

MARLBORO TOWNSHIP COUNCIL MEETING

August 15, 2024

The Marlboro Township Council held its regularly scheduled meeting on August 15, 2024 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President DiNuzzo 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 emailed to the Asbury Park Press, the Star Ledger, and the Board of Education Office on August 13, 2024; published in the Asbury Park Press on December 26, 2023; posted on the Bulletin Board of the Municipal Building; filed in the Office of the Municipal Clerk and placed on the township's website and Channel 77.

Municipal Clerk Susan A. Branagan called the roll.

PRESENT: Council Vice President Milman, Councilman Qazi, Councilman Scalea, and Council President DiNuzzo. Councilwoman Viridi was absent.

Also present: 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 Scotch Plains, New Jersey said that he has not received engineering approval for building on his commercial property.

Carol Botte of Marlboro, New Jersey recommended that an adequate drainage system is required on Avon Court.

Lisa Pereira of Jackson, New Jersey questioned the New Jersey employee pension process.

Dan Matarese of Marlboro, New Jersey commented about a possible illegal business operating on Route 9.

Council Speaks Out: Councilman Scalea commended the recreation department for their successful operation of the car show. Councilman Qazi said that he attended the Marlboro's Youth Academy graduation ceremony and the car show. He congratulated the recreation department for a great job. He offered updates about ongoing projects in the police, public works and water departments. Council Vice President Milman mentioned that he attended World War II Veteran Ben

Indelicato's 100th Birthday Celebration and he thanked Mr. Indelicato's service to our country. He asked that we pray for peace around the globe.

Councilman Scalea moved that the Council meeting minutes of July 18, 2024 be approved. This was seconded by Councilman Qazi, and passed on a roll call vote of 4 - 0 in favor. Councilwoman Viridi was absent.

Councilman Qazi introduced a motion to open the public hearing for Ordinance #2024-021 (Ordinance Amending Ordinance #2024-017 of Chapter 220, "Land Use Development", by Amending Article VIII, "Subdivisions Signs and Performance Standards", Subsections 220-147 Through 220-158 Entitled "Scope and Purpose of Stormwater Management Requirements" of the Revised Code of the Township of Marlboro) this was seconded by Councilman Scalea and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Councilman Scalea offered a motion to close the public hearing, seconded by Council Vice President Milman and approved by unanimous voice vote in favor.

The following Ordinance #2024-021 (Ordinance Amending Ordinance #2024-017 of Chapter 220, "Land Use Development", by Amending Article VIII, "Subdivisions Signs and Performance Standards", Subsections 220-147 Through 220-158 Entitled "Scope and Purpose of Stormwater Management Requirements" of the Revised Code of the Township of Marlboro) was introduced by reference, offered by Councilman Scalea, seconded by Council Vice President Milman and adopted on a roll call vote of 3 - 0 in favor. Councilman Qazi abstained. Councilwoman Viridi was absent.

ORDINANCE #2024-021

AMENDING ORDINANCE #2024-017 OF CHAPTER 220, "LAND USE DEVELOPMENT", BY AMENDING ARTICLE VIII, "SUBDIVISIONS SIGNS AND PERFORMANCE STANDARDS", SUBSECTIONS 220-147 through 220-158 ENTITLED "SCOPE AND PURPOSE OF STORMWATER MANAGEMENT REQUIREMENTS" OF THE REVISED CODE OF THE TOWNSHIP OF MARLBORO

The following Ordinance #2024-022 (Ordinance Appropriating \$76,350 United States Department of Energy Efficiency and Conservation Block Grant (EECBG) For Improvements To Municipal HVAC Equipment in and by the Township of Marlboro) was introduced by reference, offered by Council Vice President Milman, seconded by Councilman Scalea and adopted on a roll call vote of 4 - 0 in favor. Councilwoman Viridi was absent.

ORDINANCE #2024-022

ORDINANCE APPROPRIATING \$76,350 UNITED STATES DEPARTMENT OF ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FOR IMPROVEMENTS TO MUNICIPAL HVAC EQUIPMENT IN 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 a majority of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. \$76,350 is hereby appropriated for improvements to the Townships HVAC equipment in and by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), consisting of a \$76,350 US Department of Energy "Energy Efficiency and Conservation Block Grant (EECBG)".

Section 2. 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 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 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Council Vice President Milman, seconded by Councilman Scalea and passed on a roll call vote of 4 - 0 in favor. Councilwoman Viridi was absent.

RESOLUTION #2024-207

AUTHORIZING THE TOWNSHIP OF MARLBORO TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE MONMOUTH-OCEAN EDUCATIONAL SERVICES COMMISSION (MOESC)

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Monmouth-Ocean Educational Services Commission (MOESC), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system (289MOESC) for the purchase of goods and services; and

WHEREAS, on August 15, 2024, the Governing Body of the Township of Marlboro, County of Monmouth, Sate of New Jersey, pursuant to N.J.A.C. 5:34-7.6(a), duly considered participation in the cooperative pricing system (289MOESC) for the provision and performance of goods and services; and

NOW, THEREFORE BE IT RESOLVED, as follows:

Title - This resolution shall be known and may be cited as the cooperative pricing resolution of the Monmouth-Ocean Educational Services Commission (MOESC).

Authority - Pursuant to the provisions of N.J.S.A. 40A:11-11(5) and N.J.A.C. 5:34-7.6(a), the Township of Marlboro is hereby authorized to enter into a cooperative pricing agreement with the Monmouth-Ocean Educational Services Commission (MOESC), the Lead Agency.

Contracting Unit - The Lead Agency shall comply with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the Statutes of the State of New Jersey.

Effective Date - This resolution shall take effect immediately upon passage.

RESOLUTION #2024-208

A RESOLUTION REAUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE WESTERN MONMOUTH UTILITIES AUTHORITY TO PROVIDE FOR SNOW PLOW OPERATOR CONTRACT SERVICES FOR THE MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on July 21, 2022 (Resolution #2022-167) the Township Council of the Township of Marlboro authorized a shared services agreement with the Western Monmouth Utilities Authority to provide for SNOW PLOW OPERATOR CONTRACT SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, in a memo dated July 19, 2024, the Director of Public Works has recommended that the Township reauthorize the agreement for snow plow operator contract services; 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 shared services agreement be reauthorized with Western Monmouth Utilities Authority whose address is 103 Pension Road, Manalapan, NJ 07726 for a one (1) year period beginning on December 1, 2024, through November 30, 2025, for

an amount not to exceed \$24,000.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a shared services agreement with Western Monmouth Utilities Authority in accordance with this resolution, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$12,000.00 for the aforesaid contract in Trust Account #11-228-55-020.

BE IT FURTHER RESOLVED, that funds for the 2025 portion in an amount of \$12,000.00 will be certified at the time of adoption of the 2025 municipal budget.

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

- a. Western Monmouth Utilities Authority
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-209

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE PROVISION OF TYPE 13 DISPOSAL SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Marlboro Township Department of Public Works maintains a Recycling Center where "bulky waste" can be deposited by residents; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) defines "Type 13 - Bulky waste" as including "Large items of waste material, such as appliances and furniture"; and

WHEREAS, maintaining the bulky waste facility at the Township Recycling Center requires that the Township contract for the disposal of Type 13 - Bulky Waste; and

WHEREAS, the Township of Marlboro accepted bids for the PROVISION TYPE 13 DISPOSAL SERVICES (Bid 2024-11), and on August 7, 2024, received three (3) proposals as follows:

Mazza Recycling Services, LTD 3230A Shafto Road Tinton Falls, NJ 07753	Freehold Cartage, Inc. 825 Park Ave., P.O. Box 5010 Freehold, NJ 07728	Republic Services of NJ LLC 1861 Wayside Road Tinton Falls, NJ 07724
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Item Description	Bid Submission	Bid Submission	Bid Submission
Year 1, 24/25 price per ton	\$89.50	\$100.00	\$110.00
Year 1 - Est 700 tons	\$62,650.00	\$70,000.00	\$77,000.00
Year 2, 25/26 price per ton	\$91.00	\$102.00	\$115.50
Year 2 - Est 700 tons	\$63,700.00	\$71,400.00	\$80,850.00
Year 3, 26/27 price per ton	\$91.00	\$105.00	\$121.28
Year 3 - Est 700 tons	\$63,700.00	\$73,500.00	\$84,896.00
Year 4, 27/28 price per ton	\$93.00	\$107.00	\$127.34
Year 4 - Est 700 tons	\$65,100.00	\$74,900.00	\$89,138.00
Year 5, 28/29 price per ton	\$93.00	\$110.00	\$133.71
Year 5 - Est 700 tons	\$65,100.00	\$77,000.00	\$93,597.00

; and

WHEREAS, in a memo dated August 7, 2024, the Director of Public Works has reported that Mazza Recycling Services, LTD, whose address is 3230A Shafto Road, Tinton Falls, New Jersey 07753, is responsive and has recommended that a contract be awarded for year one of services for the PROVISION OF TYPE 13 DISPOSAL SERVICES in an amount not to exceed \$62,650.00; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director of Public Works 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 Mazza Recycling Services, LTD, whose address is 3230A Shafto Road, Tinton Falls, New Jersey 07753 in an amount not to exceed \$62,650.00 for the PROVISION OF TYPE 13 DISPOSAL SERVICES, for the period of one year expiring on August 31, 2025.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness a contract with Mazza Recycling Services, LTD, whose address is 3230A Shafto Road, Tinton Falls, New Jersey 07753 in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$20,883.33 representing the 2024 portion of the aforesaid contract in Operating Account 01-201-32-170-233112.

BE IT FURTHER RESOLVED, that funds in the amount of \$47,766.67 will be made available and certified upon adoption of the 2025 municipal budget.

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

- a. Mazza Recycling Services, LTD
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-210

AUTHORIZING CHANGE ORDER #1 TO A CONTRACT FOR PROVISION OF
ELECTRICAL REPAIR SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on September 14, 2023 (Resolution #2023-217) the Township of Marlboro authorized the award of a contract to Electro Maintenance, Inc., the lowest responsible bidder, for Bid 2023-11B, for the provision of electrical repair services through October 31, 2024 in the amount not to exceed \$37,000.00; and

WHEREAS, in a memo dated July 19, 2024, the Director of Public Works has determined that a change order in the amount of \$7,400.00 representing 20% of the contract is needed to cover additional anticipated electrical repair services through October 31, 2024; and

WHEREAS, the additional authorization is necessary in order to maintain the proper operation of the Township facilities.

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$7,400.00 are available for this Change Order in Operating Account 01-201-26-122-288126; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro are amenable to approving Change Order #1 in order to complete the additional electrical repair services.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Change Order #1 to the existing contract with Electro Maintenance, Inc. whose address is 2416 Route 35, Suite C, Manasquan, New Jersey 08736 for the provision of electrical repair services be and is hereby approved, increasing the original contract total of \$37,000.00 to \$44,400.00, a net increase of \$7,400.00.

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

- a. Electro Maintenance, Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-211

A RESOLUTION AUTHORIZING THE REJECTION OF BID FOR THE
PROVISION OF LEAK DETECTION SURVEY SERVICES FOR THE TOWNSHIP
OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-500-09) authorized a leak detection survey of the water distribution system (P-24-00040); and

WHEREAS, the Township of Marlboro advertised for the receipt of bids (2024-15) for the PROVISION OF LEAK DETECTION SURVEY SERVICES for the Township of Marlboro (the "Services"), and on July 24, 2024 received one (1) bid as follows:

National Water Main
Cleaning Company
1806 Newark Turnpike
Kearny, NJ 07032

Item 1 - Leak Detection Survey of the entire Marlboro Township Water Utility Division	\$1,098,086.00
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; and

WHEREAS, the Director of Public Works has reviewed the bid received and in a memo dated July 25, 2024, recommends that the Township reject the bid received for PROVISION OF LEAK DETECTION SURVEY SERVICES due to the submission exceeding the Township appropriations for the services; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bids for the PROVISION OF LEAK DETECTION SURVEY 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 to rebid the contract for the PROVISION OF LEAK DETECTION SURVEY SERVICES.

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).

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

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

RESOLUTION #2024-212

AUTHORIZING THE AWARD OF CONTRACT FOR THE PROVISION OF THE 2024 GATE VALVE MAINTENANCE PROGRAM FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-500-3) authorized the 2024 gate valve preventative maintenance program for the Township of Marlboro (P-24-00033) ;and

WHEREAS, the Township of Marlboro accepted bids for the PROVISION OF THE 2024 GATE VALVE MAINTENANCE PROGRAM (Bid 2024-17), and on July 31, 2024, received three (3) proposals as follows:

	Grade Construction 110 Pennsylvania Ave Paterson, NJ 07503	Kiely Civil 1 Radar Way Tinton Falls, NJ 07724	Karl Deigert Enterprises 3300 Shafto Rd., Suite B Tinton Falls, NJ 07753
Item Description	Bid Price	Bid Price	Bid Price
Item 1: Blossom Height and Georgetown Manor	\$219,895.52	\$245,330.00	\$243,500.00
Item 2: Conover Hills	\$175,488.52	\$204,440.00	\$202,700.00
Item 3: Highland Crest and Junction Trail	\$84,791.16	\$96,260.00	\$96,400.00
Item 4: Marlboro Gardens	\$64,006.26	\$71,270.00	\$71,300.00
Item 5: Winding Brook and Shallow Brook	\$239,883.77	\$281,371.00	\$280,100.00
Total	\$784,065.23	\$898,671.00	\$894,000.00

; and

WHEREAS, in a memo dated August 1, 2024, the Director of Public Works has reported that Grade Construction, whose address is 110 Pennsylvania Avenue, Paterson, New Jersey 07503, is responsive and has recommended that a contract be awarded for the PROVISION OF THE 2024 GATE VALVE MAINTENANCE PROGRAM in an amount not to exceed \$784,065.23; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director of Public Works 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 Grade Construction, whose address is 110 Pennsylvania Avenue, Paterson, New Jersey 07503 in an amount not to exceed \$784,065.23 for the PROVISION OF THE 2024 GATE VALVE MAINTENANCE PROGRAM.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness a contract with Grade Construction, whose address is 110 Pennsylvania Avenue, Paterson, New Jersey 07503 in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$784,065.23 for the aforesaid contract in Water Capital Account #06-215-24-09H-500288.

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

- a. Grade Construction
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-213

AUTHORIZING THE AWARD OF CONTRACT FOR THE PROVISION OF AN AIR STREET SWEEPER FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-120-1) authorized the purchase of an air street sweeper for the Township of Marlboro ;and

WHEREAS, the Township of Marlboro accepted bids for the PROVISION OF AN AIR STREET SWEEPER (Bid 2024-18), and on July 24, 2024, received two (2) proposals as follows:

Trius, Inc 5049 Industrial Road Farmingdale, NJ 07727	H.A DeHart & Son 311 Crown Point Road Thorofare, NJ 08086-9999
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a. One (1) 2024 or Newer Air Street Sweeper	\$344,887.00	\$360,697.00 *
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* Bid submission was to refer to a national cooperative pricing

; and

WHEREAS, in a memo dated July 24, 2024, the Director of Public Works has reported that Trius Inc., whose address is 5049 Industrial Road, Farmingdale, New Jersey 07727, is responsive and has recommended that a contract be awarded for the PROVISION OF AN AIR STREET SWEEPER in an amount not to exceed \$344,887.00; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director of Public Works 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 Trius Inc., whose address is 5049 Industrial Road, Farmingdale, New Jersey 07727 in an amount not to exceed \$344,887.00 for the PROVISION OF AN AIR STREET SWEEPER.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness a contract with Trius Inc., whose address is 5049 Industrial Road, Farmingdale, New Jersey 07727 in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$344,887.00 for the aforesaid contract in Capital Account 04-215-24-08I-120297.

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

- a. Trius Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer
- e. Insurance

RESOLUTION #2024-214

AUTHORIZING THE AWARD OF CONTRACT FOR THE PURCHASE OF LEAF BAGS FOR THE TOWNSHIP OF MARLBORO YARD WASTE REMOVAL AND CLEAN STREETS PROGRAM THROUGH THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro requires leaf bags for distribution to residents in order to facilitate the removal and disposal of yard waste and to promote clean and safe streets within the Township; and

WHEREAS, in order to secure the most advantageous pricing, the Township of Marlboro entered into a shared services agreement with the Township of Edison, with Edison serving as a lead agency, to

conduct a public bid process in accordance with the Local Public Contracts Law (R.2024-159); and

WHEREAS, on July 16, 2024, the Township of Edison received two (2) bids, summarized as follows:

VENDOR			Dano Enterprises, Inc.		Blink Marketing Inc.	
			4 Omega Dr		1925 St. Clair Ave. NE	
			Stamford, CT 06907		Cleveland, OH 44114	
ITEM	# BAGS	DESCRIPTION	PRICE PER BAG	TOTAL	PRICE PER BAG	TOTAL
1	280,000	Furnish and deliver unprinted biodegradable, recyclable leaf bags in accordance with the detailed specifications or Township approved equivalent	\$0.495	\$138,600.00	\$1.08	\$302,400.00
1	100,000	MARLBORO TOWNSHIP - ALTERNATIVE PRICING: Furnish and deliver printed biodegradable, recyclable leaf bags in accordance with the detailed specifications or Township approved equivalent	\$0.522	\$52,200.00	\$1.10	\$110,000.00
EXCEPTIONS			NO		YES	

; and

WHEREAS, the Qualified Purchasing Agent (QPA) for the Township of Edison has reviewed the bids and has awarded a Contract for the Services to the lowest responsible bidder, Dano Enterprises, Inc. (Edison Resolution #452-072024); and

WHEREAS, the Township of Marlboro Business Administrator has reviewed the bids received and the recommendation by the Township of Edison, and is recommending the award of contract, Alternative 1, to Dano Enterprises, Inc., 4 Omega Drive, Stamford, CT 06907, for the total bid price not to exceed \$52,200.00 for a term of one (1) year with an option to renew for one two-year or two one-year periods with the same terms and conditions as specified in the bid; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Clean Communities Grant Account No. 02-213-24-703-123288.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid for the purchase of leaf bags be and is hereby awarded to Dano Enterprises, Inc., 4 Omega Drive, Stamford, CT 06907 for a contract amount not to exceed \$52,200.00 for a term of one (1) year with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid.

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

- a. Dano Enterprises, Inc.
- b. Township Business Administrator
- c. Township Director of Public Works
- d. Township Chief Financial Officer

RESOLUTION #2024-215

AUTHORIZING YEAR 4 OF 5 CONTRACT FOR THE PROVISION OF
RECYCLING COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP
OF MARLBORO

WHEREAS, on August 19, 2021 (Resolution #2021-256) the Township Council of the Township of Marlboro awarded a contract to Central Jersey Waste & Recycling Inc. FOR THE PROVISION RECYCLING COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP OF MARLBORO (Bid #2021-15); and

WHEREAS, the bid specifications included the option to renew said contract for four (4) one-year extensions on the same terms and conditions, and at the exclusive option of the Township; and

WHEREAS, on June 16, 2022 (Resolution #2022-151), the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, on July 20, 2023, (Resolution #2023-183) the Township Council of the Township of Marlboro approved the second one-year extension of the contract; and

WHEREAS, in a memo dated August 1, 2024, the Director of Public Works has recommended that the Township approve the third one (1) year extension of the contract terminating on August 31, 2024; 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 the contract with Central Jersey Waste & Recycling Inc. whose address is 432 Stokes Avenue, Ewing, New Jersey for the PROVISION OF RECYCLING COLLECTION AND

DISPOSAL SERVICES, be extended for an additional one (1) year period expiring on August 31, 2025 in an amount not to exceed \$799,826.76.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$266,608.92 for the 2024 portion of the aforesaid contract in Operating Account #01-201-26-117-233112.

BE IT FURTHER RESOLVED, that funds for the 2025 portion of the contract totaling \$533,217.84 will be made available and certified by the Chief Financial Officer upon adoption of the 2025 municipal budget.

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

- a. Central Jersey Waste & Recycling Inc.
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Chief of Police

RESOLUTION #2024-216

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR THE SITE IMPROVEMENTS AT THE SITE KNOWN AS SPG MARLBORO LLC, BLOCK 111, LOTS 4 AND 10-13, LOCATED AT 137 TEXAS ROAD, TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY 07746

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Mr. Gil Adoni of Adoni Property Group, for a reduction in the Township held Performance Guarantees in the form of a Bond and Cash Deposit for the site improvements ("Public Improvements") on the Site known as "Stone Rise" (the "Site"), property known as Block 111, Lots 4 and 10-13, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by SPG Marlboro LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated July 10, 2024, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a partial reduction be made in the current Bond and Cash Deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee Bond and Cash Deposit amounts in accordance with the recommendation of the Township Engineer's report dated July 10, 2024.

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 performance guarantees in the form of a Bond and Cash Deposit posted by the Developer, SPG Marlboro LLC for the site known as SPG Marlboro LLC, located on property known as Block 111, Lots 4 and 10-13, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Bond (Merchants Bonding Company, Bond No. NNJ1214), in the original and present amount of \$265,442.94, shall be reduced by \$42,446.16, so that the remaining amount shall be \$222,996.78.
2. The Cash Deposit (Check No. 183) in the original and present amount of \$29,493.66 (excludes accrued interest), shall be reduced by \$4,716.24 so that the remaining amount shall be \$24,777.42.

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the posting of any and all outstanding review and/or inspections fees to the time of performance guarantee reduction; and

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

- a. SPG Marlboro LLC, Applicant
- b. Merchants Bonding Company
- c. Donna M. Jennings, Esq., Applicant's Attorney
- d. Township Business Administrator
- e. Township Chief Financial Officer
- f. Township Engineer

RESOLUTION #2024-217

AUTHORIZING AN AGREEMENT WITH REALAUCTION.COM LLC
TO CONDUCT AN ELECTRONIC TAX SALE

WHEREAS, Marlboro Township has participated in the Electronic Municipal Tax Lien Sale Pilot Program, pursuant to N.J.S.A 54:5-19, since 2014; and

WHEREAS, N.J.A.C 5:33-1.1 created a regulatory framework for online tax sales of delinquent property taxes and municipal charges; and

WHEREAS, Tax Collector, Colleen Dolan has recommended entering into an agreement with RealAuction.com, LLC for an

online tax sale of delinquent property taxes and municipal charges; and

WHEREAS, funds in the total amount of \$1,800.00 have been certified by the Chief Financial Officer from Current Account 01-201-20-046-288.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Marlboro that the Mayor shall and hereby is authorized to execute an agreement with RealAuction.com LLC to conduct an electronic tax sale.

RESOLUTION #2024-218

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT FOR THE PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on September 15, 2022 (Resolution #2022-210) the Township Council of the Township of Marlboro awarded a contract to Action Uniform Company LLC FOR THE PROVISION UNIFORMS FOR THE TOWNSHIP OF MARLBORO (Bid #2022-11); 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, and at the exclusive option of the Township; and

WHEREAS, on August 17, 2023 (Resolution #2023-204) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated July 30, 2024, the Chief of Police has recommended that the Township approve the second and final one (1) year extension of the contract terminating on December 31, 2024; 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 the contract with Action Uniform Company LLC whose address is 1500 S. New Road, Pleasantville, New Jersey 08232 for the PROVISION OF UNIFORMS, be extended for an additional one (1) year period expiring on December 31, 2025 in an amount not to exceed \$249,311.00

BE IT FURTHER RESOLVED, that funds for the contract totaling \$249,311.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2025 municipal budget.

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

- a. Action Uniform Company LLC
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Chief of Police

RESOLUTION #2024-219

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #23-FLEET-33791
FOR PURCHASE OF MOBILE VEHICLE RECORDING SYSTEMS WITH
AUTOMATIC LICENSE PLATE READERS AND ANNUAL SOFTWARE LICENSING
AND CLOUD BASED STORAGE SERVICES FOR THE POLICE DIVISION OF
THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2021 (106-2.11, 106-2.21, 106-2.81), 2022 (106-2.11, 106-2.21), 2023 (106-2.11, 106-2.21, 106-2.41) and 2024 capital programs (106-2.21, 106-2.451, 106-2.461) authorized the purchase of replacement police vehicle equipment, including mobile vehicle recording systems (MVRS) for the Division of Police; and

WHEREAS, as per N.J.S.A. 40A:14-118.1, all police vehicles which are primarily used for traffic stops shall be equipped with a mobile video recording system (MVRS); and

WHEREAS, in a memo dated August 1, 2024 the Chief of Police has recommended that the Township purchase twenty-six (26) MVRS with automatic license plate readers, to upgrade the existing systems utilized by the Police Division; and

WHEREAS, upgrading the MVRS will allow for a seamless integration with the current body worn camera systems, cloud based storage for increased security and provides automatic license plate reader capabilities for an additional twenty-two (22) units within the fleet; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, Motorola Solutions Inc. was awarded State Contract #23-FLEET-33791 for the in-car video system, with automatic license plate reading capabilities, software and cloud based storage in amount not to exceed \$94,606.00 for all twenty-six (26) units; and

WHEREAS, after the initial year of purchase, the units have an associated annual operating cost including software licensing and cloud

based storage, available through Motorola Solutions Inc. under State Contract 23-Fleet-33791 in an amount not to exceed \$63,960.00; and

WHEREAS, as per N.J.S.A 40A:11(5) contracts for the provision of data processing services may be for any term not more than seven years; and

WHEREAS, Motorola Solutions Inc. has agreed to provide the State Contract pricing for the annual services for an additional four (4) years in an amount not to exceed \$63,960.00 per year, for a total amount not to exceed \$255,840.00; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase the twenty-six (26) MVRS with license plate reading capabilities, including the annual software licensing and cloud based storage services to be utilized by the Police Division; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$94,606.00 from Capital Accounts #04-215-17-02G-106297, #04-215-18-01H-106297, #04-215-19-01G-106297, #04-215-20-05D-106297, #04-215-21-04E-106297, #04-215-22-07D-106297 and #04-215-23-05G-106297; and

WHEREAS, funds for the annual services required in support of the units in the annual amount of \$63,960.00 will be made available and certified upon adoption of the municipal budgets in each of the corresponding succeeding budget years; and

WHEREAS, the Township Council desires to approve the purchase of the twenty-six (26) MVRS with license plate reading capabilities, including annual software licensing and cloud based storage services.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the twenty-six (26) MVRS with license plate reading capabilities, software and cloud based storage from the Motorola Solutions Inc. under State Contract #23-FLEET-33791 in an amount not to exceed \$350,446.00.

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

- a. Motorola Solutions Inc.
- b. Township Administrator
- c. Township Chief of Police
- d. Township Chief Financial Officer

RESOLUTION #2024-220

TAX LIEN REDEMPTIONS

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$63,027.51 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 Township Council of the Township of Marlboro that the amount of \$63,027.51 be refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIENHOLDER</u>	<u>AMOUNT</u>
2023-001 12,119.84	108/4	Zacchaeus Capital LLC 414 Mary Allen Way Mountainside, NJ 07092	\$
2023-002 50,907.67	106/5	Zacchaeus Capital LLC 414 Mary Allen Way Mountainside, NJ 07092	\$

RESOLUTION #2024-221

AUTHORIZING REFUND OF PAYMENTS TO WMUA

WHEREAS, delinquent sewer charges totaling \$551.15 were paid to the Township on behalf of Western Monmouth Utilities Authority as per Schedule "A",

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$551.15 be refunded to Western Monmouth Utilities Authority.

Schedule A				
BLOCK	LOT	QUALIFIER	PROPERTY LOCATION	AMOUNT
120.02	4		307 Sundew Drive	\$551.15
Total Refunded to WMUA				\$551.15

RESOLUTION #2024-222

TAX TILE LIEN REDEMPTIONS

WHEREAS, Certificate of Sale #2022-033 was issued to The Township of Marlboro, 1979 Township Drive, Marlboro, New Jersey, for delinquent taxes on Block 299, Lot 127(3 Bauers Lane), assessed to Route 34 Corp.), at a tax sale held on December 7, 2022; and,

WHEREAS, Guardian Title Services, LLC on behalf of the assessed owner(s), Route 34 Corp, has redeemed Certificate #2022-033 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, that the Mayor and Municipal Clerk of the Township of Marlboro are hereby authorized to endorse Certificate of Sale #2022-033 for cancellation.

At 7:29 p.m., Council Vice President Milman moved that the meeting enter into executive session for discussion of Attorney Client Privilege (Collective Negotiations). This was seconded by Councilman Scalea and Resolution #2024-223 was passed on a roll call vote of 4 - 0 in favor. Councilwoman Virdi was absent.

RESOLUTION #2024-223

CLOSED EXECUTIVE SESSION

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 15th day of August, 2024 to enter into a closed executive session for the purpose of discussing items that are particularly exempt from the Open Public Meetings Act, collective negotiations (CWA Local 1075 Blue Collar Unit).

BE IT FURTHER RESOLVED, that the governing body shall adjourn to a closed executive session for the purpose of discussing the said aforementioned item and that such closed executive session should take approximately 15 minutes. Those items discussed in executive session shall remain confidential until such a time as confidentiality is no longer required. Action may be taken following the executive session.

At 7:38 p.m., Council Vice President Milman offered a motion to return to regular business, which was seconded by Councilman Qazi and passed on a roll call vote of 4 - 0 in favor. Councilwoman Virdi was absent.

The following Resolution #2024-224 (Resolution Authorizing a Memorandum of Agreement Between the Township of Marlboro and CWA Local 1075 (Blue Collar Unit)) was introduced by reference, offered by Councilman Scalea, seconded by Council Vice President Milman and passed on a roll call vote of 4-0 in favor. Councilwoman Viridi was absent.

RESOLUTION #2024-224

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT
BETWEEN THE TOWNSHIP OF MARLBORO AND CWA LOCAL 1075
(BLUE COLLAR UNIT)

WHEREAS, the Township of Marlboro and CWA Local 1075 Blue Collar Unit ("CWA") are parties to a collective bargaining agreement which expired on December 31, 2023; and

WHEREAS, the Township and CWA engaged in negotiations for a successor collective bargaining agreement to cover employees in the CWA; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement which expired on December 31, 2023, for an extended term of January 1, 2024 through December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and CWA, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement which expired on December 31, 2023.

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement.

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement.

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

- a. CWA LOCAL 1075 (Blue Collar Unit)
- b. Business Administrator
- c. Chief Financial Officer

At 7:40 p.m., Council Vice President Milman moved that the meeting be adjourned. This was seconded by Councilman Qazi, and as there was no objection. The Municipal Clerk was asked to cast one ballot.

MINUTES APPROVED: SEPTEMBER 19, 2024

OFFERED BY: QAZI

AYES: 4

SECONDED BY: VIRDI

NAYS: 0

ABSENT: SCALEA

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
091924

ANTOINETTE M. DINUZZO,
COUNCIL PRESIDENT