a February 4, 2016 memo transmitted by the Director of Public Works; and

WHEREAS, the Director of Public Works has recommended the Township award a contract to WATER WORKS SUPPLY CO., INC. based on the unit prices in the bid for an amount not to exceed \$189,713.90; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director of Public Works to award the bid as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to WATER WORKS SUPPLY CO., INC., whose address is 660 State Highway 23, PO Box 306, Pompton Plains, NJ 07444, for THE SUPPLY OF WATER DISTRIBUTION PRODUCTS based on the unit prices in the bid for an amount not to exceed \$189,713.90; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with WATER WORKS SUPPLY CO., INC., whose address is 660 State Highway

23, PO Box 306, Pompton Plains, NJ 07444, based on the unit prices in the bid for an amount not to exceed \$189,713.90, for a period of one (1) year with an option to renew for one two-year or two (2) one year periods on the same terms and conditions as specified in the bid; and

BI IT FURTHER RESOLVED that the Chief Financial Officer has certified funds in the amount of \$29,644.47 from Capital Account #06-215-15-03B-500288 and Current Account #05-201-55-500-251020; and

BE IT FURTHER RESOLVED that the Chief Financial Officer will certify funds for additional items at the time of order; and

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

- a. Water Works Supply Co., Inc.
- b. Township Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2016-78

A RESOLUTION AWARDING CONTRACT TO STARR TRANSIT CO., INC.
FOR COACH BUS TRANSPORTATION FOR THE TOWNSHIP
OF MARLBORO RECREATION DEPARTMENT

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for COACH BUS TRANSPORTATION FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT, and on February 3, 2016, received three (3) bids therefor; and

WHEREAS, the three (3) bids received were as follows:

Company	SENIOR PROGRAM Per 56/p Bus Bid Amount	TRAVEL CAMP Bid Amount for Est. of Four (4) 56/p Busses
Suburban Trails, Inc. New Brunswick, NJ	20,092.00	128,712.00
Starr Transit Co., Inc. Trenton, NJ	21,435.00	135,780.00
Stout's Charter Service, Trenton, NJ Inc.	25,300.00	168,000.00

WHEREAS, it has been determined that the submission of the apparent low bidder, Suburban Trails, Inc. is responsive as detailed in a February 3, 2016 memo from the Director of

Recreation; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director of Recreation as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Suburban Trails, Inc. whose address is 750 Somerset Street, New Brunswick, NJ 08901 for COACH BUS TRANSPORTATION FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT, for a contract amount at prices specified in the bid proposal not to exceed the budgeted amount of \$102,000.00 for a term of one year, with an option to renew the contract based upon on the same terms and conditions as specified in the bid proposal for an additional one (1) two-year period, or two (2) one-year periods at the exclusive option of the Township.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with Suburban Trails, Inc., in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED that funds in the amount of \$102,000.00 will be certified by the Chief Financial Officer in Utility account #09-201-55-400-288485 and Current account #01-201-28-145-288471 as trips and participation levels are finalized.

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

- a. Suburban Trails, Inc.
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Township Recreation Director

RESOLUTION # 2016-79

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO JTG CONSTRUCTION, INC. FOR FRENEAU DRIVE HEADWALL REPLACEMENT

WHEREAS, the Township of Marlboro as part of its 2014 capital program (060-6) authorized FRENEAU DRIVE HEADWALL REPLACEMENT; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for FRENEAU DRIVE HEADWALL REPLACEMENT, and on January 27, 2016, received eight (8) bids, as follows:

		Bid Price
JTG Construction Inc.	Newark, NJ	\$53,513.00
James R. Ientile, Inc.	Marlboro, NJ	\$74,000.00
Lucas Construction Group, Inc.	Morganville, NJ	\$79,741.06
Earle Asphalt Co.	Farmingdale, NJ	\$89,913.13
John Garcia Construction Co., Inc.	Clifton, NJ	\$89,996.09
T. R. Weniger, Inc.	Piscataway, NJ	\$92,890.00
Kalogridis Contracting LLC	North Brunswick, NJ	\$97,397.00
Tony & Son Inc.	Colonia, NJ	\$117,933.00

; and

WHEREAS, it has been determined that the submission of the lowest bidder, JTG CONSTRUCTION, INC. is responsive as detailed in a February 4, 2016 memo submitted by the Township Engineer; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to JTG CONSTRUCTION, INC., whose address is 188 Jefferson Street, Suite 387, Newark, NJ 07105 in an amount not to exceed \$53,513.00 for FRENEAU DRIVE HEADWALL REPLACEMENT; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with JTG CONSTRUCTION, INC. in an amount not to exceed \$53,513.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$53,513.00 are available for the aforesaid contract in Capital Account #04-215-14-03B-060288; and

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

- a. JTG Construction, Inc.
- b. Township Administrator
- c. Director of Public Works

- d. Township Engineer
- e. Chief Financial Officer

RESOLUTION # 2016-80

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND S. BATATA CONSTRUCTION, INC. AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF ROUTE 79 STREETScape IMPROVEMENTS

WHEREAS, by Resolution #2014-278 the Township of Marlboro authorized the award of a contract to S. Batata Construction, Inc. for the Route 79 Streetscape Improvements project (the "Project"); and

WHEREAS, Closeout Change Order has been requested resulting in a decrease in the original contract amount of \$580,889.00 to \$579,339.25, a net decrease of \$1,549.75; and

WHEREAS, in a Letter dated February 3, 2016, the Township Engineer has confirmed that the Project has been completed in accordance with the approved plans and specifications and has recommended approval of the Closeout Change Order, acceptance of the Project improvements, and issuance of final payment in the amount of \$60,440.52; and

WHEREAS, pursuant to the terms of the contract, S. Batata Construction, Inc. has provided a two-year maintenance bond in an amount equal to 15% of the final contract amount or \$86,900.89; and

WHEREAS, the Township Council of the Township of Marlboro is amenable to approving Closeout Change Order, accepting the Project improvements and issuing a final payment to S. Batata Construction, Inc. in the amount of \$60,440.52 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order to the existing contract with S. Batata Construction, Inc. be and is hereby approved, decreasing the original contract total of \$580,889.00 to \$579,339.25, a net decrease of \$1,549.75.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are

hereby accepted, and that final payment in the amount of \$60,440.52 for work completed by S. Batata Construction, Inc. is hereby approved.

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

- a. S. Batata Construction, Inc.
- b. Township Administrator
- c. Township Engineer
- d. Township Chief Financial Officer

RESOLUTION # 2016-81

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY,
NEW JERSEY AMENDING A SHARED SERVICES AGREEMENT WITH
THE MARLBORO BOARD OF EDUCATION TO PROVIDE ARCHITECTURAL
SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, on May 7, 2015, the Township of Marlboro ("Township") authorized a shared services agreement with the Marlboro Board of Education ("BOE") for architectural services in support of public works projects authorized under the 2014 - 2015 capital plan and 2014 energy audit (R. 2015-198); and

WHEREAS, the Township is in need of additional architectural services in the context of several pending insurance claims; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Township of Marlboro and Marlboro Board of Education ("BOE") are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the BOE has awarded a contract pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11) for architectural services for the maintenance of the school buildings; and

WHEREAS, the BOE and the Township have negotiated the terms of a Shared Services Agreement, included as EXHIBIT A and

incorporated into this resolution as if set forth at length herein; and

WHEREAS, the Administration and Department of Public Works have recommended the proposed agreement as representing the best value for Marlboro taxpayers; and

WHEREAS, the Marlboro Township Council has indicated its desire to accept the recommendation of the Administration and Department of Public Works.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Marlboro as follows:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.
3. The Mayor and Township Clerk are hereby authorized to execute a Shared Services Agreement, the terms of which are annexed hereto as EXHIBIT A.
4. A copy of the Shared Services agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.

RESOLUTION # 2016-82

EMERGENCY TEMPORARY APPROPRIATION
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of the fiscal year and before the adoption of the 2016 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2015 appropriations with the exception of debt service and obligations associated with seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2016 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total:

\$21,284,887.62 for the municipal budget, \$3,735,344.65 for the operations of the water utility, and \$1,244,143.85 for the operations of the recreation and swim utility; and

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

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation will be provided for in the CY 2016 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION # 2016-83

RESOLUTION ADOPTING A TEMPORARY CAPITAL BUDGET
CALENDAR YEAR 2016

WHEREAS, the Township of Marlboro, County of Monmouth, desires to establish a 2016 Temporary Capital Budget to permit various capital improvements,

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

SECTION 1.

The 2016 Temporary Capital Budget for Township of Marlboro is hereby constituted as follows:

GENERAL CAPITAL

Project Title	Estimated 2016 Cost	Capital Improvement Fund	Grants in Aid and Other Funds	Debt Authorized
Bldg Improvements	3,227,001	115,425	918,500	2,193,076
Bldg Improvements-OEM	179,000	6,850	42,000	130,150
Bldg Improvements-Parking	300,000	10,250	95,000	194,750
Equipment-DPW	477,984	23,899	0	454,085
Equipment-Police Dept	624,229	6,312	497,987	119,930
MIS Equipment	213,595	10,680	0	202,915
Office Equipment	43,500	1,625	11,000	30,875
Park Improvements	784,100	23,318	317,750	443,033
Records Management Solution	275,000	0	275,000	0
Storm drainage improvements	397,509	13,581	125,891	258,037

Street Improvements and Resurfacing	2,282,000	93,350	415,000	1,773,650
Traffic Intersection Reconstruct/Replace	15,003	750	2	14,253
Vehicles-Ambulance	190,000	9,500	0	180,500
Vehicles-DPW	370,000	18,500	0	351,500
Vehicles-Other	48,000	1,050	27,000	19,950
Vehicles-Police Dept	266,729	13,336	0	253,393
	<u>\$9,693,650</u>	<u>\$348,426</u>	<u>\$2,725,130</u>	<u>\$6,620,094</u>

WATER UTILITY CAPITAL

Project Title	Estimated 2016 Cost	Capital Improvement Fund	Grants in Aid and Other Funds	Debt Authorized
Vehicles-Water	80,000	0	0	80,000
Water System Improvements	1,657,000	0	112,000	1,545,000
Water Well Upgrade or Rehab	193,000	0	0	193,000
	<u>\$1,930,000</u>	<u>\$0</u>	<u>\$112,000</u>	<u>\$1,818,000</u>

SECTION 2.

The Municipal Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey.

SECTION 3.

The aforementioned capital projects shall be included in the 2016 Permanent Capital Budget as adopted.

RESOLUTION # 2016-84

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS
FOR THE PROVISION OF RECYCLING COLLECTION AND
DISPOSAL SERVICES FOR THE TOWNSHIP OF
MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on February 9, 2016, bids were opened for RECYCLING COLLECTION AND DISPOSAL SERVICES for the Township of Marlboro Department of Public Works; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(b), a contracting unit may reject all bids if the lowest bid substantially exceeds the contracting unit's appropriation for the provision or performance of the goods or services; and

WHEREAS, the bid submitted by the apparent lowest bidder exceeds the Township's budgeted cost.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that all bids heretofore received for the project titled RECYCLING COLLECTION AND DISPOSAL SERVICES for the Township of Marlboro are hereby rejected pursuant to N.J.S.A. 40A:11-13.2(b).

BE IT FURTHER RESOLVED, that the Business Administrator is hereby authorized and directed to return the bid bond(s) or other security(ies) to the appropriate bidder(s).

At 7:15 PM, Councilman Metzger moved that the meeting be adjourned. This was seconded by Council President Mazzola, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: FEBRUARY 25, 2016

OFFERED BY:	METZGER	AYES:	4
SECONDED BY:	MAZZOLA	NAYS:	0
		ABSTAIN:	MARDER

ALIDA MANCO
MUNICIPAL CLERK

CAROL MAZZOLA
COUNCIL PRESIDENT