

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

February 19, 2009

The Marlboro Township Council held its regularly scheduled meeting on February 19, 2009 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Rosenthal opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled 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 2, 2009; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building posted on the Marlboro Township Website, and filed in the office of the Municipal Clerk,

The Clerk called the Roll.

PRESENT: Councilman Cantor, Council Vice President LaRocca Councilwoman Marder, Councilwoman Tragni and Council President Rosenthal.

Also present were: Mayor Jonathan L. Hornik, Jonathan Williams, Esq., Business Administrator Alayne Shepler, Municipal Clerk Alida Manco, and Deputy Clerk Deborah Usalowicz.

Council President Rosenthal announced that the following items were moved to the March 5th agenda: Item #18A (Res. #2009-105 - Amending Res. #2009-41 - Beacon Hill Litigation) and 18B (Res. #2009-68/Ord. #2009-2 Amend Chapter 84 - Rezoning LC to R-80 to Implement Consent Order - B. 132, Lots 38-41, 45-56, B. 153, Lots 57-84, 86-137, B. 153.01, Lots 1-5; B. 153.02, Lots 1-9).

Council President Rosenthal opened the Public Hearing on supporting 2009 Gypsy Moth Control Program. As there was no one who wished to speak, the Public Hearing was closed. The following Res. # 2009-88 (Declaring Gypsy Moth a Public Nuisance) was introduced by reference, offered by Council Vice

President LaRocca, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2009-88

WHEREAS, the gypsy moth *Lymantria dispar*, has been found heavily defoliating tree and plant growth in the Township of Marlboro; and

WHEREAS, continued destruction of foliage may result in loss of valuable forest lands and trees; and

WHEREAS, the Township Council of the Township of Marlboro has determined that a gypsy moth control program should be instituted with the County of Monmouth and the State of New Jersey Department of Agriculture and that application for any County, Federal or State funds available be authorized.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life there from is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the County of Monmouth and the State of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest.

Council President Rosenthal moved Res. # 2009-104/Ord. # 2009-15 (Amend Chapter 55 - Construction Code - Fees) up on the agenda. The following Res. # 2009-104/Ord. # 2009-15 (Amend Chapter 55 - Construction Code - Fees) was introduced by reference, offered by Councilman Cantor and seconded by Council President Rosenthal. Discussion followed, after which the resolution/ordinance was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2009-104

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

ORDINANCE # 2009-15

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55, "CONSTRUCTION CODES, UNIFORM", SECTION 55-3, "FEES",

SUB-SECTION 55-3(A), "CONSTRUCTION PERMIT 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 March 5, 2009 at 8:00 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 # 2009-15

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55,
"CONSTRUCTION CODES, UNIFORM", SECTION 55-3, "FEES",
SUB-SECTION 55-3(A), "CONSTRUCTION PERMIT FEES",
OF THE CODE OF THE TOWNSHIP OF MARLBORO

WHEREAS, the Township Construction Official has reviewed the fees provided under Sub-Section 55-3(A), Construction Permit Fees, of the Code of the Township of Marlboro and has determined that various fees must be revised in order to be in compliance with the Uniform Construction Code ("UCC") Standards; and

WHEREAS, the Township Council desires to update the construction permit fees assessed by the Township in order to make same compliant with current UCC Standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that Chapter 55, Construction Codes, Uniform, Section 55-3, Fees, Sub-Section 55-3(A), Construction Permit Fees, of the Code of the Township of Marlboro be and is hereby amended and supplemented in its entirety in accordance with the fee schedule attachment hereto; and

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

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

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

The following Res. # 2009-080 (Bond Reduction Chelsea Commons) was introduced by reference, offered by Councilwoman Tragni and seconded by Council Vice President LaRocca. Discussion followed, after which the resolution was passed on a roll call vote of 4 - 1 in favor with Councilman Cantor voting no.

RESOLUTION # 2009-80

RESOLUTION AUTHORIZING REDUCTION OF TWO (2) BOND AND CASH PERFORMANCE GUARANTEES HELD BY THE TOWNSHIP OF MARLBORO FOR THE DEVELOPMENT KNOWN AS CHELSEA SQUARE

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Chelsea Commons, LLC (hereinafter "Developer") for the reduction of two (2) Township held Performance Guarantees in the form of Bonds and Cash for site improvements at a development known as Chelsea Square on the property known as Block 132, Lots 12.01, 13 and 14 on the Official Tax Map of the Township of Marlboro, Monmouth County, New Jersey; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated February 19, 2009, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends a partial reduction in the current Performance Guarantee Bonds and Cash amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the two (2) Performance Guarantee Bonds and Cash amounts in accordance with the recommendations of the Township Engineer.

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 two (2) Performance Guarantees in the form of Bonds and Cash amounts posted for the Development known as Chelsea Square shall be reduced as follows:

(1) Performance Guarantee #1 for site improvements, item nos. 1 - 19:

The Performance Guarantee Bond (Bond Safeguard Insurance Company, Bond No. 5016275, dated April 13, 2005) for site improvements in the original amount of \$2,970,831.59, is presently in the amount of \$2,970,831.59 and shall be reduced by \$699,797.28, so that the amount to remain shall be \$2,271,034.31; and

The Cash Bond, in the original amount of \$330,092.40, is presently in the amount of \$330,092.40 and shall be reduced by \$77,755.25, so that the amount to remain shall be 252,337.15.

(2) Performance Guarantee #2 for site improvements, item nos. 20-64:

The Performance Guarantee Bond (Bond Safeguard Insurance Company, Bond No. 5016276, dated April 13, 2005) for site improvements in the original amount of \$2,618,691.62, is presently in the amount of \$2,618,691.62 and shall be reduced by \$1,231,062.62, so that the amount to remain shall be \$1,387,629.00; and

The Cash Bond, in the original amount of \$290,965.73, is presently in the amount of \$290,965.73 and shall be reduced by \$136,784.73, so that the amount to remain shall be \$154,181.00.

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the payment of all fees required by the Planning Board and/or Developer's Agreement for the aforesaid development.

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

- a. Chelsea Commons, LLC
- b. Bond Safeguard Insurance Company
- c. Township Engineer
- d. Township Administrator
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2009-089 (Appointing Auditor - Eugene M. Farrell - Hutchins, Farrell, Meyer & Allison, P.A.) was introduced by reference, offered by Councilman Cantor,

seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0.

RESOLUTION # 2009-89

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND EUGENE M. FARRELL OF THE FIRM OF HUTCHINS, FARRELL, MEYER & ALLISON, P.A. FOR 2009 AUDIT SERVICES

WHEREAS, the Township of Marlboro is in need of professional services in connection with the 2009 statutory audit of the 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") such services to be rendered by Eugene Farrell of the Firm of Hutchins, Farrell, Meyer & Allison, P.A., under a contract to be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; 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 January 30, 2009 from Eugene Farrell of Hutchins, Farrell, Meyer & Allison, P.A., for Audit and Related Services (the "Proposal") which sets forth the terms and conditions under which such services are to be rendered by Eugene M. Farrell, who has agreed to serve as Township Auditor, of the firm of Hutchins, Farrell, Meyer & Allison (the "Business Entity") under a contract to be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Chief Financial Officer of the Township of Marlboro has determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, funds will be made available in the 2009 Municipal Budget; and

WHEREAS, Eugene Farrell has completed and submitted a Business Entity Disclosure Certification certifying that neither Eugene

Farrell nor any principals of the firm of Hutchins, Farrell, Meyer & Allison, P.A. have made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Section 26 or to N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate Marlboro Township Code Section 26 or N.J.S.A. 19:44A-20.5 will be made during the term of the contract; and

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

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire Eugene M. Farrell, of the firm of Hutchins, Farrell, Meyer & Allison, P.A. for Audit and Related Services in accordance with the Proposal; and

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

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 Eugene M. Farrell, of the firm of Hutchins, Farrell, Meyer & Allison, P.A. to provide Audit and Related Services (as defined hereinabove) pursuant to a non-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 shall provide for compensation as follows:

(a) to provide the audit of the 2009 financial statements of the Township consistent with the conditions set forth in the January 30, 2009 Proposal from Hutchins, Farrell, Meyer & Allison, P.A. for compensation at a flat fee not to exceed Thirty-Five Thousand Five Hundred Dollars (\$35,500.00);

(b) A Flat fee of \$5,000.00 for the Official Statement for the 2009 Township Bond Sale;

(c) For any Additional 2009 Township Budget Services a flat fee of \$850.00, if such services are so required;

(d) A Flat Fee of \$350.00 for each Supplemental Debt Statement as may be required;

(e) for the provision of any additional services requested by the Township, compensation shall be paid at hourly rate of:

(1) One Hundred Forty-Five Dollars; (\$145.00) for the services of a Partner;

(2) One Hundred Fifteen Dollars (\$115.00) for the services of a manager;

(3) Ninety Dollars (\$90.00) for the services of a Supervisor;

(4) Seventy-Five Dollars (\$75.00) for the services of Senior staff; and

(5) Sixty-Five Dollars (\$65.00) for the services of staff; and

Such additional services shall be pre-approved by the Mayor and Town Council before same are undertaken by the Township Auditor.

3. The Mayor and Town 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 Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

5. A copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

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

- a. Eugene M. Farrell
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2009-092 (Authorizing Prof. Services Contract - Realty Appraisal - New Construction, Additions & Alterations) was introduced by reference, offered by Council Vice President LaRocca, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0.

RESOLUTION # 2009-92

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH REALTY APPRAISAL COMPANY TO ASSIST THE MARLBORO TOWNSHIP TAX ASSESSOR TO MAINTAIN A UNIFORM SCHEDULE OF PROPERTY VALUES WITHIN THE TOWNSHIP OF MARLBORO

WHEREAS, the Township requires the services of an appraiser to appraise all new construction, additions and alterations completed within the Township of Marlboro to assist the Tax Assessor in maintaining a uniform schedule of values, such appraisal services to be rendered by Realty Appraisal Company (the "Business Entity") consistent with its proposal dated February 12, 2009 under a contract to be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such appraisal services are to be performed and rendered by a person or persons licensed and authorized to undertake professional appraisal services 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 Chief Financial Officer of the Township of Marlboro has determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, the Business Entity has completed and submitted a Business Entity Disclosure Certification certifying that no officer or principal of the Business Entity has made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Section 26 or to N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate Marlboro Township Code Section 26 or N.J.S.A. 19:44A-20.5 will be made during the term of the contract; and

WHEREAS, the Township has been provided with the Business Entity's 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 Realty Appraisal Company to assist the Tax Assessor in maintaining a uniform schedule of values, such contract to be awarded pursuant to a non-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 shall provide for compensation consistent with the prices quoted in the Schedule of Charges included in the proposal dated February 12, 2009 for a total amount not to exceed Forty Thousand Dollars and 00/100 (\$40,000.00) for the aforesaid appraisal services; and

2. The Mayor and Town 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

3. The Chief Financial Officer has executed a Certification of Funds for the contract, which is attached hereto, and that sufficient funds are available for said contact from Account Number 9-01-045-288.

4. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

5. A copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

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

- a. Realty Appraisal Company
- b. Mayor Jonathan Hornik
- c. Township Administrator

- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick, Cole & Wisler. LLP

The following Res. # 2009-093 (Authorizing Prof. Services Contract - Civil Solutions - Annual Tax Map/GIS Maintenance) was introduced by reference, offered by Councilwoman Marder and seconded by Council President Rosenthal and passed on a roll call vote of 5 - 0.

RESOLUTION # 2009-093

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CIVIL SOLUTIONS FOR UPDATE AND MAINTENANCE OF THE TOWNSHIP OF MARLBORO TAX MAP FOR THE CALENDAR YEAR 2009

WHEREAS, the Township requires professional services to update and maintain the Township Tax Map for the calendar year 2009, such services to be rendered by the firm of Civil Solutions (the "Business Entity") pursuant to its November 17, 2008 proposal, under a contract to be awarded pursuant to a non-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 undertake professional grant writing and application services, 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 Chief Financial Officer of the Township of Marlboro has determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, the Business Entity has submitted a proposal to the Township of Marlboro to provide the aforementioned professional services for an hourly fee of \$150.00 per hour for the services of a Principal Professional Land Surveyor and \$65.00 an hour for the services of a Senior Technician for an estimated total amount not to exceed \$24,000.00; however, upgrades to the Township Geographic Information System would be performed for an additional fee of \$5,000.00; and

WHEREAS, funds will be available for this purpose in the 2009 Municipal Budget.

WHEREAS, the Business Entity has completed and submitted a Business Entity Disclosure Certification certifying that

the Business Entity has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Section 26 or to N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate Marlboro Township Code Section 26 or N.J.S.A. 19:44A-20.5 will be made during the term of the contract; 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 a Professional Services Contract to the firm of Civil Solutions to provide services to update and maintain the Township of Marlboro Tax Map for the Calendar Year 2009 pursuant to a non-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 shall provide, consistent with its November 17, 2008 proposal, for compensation at an hourly fee of \$150.00 for the services of a Principal Professional Land Surveyor and \$65.00 an hour for the services of a Senior Technician, for an estimated total amount not to exceed \$24,000.00; however, upgrades to the Township Geographic Information System would be performed for an additional fee of \$5,000.00; and

2. The Mayor and Town 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

3. The Chief Financial Officer has executed a Certification of Funds for the contract, which is attached hereto, and that sufficient funds are available for said contact from Account Number 9-01-045-228.

4. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

5. A copy of the Notice of this Resolution shall be published as required by law within ten (10) days of its passage; and

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

- a. Civil Solutions
- b. Mayor Jonathan Hornik
- c. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

Res. # 2009-094 (Authorizing Prof. Services Contract - BRB Valuation and Consulting - Appraisal B. 180, L. 28) was discussed. After discussion, the resolution was tabled to a future agenda. Motion to table was made by Council Vice President La Rocca, seconded by Councilman Cantor, and passed on a roll call vote of 5 - 0 in favor of tabling.

As the consent agenda, the following Resolutions were introduced by reference, offered by Council Vice President LaRocca, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor: Res. #2009-096 - Redemption Tax Sale Certs. - Various, Res. #2009-097 (Refund Mon. County Tax Bd. Judgement B. 392, L. 24.01), Res. #2009-098 (Exempt Fireman - Paul Lorenz), Res. #2009-099 (Raffle License St. Gabriel's Church On Premise 50/50), Res. #2009-100 (Raffle License St. Gabriel's Church Off Premise 50/50), Res. #2009-101 (Raffle License St. Gabriel's Church On Premise Merch.) and Res. #2009-102 (Raffle License St. Gabriel's Church Carnival Wheels/Games).

RESOLUTION # 2009-096

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$39,046.03 as per Schedule "A",

WHEREAS, the holders of the above-mentioned tax sale certificates are entitled to the amount of the sale plus interest and costs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$39,046.03 be refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
04-15	360.01/2	Betty Simon, Trustee, LLC	\$30,257.49
	167 Dutch Lane Road	P.O. Box 238	
		Northfield, NJ 07225	
07-32	202/4	Elliot Loeb-Keogh Plan	6,390.89
	75 Rockwell Circle	1 Lakeview Road	
		Saratoga Springs, NY 12866	
08-39	105/3	Culmac Investors, Inc.	1,099.40
	14 Thomas Lane	Box 251	
		Monmouth Beach, NJ 07750	
08-53	223/12	The Approved Realty Group, LLC	1,298.25
	13 North Main Street	60 Chambersbridge Road, STE 4	
		Lakeview, NJ 08701	
TOTAL:			<u>\$39,046.03</u>

RESOLUTION # 2009-097

WHEREAS, the Monmouth County Board of Taxation has granted a judgment for the 2008 Added Assessment in the amount of \$1,384.02 on Block 392 Lot 24.01, located at 394 Taylors Mill Road, assessed to Steven & Helen Ibrahim,

WHEREAS, taxes for the year 2008 have been paid in full on the above-mentioned block & lot,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$1,384.02 as stated above.

RESOLUTION # 2009-98

WHEREAS, PAUL T. LORENZ, has served in the Marlboro Fire Company as a member of the Company for a period of eight years, and

WHEREAS, the Marlboro Fire Company has recommended to the Marlboro Township Council that PAUL T. LORENZ be designated an Exempt Fireman pursuant to N.J.S.40A:14-56 and,

WHEREAS, it has been certified to the Township Council that PAUL T. LORENZ has met all of the requirements for such designation:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro hereby designates PAUL T. LORENZ as a 7 year Exempt Fireman pursuant to N.J.S.40A:14-56.

2. That the Township Council extends its congratulations and thanks to PAUL T. LORENZ for his services as a Volunteer during the past 8 years.

RESOLUTION # 2009-99

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 02-09 (On Premise 50/50) be and it is hereby granted to St. Gabriel's R.C. Church, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on the following dates and times:

May 27, 2009	6PM - 11 PM
May 28, 2009	6PM - 11 PM
May 29, 2009	6PM - 12 PM
May 30, 2009	2PM - 12 PM

at St. Gabriel's Church grounds, 100 North Main Street, Marlboro, N. J. 07746.

RESOLUTION # 2009-100

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 03-09 (Off Premise 50/50) be and it is hereby granted to St. Gabriel's R.C. Church, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on May 30, 2009 at 10 PM at St. Gabriel's Church grounds, 100 North Main Street, Marlboro, N. J. 07746.

RESOLUTION # 2009-101

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 04-09 (On Premise Merchandise) be and it is hereby granted to St. Gabriel's R.C. Church, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on the following dates and times:

May 27, 2009	6PM - 11 PM
May 28, 2009	6PM - 11 PM
May 29, 2009	6PM - 12 PM
May 30, 2009	2PM - 12 PM

at St. Gabriel's Church grounds, 100 North Main Street, Marlboro, N. J. 07746.

RESOLUTION # 2009-102

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 05-09 (Carnival Wheels and Games) be and it is hereby granted to St. Gabriel's R.C. Church, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on the following dates and times:

May 27, 2009	6PM - 11 PM
May 28, 2009	6PM - 11 PM
May 29, 2009	6PM - 12 PM
May 30, 2009	2PM - 12 PM

at St. Gabriel's Church grounds, 100 North Main Street, Marlboro, N. J. 07746.

At 10:10PM, Councilman Cantor moved that the meeting go into executive session for reason of discussing litigation. This was seconded by Councilwoman Marder, and as there was no

objection, the Clerk was asked to cast one ballot. Recess was called and the executive session reconvened at 10:20 PM.

RESOLUTION # 2009-103

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 19th day of February, 2009 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely,

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 10 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 10:30PM, Councilman Cantor moved that the meeting be opened. This was seconded by Council President Rosenthal, and as there was no objection, the Clerk was asked to cast one ballot.

At 10:31PM, Councilman Cantor moved that the meeting be adjourned. This was seconded by Council President Rosenthal, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: March 19, 2009

OFFERED BY: La Rocca AYES: 5

SECONDED BY: Marder NAYS: 0

ALIDA MANCO
MUNICIPAL CLERK

STEVE ROSENTHAL,
COUNCIL PRESIDENT