

MARLBORO TOWNSHIP COUNCIL MEETING

February 10, 2022

The Marlboro Township Council held its regularly scheduled meeting on February 10, 2022 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President Qazi 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 published in the Asbury Park Press on December 21, 2021; was sent to the Asbury Park Press, the Star Ledger, News Transcript and the Board of Education Office on February 7, 2022; 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 Municipal Clerk called the Roll.

PRESENT: Councilman Milman, Councilman Scalea and Council President Qazi. Council Vice President DiNuzzo and Councilwoman Marder were absent

Also present: Mayor Jonathan L. Hornik, Township Attorney Louis N. Rainone, Esq., Business Administrator Jonathan Capp, Municipal Clerk Susan A. Branagan and Deputy Municipal Clerk Jennifer M. Johnson

Citizen's Voice: Frank Festa of 1727 Ramapo way Scotch Plains commented about the grading and clearing permit for his property. He would like Council to advise if he is allowed to regrade his land. Township Attorney Louis N. Rainone, Esq. stated that these comments have already been addressed by the engineering department and in responses to Mr. Festa's OPRA requests.

William Waple of 16 Calder Court suggested changing resolution #2022-034 regarding the meeting protocol.

Cheryl Krenkle of 41 Samantha Drive commented about the ongoing construction at 606 Robert Court.

Jeffery Krenkle of 41 Samantha Drive commented about the ongoing construction at 606 Robert Court.

Council Speaks Out: Councilman Scalea thanked Mr. and Mrs. Krenkel for their comments and he looked forward to meeting with them to

discuss their concerns. He congratulated Carol Mazzola on being appointed Deputy Mayor of Economic Development. Councilman Milman stated he was happy to have so many people come out to support the police officers that were recognized for their continued dedication on and off the job. He thanked everyone that signed up for citizen's voice and for coming to the Council meeting. He also congratulated Carol Mazzola on becoming Deputy Mayor.

Presentation: New Jersey Assemblywoman Vicki Flynn, Assemblyman Gerry Scharfenberger and Commissioner Ross F. Licitra presented commendations to the following members of the Marlboro Police Department who distinguished themselves through exemplary law enforcement service and devotion to duty. : Lieutenant Nicholas Szymanski, Sergeant John Bise, Sergeant Andrew Goldberg, and Dispatcher Paul Lorenz.

Administrative Report: Mayor Hornik welcomed Assemblywoman Vicki Flynn, Assemblyman Gerry Scharfenberger and Commissioner Ross F. Licitra to Marlboro to recognize and honor Marlboro's police officers. Summer camp, swim club membership, and spring soccer registrations are open for enrollment. Applications for the 2022 Marlboro community garden season are now being accepted. Members have grown and donated more than 1,000 pounds of produce to local food banks. The Mayor thanked Ellen Simonetti for her leadership running the beautiful garden. The Mayor provided his support for the meeting agenda items including the \$75,000 grant from the NJ Local Government Services. This competitive grant was awarded to the Township for improvements to recreation facilities and parks. He welcomed Carol Mazzola as the Deputy Mayor of Economic Development and looks forward to many more years of working together. In closing the Mayor stated that this weekend would be the last day for the Marlboro COVID Testing Truck. He was pleased to announce that COVID cases and hospitalizations are continuing to decline locally and throughout the country. As of February 2, cases are down 53% from their peak in mid-January and so the demand for testing has declined. If COVID numbers change, the Township will adjust accordingly. Residents can continue to find testing, vaccines or boosters, at the Monmouth County Health Department, they have a number of locations throughout the county. He wished everyone a Happy Chinese New Year, it is the year of the Tiger and a Happy Valentine's Day.

Councilman Scalea moved that the Council meeting minutes of January 26, 2022 be approved. This was seconded by Councilman Milman, and passed on a roll call vote of 3 - 0 in favor. Council Vice President DiNuzzo and Councilwoman Marder were absent.

Councilman Milman offered a motion to reschedule Ordinance #2022-001 to February 24, 2022 without further legal notice, seconded by Councilman Scalea and passed on a roll call vote of 3 - 0 in favor.

Council Vice President DiNuzzo and Councilwoman Marder were absent.

ORDINANCE #2022-001

AN ORDINANCE AMENDING SECTION 220-8 OF THE CODE OF THE TOWNSHIP OF MARLBORO (APPOINTMENT OF ZONING BOARD MEMBERS)

BE IT ORDAINED, by the Township Council of the Township of Marlboro, that Section 220-8(A) of the Code of the Township of Marlboro shall be amended to read as follows:

A. Establishment and composition.

- (1) A Zoning Board of Adjustment is hereby established pursuant to N.J.S.A. 40:55D-69 et seq., as amended, consisting of seven residents of the Township of Marlboro appointed by the Township Council to serve for terms of four years from January 1 of the year of their appointment. The terms of the members first appointed shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first four years after their appointment; provided that the initial term of no member shall exceed four years. Thereafter, the term of each member shall be for four years. Nothing in this chapter shall, however, be construed to affect the term of any present member of the Zoning Board of Adjustment, all of whom shall continue in office until the completion of the term for which they were appointed.
- (2) No member of the Zoning Board of Adjustment may hold any elective office or position under the Township, except that one member may be a member of the Planning Board.
- (3) A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.
- (4) There shall be two alternate members appointed by the Township Council and designated by the Township Council as "Alternate No. 1" and "Alternate No. 2," each for a term of two years. Alternate members may participate in discussions of the proceedings but not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.
- (5) Quorum. If the Zoning Board of Adjustment lacks a quorum because any of its regular or alternate members is

prohibited by N.J.S.A. 40:55D-69 from acting on a matter due to the member's personal or financial interest therein, Class IV members of the Planning Board shall be called upon to serve, for that matter only, as temporary members of the Zoning Board of Adjustment. The Class IV members of the Planning Board shall be called upon to serve in order of seniority of continuous service to the Planning Board until there are the minimum number of members necessary to constitute a quorum to act upon the matter without any personal or financial interest therein, whether direct or indirect. If a choice has to be made between Class IV members of equal seniority, the Chairman of the Planning Board shall make the choice.

BE IT FURTHER ORDAINED, that this ordinance shall take effect following adoption and approval in a time and manner provided by law.

The following Ordinance #2022-002 (Appropriating a \$75,000 Grant to be Received by the Township for Improvements to Playground Facilities) was introduced by reference. Council President Qazi opened the Public Hearing on Ordinance #2022-002. As there was no one who wished to speak, a motion to close the public hearing was offered by Councilman Milman and seconded by Councilman Scalea. The council agreed by voice vote to close the public hearing. A motion to adopt Ordinance #2022-002 was offered by Councilman Scalea and seconded by Councilman Milman. The ordinance was passed on a roll call vote of 3 - 0 in favor. Council Vice President DiNuzzo and Councilwoman Marder were absent.

ORDINANCE #2022-002

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING A \$75,000 GRANT TO BE RECEIVED BY THE TOWNSHIP FOR IMPROVEMENTS TO RECREATION FACILITIES IN PARKS IN AND FOR 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 a majority of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The \$75,000 grant expected to be received by the Township from the New Jersey Division of Local Government Services Local Recreation Improvement Grant Program is hereby appropriated for the purpose of providing funds for improvements to recreation

facilities in Township parks, including all work and materials necessary therefor and incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect in accordance with law.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Scalea, seconded by Councilman Milman and passed on a roll call vote of 3 - 0 in favor. Council Vice President DiNuzzo and Councilwoman Marder were absent.

RESOLUTION #2022-058

A RESOLUTION OF THE TOWNSHIP OF MARLBORO AUTHORIZING A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL DISTRIBUTION LICENSE NUMBER 1328-44-021-001 FROM EXIT 123 LIQUORS, LLC (T/A WINE ACADEMY) TO DIAMOND WINES AND LIQUORS, LLC

WHEREAS, application was made to the Township of Marlboro ("Township") by DIAMOND WINES AND LIQUORS, LLC for a person-to-person transfer of Plenary Retail Distribution License Number 1328-44-021-001 ("License") presently held by Exit 123 Liquors, LLC, which is sited at 167 Highway 9 South, Marlboro, New Jersey 07726 (the "Premises"); and

WHEREAS, the Applicant has disclosed, and the appropriate Township officials have reviewed, the source of all funds used in connection with the purchase of said license, which information is contained in the report of the Police Department concerning this transfer application; and

1. The submitted application form is complete in all respects;
2. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated

thereunder, as well as any pertinent local ordinances or Division-approved conditions; and

3. The Applicant has disclosed and the Township has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the Township Council of the Township of Marlboro has reviewed the application and all supporting documentation and finds it appropriate to approve the transfer of the aforesaid plenary retail distribution license.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the application by DIAMOND WINES AND LIQUORS, LLC for a person-to-person transfer of Plenary Retail Distribution License Number 1328-44-021-001 presently held by Exit 123 Liquors, LLC, is hereby approved. The effective date of this approval shall be February 10, 2022.

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

- a. DIAMOND WINES AND LIQUORS, LLC, 500 Craig Road, Manalapan, NJ 07726
- b. Matthew Stein, Esq., 56 East 80th Street, New York, New York 10075
- c. Township Administrator
- d. Township Building Department
- e. Township Attorney
- f. Chief of Police
- g. NJ Alcohol Beverage Control

RESOLUTION #2022-059 WAS REMOVED FROM THE AGENDA

RESOLUTION #2022-060

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO ON SITE LANDSCAPE MANAGEMENT FOR THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on February 2, 2021 (Resolution #2021-097) the Township Council of the Township of Marlboro awarded a contract to ON SITE LANDSCAPE MANAGEMENT FOR THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract for an additional one two-year, or two one-year

extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, in a memo dated January 18, 2022, the Director of Public Works has recommended that the Township approve the first one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a renewal contract be awarded to ON SITE LANDSCAPE MANAGEMENT, whose address is P.O. Box 294, Millstone, NJ 08535 for a one-year period beginning on March 1, 2022, for an amount not to exceed \$249,987.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, contracts with ON SITE LANDSCAPE MANAGEMENT, in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, funds in the amount of \$224,989.20 representing the 2022 portion of the contract have been certified by the Chief Financial Officer in Current Accounts 01-201-26-122-288310, 01-201-28-123-288101 and 01-201-28-123-292120, Open Space Trust Fund account 21-228-55-059 and Recreation Utility Operating Account 09-201-55-400-288452.

BE IT FURTHER RESOLVED, that funds in the amount of \$24,997.80, for the 2023 portion of the contract will be certified by the Chief Financial Officer upon adoption of the 2023 Municipal Budget.

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

- a. ON SITE LANDSCAPE MANAGEMENT
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2022-061

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO McCLOSKEY MECHANICAL CONTRACTORS, INC. FOR HVAC MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on February 18, 2021 (Resolution #2021-098) the Township Council of the Township of Marlboro awarded a contract to McCLOSKEY MECHANICAL CONTRACTORS, INC. for HVAC MAINTENANCE FOR THE

TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, in a memo dated January 18, 2022 the Director of Public Works has recommended that the Township approve the first one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a renewal contract be awarded McCLOSKEY MECHANICAL CONTRACTORS, INC. whose address is 445 Lower Landing Road, Blackwood, NJ 088723 for a period of one year beginning March 1, 2022, in an amount not to exceed \$37,267.00.

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

BE IT FURTHER RESOLVED, funds in the amount of \$31,043.40 representing the 2022 portion of the contract have been certified by the Chief Financial Officer in various operating accounts.

BE IT FURTHER RESOLVED, that funds in the amount of \$6,223.60, for the 2023 portion of the contract will be certified by the Chief Financial Officer upon adoption of the 2023 Municipal Budget.

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

- a. McCLOSKEY MECHANICAL CONTRACTORS, INC.
- b. Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2022-062

A RESOLUTION AUTHORIZING ACCEPTANCE OF THE DONATION OF GIFT CARDS AND FOOD FOR THE MARLBORO RECREATION SENIOR CITEZEN PROGRAMS

WHEREAS, the Marlboro Recreation Department runs various senior citizen programs; and

WHEREAS, the following businesses have donated the following items, to be used for the purpose of providing snacks for attendees of various Senior Citizen Programs,

Food Emporium	Food Donations
Bagel World	Bagels

;and

WHEREAS, the following businesses have donated the following items, to be used for the purpose of door prize giveaways for attendees for the 2021 Senior Holiday Party,

Alex's Nail Spa	Gift Card
Beacon of Life	Gift Basket
Bella Terra	Gift Basket
Big Boy's Pizza	Gift Card
Brandywine@Governor's Crossing	Gift Basket
Bubbakoo's	Gift Card
Card Party	Bracelet
Cuzin's	Gift Card
Fred & Murray's Deli	Gift Card
Gold-n-Time Jewelers	Bracelet
La Cucina Nouveau	Gift Card
LaRosa Grill	Gift Card
Marlboro Diner	Gift Certificate
Mixed Greens	Gift Card
Playa Bowls	Gift Card
Petco	Miscellaneous items
Right at Home	Gift Basket
Senior Helpers	Gift Basket
Springpoint Senior Living	Gift Basket
The Chelsea at Manalapan	Gift Basket
The Chelsea at the Solana	Gift Basket
The Oriental	Gift Cards
The Villas at Manalapan	Gift Basket
Trader Joe's	Miscellaneous items
Tuscany	Gift Card
Wawa	Gift Basket

;and

WHEREAS, the Recreation Department recommends that the Township accept the donations as described above; and

WHEREAS, there has been no promise of future employment, services, goods or other thing of value exchanged in return for said donations.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the donations as described above are hereby accepted.

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

- a. Township Business Administrator
- b. Chief Financial Officer
- c. Director of Recreation

RESOLUTION #2022-063

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AUTHORIZING THE USE OF MARLBORO TOWNSHIP BOARD OF EDUCATION AND FREEHOLD REGIONAL HIGH SCHOOL DISTRICT RECREATIONAL SPORT FACILITIES BY THE MARLBORO DEPARTMENT OF RECREATION

WHEREAS, the Marlboro Township Board of Education (the "MTBOE") and Freehold Regional High School District ("FRHSD") own various school sporting facilities; and

WHEREAS, the Township of Marlboro (the "Township") operates various fee-based recreational sport leagues for Township residents requiring the use of the MTBOE's and FRHSD's various school sporting facilities; and

WHEREAS, the MTBOE and FRHSD are authorized to permit the use of school sporting facilities it owns for the purpose of various recreational sport leagues for children and adults participating in said recreation or other program operated by the municipality in which the MTBOE or FRHSD is located; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 (2) ("Exceptions"), any contract the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor and shall be awarded by resolution of the governing body if it is to be made or entered into with the United States of America, the State of New Jersey, county or municipality or any board, body, officer, agency or authority thereof or any other state or subdivision thereof; and

WHEREAS, the Director of Recreation has recommended that the Township utilize the MTBOE and FRHSD facilities for the Recreation Department's 2022-2023 season; and

WHEREAS, the costs of the facility rental services for the Recreation Department shall be paid by the Township to the MTBOE and

FRHSD for the facilities that are utilized as depicted in Attachment A; and

WHEREAS, funds in the amount not to exceed \$59,315.00 for the facility rental services have been certified by the Chief Financial Officer from the Recreation Utility Accounts #09-201-55-400-216402, #09-201-55-400-216426, #09-201-55-400-216406 and #09-201-55-400-216427; and

WHEREAS, the Mayor and the Township Council desire to utilize the MTBOE and FRHSD facilities as recommended by the Director of Recreation for programming in accordance with the above-described terms and conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor and Business Administrator are hereby authorized and directed to execute the contracts or agreements necessary to secure the facility rentals from the Marlboro Township Board of Education and Freehold Regional High School District in support the programs of the Marlboro Township Recreation Department.

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

- a. Marlboro Township Board of Education
- b. Freehold Regional High School District
- c. Township Business Administrator
- d. Director of Recreation

RESOLUTION #2022-064

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY AUTHORIZING THE
RENEWAL OF A SHARED SERVICES AGREEMENT WITH
THE TOWNSHIP OF MANALAPAN FOR USE OF THE
MARLBORO SWIM CLUB

WHEREAS, Marlboro and Manalapan entered into a Shared Services Agreement dated June 5, 2008; and

WHEREAS, the Shared Services Agreement included a fee schedule, "which shall be updated periodically through the adoption of resolutions" by the Township of Marlboro and the Township of Manalapan; and

WHEREAS, the Township of Marlboro has adopted new rates for the Marlboro Swim Club for 2022.

WHEREAS, the Township of Manalapan wishes to continue to offer its residents membership in the Marlboro Swim Club.

NOW, THEREFORE, BE IT RESOLVED, that the following amended EXHIBIT A is agreed upon and adopted by the parties.

BE IT FURTHER RESOLVED, that all other terms of the Shared Services Agreement dated June 5, 2008 remain in effect.

BE IT FURTHER RESOLVED, that in the event the current public health emergency requires that membership fees be increased in order to compensate for the cost of enhanced safety measures or to accommodate membership or attendee restrictions based upon guidance issued by Federal, State or County authorities, in accordance with the terms of the agreement, the updated fee schedule will be presented to the governing bodies in both the Township of Marlboro and the Township of Manalapan for consideration.

RESOLUTION #2022-065

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY AUTHORIZING THE
RENEWAL OF A SHARED SERVICES AGREEMENT WITH
THE TOWNSHIP OF COLTS NECK FOR USE OF THE
MARLBORO SWIM CLUB

WHEREAS, the Township of Marlboro and the Township of Colts Neck entered into a Shared Services Agreement dated April 12, 2012; and

WHEREAS, the Shared Services Agreement included a fee schedule, "which shall be updated periodically through the adoption of resolutions" by the Township of Marlboro and the Township of Colts Neck; and

WHEREAS, the Township of Marlboro has adopted new rates for the Marlboro Swim Club for 2022; and

WHEREAS, the Township of Colts Neck wishes to continue to offer its residents membership in the Marlboro Swim Club.

NOW, THEREFORE, BE IT RESOLVED, that the following amended EXHIBIT A is agreed upon and adopted by the parties.

BE IT FURTHER RESOLVED, that all other terms of the Shared Services Agreement dated April 12, 2012 shall remain in effect.

BE IT FURTHER RESOLVED, that in the event the current public health emergency requires that membership fees be increased in order to compensate for the cost of enhanced safety measures or to accommodate membership or attendee restrictions based upon guidance issued by Federal, State or County authorities, in accordance with the terms of the agreement, the updated fee schedule will be presented to the governing bodies in both the Township of Marlboro and the Township of Colts Neck for consideration.

RESOLUTION #2022-066

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY AUTHORIZING THE
RENEWAL OF A SHARED SERVICES AGREEMENT WITH
THE TOWNSHIP OF OLD BRIDGE FOR USE OF THE
MARLBORO SWIM CLUB

WHEREAS, the Township of Marlboro and the Township of Old Bridge entered into a Shared Services Agreement dated March 1, 2018; and

WHEREAS, the Shared Services Agreement included a fee schedule, "which shall be updated periodically through the adoption of resolutions" by the Township of Marlboro and the Township of Old Bridge; and

WHEREAS, the Township of Marlboro has adopted new rates for the Marlboro Swim Club for 2022; and

WHEREAS, the Township of Old Bridge wishes to continue to offer its residents membership in the Marlboro Swim Club.

NOW, THEREFORE, BE IT RESOLVED, that the following amended EXHIBIT A is agreed upon and adopted by the parties.

BE IT FURTHER RESOLVED, that all other terms of the Shared Services Agreement dated March 1, 2018 shall remain in effect.

BE IT FURTHER RESOLVED, that in the event the current public health emergency requires that membership fees be increased in order to compensate for the cost of enhanced safety measures or to accommodate membership or attendee restrictions based upon guidance issued by Federal, State or County authorities, in accordance with the terms of the agreement, the updated fee schedule will be presented to the governing bodies in both the Township of Marlboro and the Township of Old Bridge for consideration.

RESOLUTION #2022-067

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO MIRACLE CHEMICAL CO., GEORGE S. COYNE CHEMICAL CO. INC. AND MAIN POOL & CHEMICAL CO. INC. FOR THE SUPPLY OF SPECIFIED CHEMICALS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION AND RECREATION AND SWIM UTILITY

WHEREAS, on March 18, 2021 (Resolution #2021-154) the Township Council of the Township of Marlboro awarded contracts to MIRACLE CHEMICAL CO., GEORGE S. COYNE CHEMICAL CO. INC. AND MAIN POOL & CHEMICAL CO. INC. FOR THE SUPPLY OF SPECIFIED CHEMICALS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION AND RECREATION AND SWIM UTILITY; and

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

WHEREAS, in a memo dated January 18, 2022, the Director of Public Works has recommended that the Township approve the first one (1) year extension of the contracts; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1A be renewed to George S. Coyne Chemical Co. Inc. whose address is 3015 State Road, Croydon, PA 19021 for the Supply of Zinc Orthophosphate for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$71,757.00 and for a term of one (1) year beginning on April 1, 2022.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1B be renewed to Miracle Chemical Co. whose address is 1151B Highway 33 Farmingdale, NJ 07727 for the Supply of Sodium Hypochlorite for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$120,240.00 and for a term of one (1) year beginning on April 1, 2022.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that a Contract 1C be renewed to Main Pool & Chemical Co. Inc. whose address is 110 Commerce Road, Dupont, PA 18641 for the Supply of Sodium Hydroxide for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$147,500.00 and for a term of one (1) year beginning on April 1, 2022.

BE IT FURTHER RESOLVED, by the Township Council of the Township

of Marlboro, that Contract 1D be renewed to Main Pool & Chemical Co. Inc. whose address is 110 Commerce Road, Dupont, PA 18641 for the Supply of Sodium Hypochlorite and Sodium Hydroxide, for the Township of Marlboro Water Utility Division, and for the supply of Sodium Hypochlorite, Sodium Bicarbonate, Calcium Chloride, and Sodium Thiosulfate for the Township of Marlboro Recreation and Swim Utility, for a contract amount not to exceed \$24,032.00 and for a term of one (1) year beginning on April 1, 2022.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, Contracts with MIRACLE CHEMICAL CO., GEORGE S. COYNE CHEMICAL CO. INC. AND MAIN POOL & CHEMICAL CO. INC. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds for the 2022 portion of the contracts in the amount of \$254,629.50 are available in the Water Utility Account #05-201-55-500-293020 and funds in the amount of \$24,032.00 for the full 2022 summer season are available in Recreation Utility Accounts #09-201-55-400-293452 and 09-201-55-400-293451.

BE IT FURTHER RESOLVED, funds for the 2023 portion of each contract in the total amount of \$84,867.50 will be certified by the Chief Financial Officer for this purpose upon adoption of the 2023 Municipal Budget.

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

- a. Miracle Chemical Co.
- b. George S. Coyne Chemical Co., Inc.
- c. Main Pool & Chemical Co. Inc.
- d. Township Business Administrator
- e. Chief Financial Officer
- f. Director of Public Works
- g. Director of Recreation

At 7:46 p.m., Councilman Scalea moved that the meeting be adjourned. This was seconded by Councilman Milman, and as there was no objection, the Municipal Clerk was asked to cast one ballot.

MINUTES APPROVED: FEBRUARY 24, 2022

OFFERED BY: SCALEA

AYES: 3

SECONDED BY: MILMAN

NAYS: 0

ABSTAIN: DINUZZO, MARDER

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
022422

JUNED QAZI,
COUNCIL PRESIDENT