

## LEGISLATIVE MINUTES

## MARLBORO TOWNSHIP COUNCIL MEETING

June 11, 2009

The Marlboro Township Council held its special meeting on June 11, 2009 at 5:15 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 special meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on June 4, 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 Vice President LaRocca, Councilwoman Marder, Councilwoman Tragni and Council President Rosenthal. Councilman Cantor was absent.

Also present were: Mayor Jonathan L. Hornik, Ronald Gordon, Esq., and Municipal Clerk Alida Manco.

The following Resolution #2009-248 (Deferring School Taxes) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder, and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2009-248

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey wish to defer school tax as promulgated by the Division of Local Government Services, and

WHEREAS, there has been confusion surrounding the payment and deferral of school tax concerning the year of 2007 which was identified and subsequently rectified in the 2008 Township Audit, and

WHEREAS, the 12/31/08 year ending surplus figure and accumulated deferred tax figures will be adjusted to reflect the aforementioned correction and

WHEREAS, this correction necessitates that the Township Council pass a new resolution to defer the school tax desired to be reallocated as 12/31/08 Fund Balance and subsequently used in the 2009 Municipal Budget

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey to increase the Township's deferred school taxes as of December 31, 2008 as follows;

	<u>From</u>	<u>To</u>	<u>Increase</u>
Local District School	\$28,650,000.00	\$31,510,285.00	\$2,860,285.00

The following Resolution #2009-249 (Budget Amendments) was introduced by reference, offered by Council Vice President LaRocca and seconded by Councilwoman Marder. Discussion followed, during which Council reviewed the changes. After discussion, the resolution was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2009-249

RESOLUTION OF THE TOWNSHIP OF MARLBORO  
 COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
 TO AMEND APPROVED BUDGET IN ACCORDANCE WITH THE  
 PROVISIONS OF 40A:4-9

WHEREAS, the local municipal budget for 2009 was approved on April 20, 2009; and

WHEREAS, the public hearing on said budget will be held on June 18, 2009; and

WHEREAS, the Township Council desires to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth that the following amendments to the approved budget of 2009 be made:

**CURRENT FUND**

	<u>From</u>	<u>To</u>
<b><u>REVENUES</u></b>		
1. Surplus Anticipated	5,000,000.00	5,200,000.00
6. Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	18,816,023.19	18,966,252.19
7. Total General Revenues	<u>\$ 31,892,413.61</u>	<u>\$ 32,021,046.11</u>

**APPROPRIATIONS**

General Administration – Other Expenses	176,660.00	170,585.00
Mayor – Other Expenses	5,000.00	5,300.00
Township Council – Other Expenses	3,500.00	2,000.00
Municipal Clerk – Other Expenses	67,200.00	61,000.00
Finance – Other Expenses	26,500.00	23,000.00
Central Computer – Other Expenses	24,800.00	22,800.00
Tax Collection – Other Expenses	29,250.00	56,650.00
Tax Assessor – Other Expenses	87,100.00	88,800.00
Engineering – Other Expenses	130,750.00	141,300.00
Grant Administration – Other Expenses	12,000.00	19,000.00
Cable Studio – Other Expenses	50,000.00	45,000.00
Historic Sites Commission – Other Expenses	3,000.00	1,000.00
Planning Board – Other Expenses	40,500.00	34,800.00
Zoning Board – Other Expenses	47,650.00	55,150.00
Police – Other Expenses	385,250.00	363,000.00
Prosecutor – Salary & Wages	31,500.00	32,500.00
Crime Prevention – Other Expenses	37,130.00	23,405.00
School Educational Programs	16,900.00	13,900.00
Highway Safety – Other Expenses	33,000.00	21,900.00
Uniform Fire Safety Act – Other Expenses	15,050.00	13,340.00
Streets & Roads – Other Expenses	45,790.00	45,715.00
Snow Removal – Other Expenses	365,790.00	372,290.00
Solid Waste Collection – Other Expenses	700,528.00	704,124.00
Buildings & Grounds – Other Expenses	212,140.00	232,140.00
Registrar – Other Expenses	1,890.00	1,670.00
Drug Abuse – Salaries and Wages	4,000.00	10,000.00
Environmental – Other Expenses	8,000.00	5,000.00
Recreation – Other Expenses	138,822.00	126,940.00
Teen Program – Other Expenses	20,000.00	0.00
Park Maintenance – Other Expenses	44,680.00	44,605.00
Municipal Court – Other Expenses	129,600.00	125,140.00
Ethics Commission – Other Expenses	2,500.00	500.00
General Liability Insurance	397,675.00	450,000.00
Workers Compensation Insurance	475,000.00	600,000.00
Employee Group Health	2,200,000.00	2,215,000.00
Homeland Security	54,500.00	28,500.00
Electricity	394,000.00	412,000.00
Street Lighting	634,000.00	674,000.00
Water	20,000.00	24,000.00
Sewer	10,000.00	10,400.00

Gasoline	465,000.00	336,500.00
Landfill / Solid Waste	201,300.00	222,200.00
Item 8A Total Operations Within CAPS	23,299,775.00	23,386,974.00
Item 8B Total Op. Incl Contingent Within CAPS	23,309,775.00	23,386,974.00
Detail:		
Salaries and Wages	14,324,000.00	14,331,000.00
Other Expense	8,985,775.00	9,065,974.00
(E) Deferred Charges and Statutory Expenditures Within "CAPS"		
Contribution to PERS	0.00	345,000.00
Contribution to PFRS	0.00	917,000.00
Contribution to Social Security	1,050,000.00	1,000,000.00
Total Deferred Charges and Statutory Expenditures Within "CAPS"	1,061,929.19	2,272,987.69
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	24,371,704.19	25,669,961.69
(A) Operations excluded from "CAPS"		
Contribution to PERS	342,596.50	0.00
Contribution to PFRS	916,058.50	0.00
Total Other Operations excluded from "CAPS"	2,265,884.00	1,007,229.00
Handicapped Recreation Opportunities Grant Local Share	0.00	420.00
Total Public & Private Programs Offset by Revenue	144,516.42	144,936.42
Total Operations excluded from "CAPS"	2,410,400.42	1,152,165.42
Detail:		
Other Expenses	1,750,400.42	492,165.42
Interest on Notes	95,000.00	183,610.00
Total Municipal Debt Service – Excl from CAPS	2,905,309.00	2,993,919.00
(H-2) Total General Appropriations for Municipal Purposed Excluded from "CAPS"	5,620,709.42	4,451,084.42
(O) Total General Appropriations Excluded From "CAPS"	5,620,709.42	4,451,084.42
(L) Subtotal General Appropriations	29,992,413.61	30,121,046.11
(M) Reserve for Uncollected Taxes	1,900,000.00	1,900,000.00

9. Total General Appropriations \$ 31,892,413.61 \$ 32,021,046.11

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in the Asbury Park Press in the issue of June 15, 2009 and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on June 18, 2009 at 8:00 pm.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2009 Local Municipal Budget as amended.

The following Resolution #2009-250 (Authorizing Issuance of Notes) was introduced by reference, offered by Council Vice President LaRocca, seconded by Councilwoman Tragni and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2009-250

RESOLUTION PROVIDING FOR THE FINANCING OF A SPECIAL EMERGENCY APPROPRIATION OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, BY THE ISSUANCE OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP

BE IT RESOLVED 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 Township of Marlboro, in the County of Monmouth, New Jersey (the "Township") has heretofore finally adopted on March 6, 2008, Ordinance No. 2008-6 entitled "An Ordinance Authorizing a Special Emergency Appropriation of Funds to Undertake a Program of Revaluation of Real Property throughout the Township of Marlboro by Order of the Monmouth County Board of Taxation", and in accordance with said ordinance \$1,000,000 is appropriated pursuant to N.J.S.A. 40A:4-53(b) for undertaking a program of revaluation of real property throughout the Township as ordered by the Monmouth County Board of Taxation.

SECTION 2. The Township hereby determines to finance \$800,000 of the special emergency appropriation referred to in Section 1 herein by the issuance of Special Emergency Notes of the

Township, which may be renewed from time to time, as provided by law. Pursuant to N.J.S.A. 40A:4-55(b) of the Local Budget Law, at least 1/4th of all such Special Emergency Notes, and renewals thereof, shall mature and be paid in each year, so that all such Special Emergency Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of adoption of the ordinance authorizing the Special Emergency Appropriation. Accordingly, not to exceed \$800,000 in Special Emergency Notes are hereby authorized to be issued.

SECTION 3. All Special Emergency Notes issued hereunder shall mature at such times as may be determined by the chief financial officer, subject to the limitations set forth in Section 2 hereof. The chief financial officer shall determine all matters in connection with Special Emergency Notes issued pursuant to this resolution, and the chief financial officer's signature upon the Special Emergency Notes shall be conclusive evidence as to all such determinations. All Special Emergency Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-55(b). The chief financial officer is hereby authorized to sell part or all of the Special Emergency Notes from time to time, at no less than par and accrued interest, 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 Special Emergency Notes pursuant to this resolution is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Special Emergency Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 4. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the Special Emergency Notes authorized by this resolution. The Special Emergency Notes shall be direct, unlimited obligations of the Township. The powers and obligations of the Township to pay any Special Emergency Note issued pursuant to this resolution and the Local Budget Law shall be unlimited and the Township shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the Township for the payment of such Special Emergency Notes and interest thereon, without limitation of rate or amount.

