

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

March 19, 2020

The Marlboro Township Council held its regularly scheduled meeting on March 19, 2020 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Mazzola opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to the Asbury Park Press, the Star Ledger, News Transcript and Board of Education Office on January 7, 2020; published in the Asbury Park Press on January 9, 2020; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

The Clerk called the Roll.

PRESENT: Council Vice President Cantor, Councilwoman Marder, Councilman Metzger, Councilman Scalea and Council President Mazzola via conference call.

Also present: Mayor Hornik by conference call, Louis N. Rainone, Esq. by conference call, Business Administrator Jonathan Capp and Municipal Clerk Alida Manco.

Councilman Scalea moved that the minutes of March 5, 2020 be approved. This was seconded by Council Vice President Cantor and passed on a roll call vote of 5 - 0 in favor.

Motion to table Res. #2020-105/Ord. #2020-3 (Second Reading/Public Hearing - Exceed Municipal Budget Appropriation Limits and to Establish a Cap Bank) was made by Councilman Metzger, seconded by Council Vice President Cantor, and passed on a roll call vote of 5 - 0 in favor of tabling.

The following Res. #2020-106/Ord. #2020-4 (Amending Various License and Permit Fees), was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-106

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

ORDINANCE # 2020-4

AN ORDINANCE AMENDING AND SUPPLEMENTING LICENSING AND PERMITTING FEES AND POLICIES OF THE CODE OF THE TOWNSHIP OF MARLBORO PERTAINING TO LAND USE; UNIFORM CONSTRUCTION CODE; AMUSEMENT DEVICES AND AMUSEMENT PARK LICENSING; PARKING AT MUNICIPAL FACILITIES; WATER UTILITY SYSTEM SERVICE RATES AND FEES AND CONNECTIONS; TAX SALE ADMINISTRATION AND RECREATION & SWIM PROGRAMS

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 April 23, 2020 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2020-4

AN ORDINANCE AMENDING AND SUPPLEMENTING LICENSING AND PERMITTING FEES AND POLICIES OF THE CODE OF THE TOWNSHIP OF MARLBORO PERTAINING TO LAND USE; UNIFORM CONSTRUCTION CODE; AMUSEMENT DEVICES AND AMUSEMENT PARK LICENSING; PARKING AT MUNICIPAL FACILITIES; WATER UTILITY SYSTEM SERVICE RATES AND FEES AND CONNECTIONS; TAX SALE ADMINISTRATION AND RECREATION & SWIM PROGRAMS

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code Chapter 220 ("Land Use and Development are hereby amended as follows:

§ 220 Land Use Schedule B: Escrow Fees

Escrow Deposit To Be Posted
Residential Use Variance \$2,000
Commercial/industrial Use Variance \$3,750

§ 220-18 Stormwater Management Maintenance Fees

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Stormwater Management maintenance fees	Land use and development; Schedule C 220, 18A	Stormwater Improvement Fees (residential and non-residential development per acre)	\$3,450.00

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Article I of the Marlboro Township Code Chapter 278 ("Property Maintenance Code") is hereby amended and supplemented as follows:

§ 278-1. Adoption of standards.

A. A certain document, three copies of which are on file in the Township of Marlboro, being marked and designated as the "International Property Maintenance Code, 2018 Edition," as published by the International Code Council (ICC), be and is hereby adopted as the Property Maintenance Code of the Township of Marlboro, County of Monmouth, in the State of New Jersey, for the control of buildings and structures as herein provided, and each and all of the regulations of the "International Property Maintenance Code, 2018 Edition", are hereby referred to, adopted and made a part thereof as if fully set out in this chapter.

B. In every case where any newly published addition, modifications or changes in the "International Property Maintenance Code, 2018 Edition" as published by the International Code Council (ICC), are made, any such newly published edition, modification or change will take precedence over any other provision which is inconsistent therewith, and any such provision shall be considered to be conformed to it.

§ 278-2. Certificates of continued occupancy.

A. No person shall sell, transfer, lease or rent any structure located within the Township of Marlboro unless a certificate of continued occupancy certifying that said structure is in compliance with all provisions of the current version of the International Property Maintenance Code adopted by the State of New Jersey and all other applicable ordinances of the Township of Marlboro is issued.

B. No certificate of continued occupancy shall be issued by the Township until the Zoning Officer determines that all structures were built in conformance with the applicable ordinances of the Township and the property owner submits to the Zoning and Construction Offices a home improvement form, which form has been approved by the Construction Office, Zoning Office and the Township Administrator.

C. Housing Inspectors performing the CCO inspection are authorized to sign the Certificate of Smoke Detector, Carbon Monoxide Alarm Compliance and Portable Fire Extinguisher Compliance per N.J.A.C 5:70-2.3(a)1. No certificate of continued occupancy shall be issued by the Township until a Certificate of Smoke Detector, Carbon Monoxide Alarm Compliance and Portable Fire Extinguisher Compliance has been issued.

D. All nonconforming structures (structures built without the required permit or approval or built in violation of applicable Township ordinances) that existed on a parcel of property prior to 1990 shall be exempt from the requirement to obtain the requisite permit or approval as required by Township ordinance or applicable law for that structure in order to remain in compliance with the Township's ordinances and/or in order to obtain a certificate of continued occupancy, provided that:

(1) The structure is not being replaced. If such nonconforming structure is being replaced, the replacement structure must comply with the current version of the International Residential Code adopted by the State of New Jersey and all other applicable zoning standards and ordinances of the Township of Marlboro.

(2) The structure does not present a threat to public health, safety, or welfare. If the structure presents a threat to public health, safety and welfare, as determined by the Building Inspector or Zoning Officer, the structure must be replaced in conformance with the current version of the International Residential Code adopted by the State of New Jersey and all other applicable zoning standards and ordinances of the Township of Marlboro.

(3) The structure is located solely upon the parcel owned by the property owner and does not encroach or trespass onto any parcel owned by a third party.

(4) The property owner submits an affidavit in a form acceptable to the Township attesting that the structure was built prior to 1990 and that the property owner agrees to indemnify and hold

the Township of Marlboro, its officers, agents and employees harmless from and on account of any and all incidents and/or damages arising from the structure(s) and/or improvement(s) that were built prior to 1990.

E. Any exemption granted under this section for a nonconforming structure built prior to 1990 shall not extend to the requirements under N.J.S.A. 52:27D-119 et seq., and/or N.J.A.C. 5:23-1 et seq.

§ 278-3. Fees for certificate of continued occupancy.

Application forms for certificates of continued occupancy may be obtained at the office of the Code Enforcement Officer. The following fees shall be charged for certificates of continued occupancy:

- A. Certificates for apartment: \$100.
- B. Certificate for a single-family dwelling unit: \$125.
- C. Certificate for commercial property: \$100.
- D. Re-inspection: \$75.
- E. Certificate of Fire Code status for commercial property: \$35.
- F. Certificate of Smoke Alarm, Carbon Monoxide Alarm and Fire Extinguisher Compliance for a one and Two Family Dwelling: As per N.J.A.C 5:70-2.9(d) fee schedule.

~~§ 278-4. Temporary certificates of occupancy.~~

~~The Code Officer may, in his discretion, issue a temporary certificate of occupancy upon written application. The Code Officer may issue a temporary certificate of occupancy only in those circumstances where the code deficiencies do not impair the habitability of the structure. Any temporary certificate of occupancy issued pursuant to the terms of this chapter shall expire within 90 days of the date of issuance thereof. Temporary certificates of occupancy are nonrenewable. The Code Officer may not issue a temporary certificate of occupancy for any apartment complex or multifamily dwelling containing more than three apartments or separate habitations.~~

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that

Chapter 125, "Construction Codes, Uniform", Section 125-3 "FEES" is hereby amended and supplemented as follows:

§ 125-3 B Fees Plumbing

Specific Provision	Code Location	Amendment
Gas-to-gas domestic furnace with electric permit ("Furnace")	125-3B (12)	Gas-to-gas domestic furnace with electric permit
Gas-to-gas hot-water boiler with electric permit ("Boiler")	125-3B (18)	Gas-to-gas hot-water boiler with electric permit
Power vent or instantaneous water heater with electric permit ("Power vent or instantaneous water heater")	125-3B (23)	Power vent or instantaneous water heater with electric permit
Gravity water heater (Water heaters)	125-3 B (22)	Eliminate section

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Mini split system with 1 wall unit	125-3 B (37)	Plumbing.	75.00
Extra evaporator (mini split)	125-3 B (38)	Plumbing.	25.00
Sewer connection (Residential)	125-3 B (4) a	Plumbing.	100.00
Sewer connection (Commercial)	125-3 B (4) b	Plumbing.	150.00
Water Service (Residential)	125-3 B (3) a	Plumbing.	125.00
Water Service (Commercial)	125-3 B (3) b	Plumbing.	150.00
Air Handler	125-3 B (32)	Plumbing.	75.00
Gas-to-gas domestic furnace with electric permit ("Furnace")	125-3 B (12)	Plumbing.	75.00

Gas-to-gas hot-water boiler with electric permit ("Boiler")	125-3B (18)	Plumbing.	75.00
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§ 125-3 D Fees Electrical

Specific Provision	Code Location	Amendment
Electrical: Service panels, entrances, and subpanels	125-3D (2) a, b, c, d, e and f	Service panels, entrances, <u>transfer switches</u> and subpanels
Electrical: Boiler and furnace with plumbing	125-3D (17)	Boiler and furnace with plumbing

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
X-Ray Equipment	125-3D (27)	Electrical.	100.00
Mini split system with 1 wall unit	125-3D (25) a	Electrical.	75.00
Mini split system additional wall unit	125-3D (25) b	Electrical.	25.00
Car charger 60 amp and higher	125-3D (24) f	Electrical.	125.00
Annual Pool Inspection	125-3D (28)	Electrical.	125.00

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 258, "Parking at Municipal Facilities", Section 258-4 "PERMITS" is hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Permit Fees	Parking at Municipal Facilities; 258, 4C(2)	Meter Parking Union Hill Daily Fee (effective July 1, 2020)	\$4.00

Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C1)	Parking Union Hill/ Cambridge Square and Texas Road Annual Fee (effective January 1, 2021)	\$229
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C(1)	Parking Union Hill/ Cambridge Square and Texas Road Annual Fee Refund Admin Fee	Per Section 171-5.2
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C(2)	Parking Union Hill/ Cambridge Square and Texas Road Mid-Year Annual Fee to be prorated on quarterly basis (effective January 1, 2021)	\$57.25/qtr

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of Chapter 88, "Amusement Devices and Amusement Parks", Article I "Amusement Devices" are hereby amended and supplemented as follows:

§ 88-1 Purpose and objective.

C. This Article regulates all amusement devices except those regulated by the State of New Jersey. Refer to ARTICLE II - AMUSEMENT PARKS, ARCADES AND ENTERTAINMENT CENTERS for amusement devices regulated by the State of New Jersey.

§ 88-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

MECHANICAL OR ELECTRONIC AMUSEMENT DEVICE Any machine which, upon the insertion of a coin, slug, token plate or disc or operated for any other consideration, may be operated by the public for entertainment or amusement, whether or not the machine registers scores or tallies. Examples of "mechanical or electronic amusement devices" include pinball machines, coin-operated pool tables, bowling machines, mechanical grab machines, Skee-ball, Pokerino machines, video games or other

video-type computer machines and similar devices, excluding amusement devices regulated by the State of New Jersey. This enumeration is intended to be typical and shall not be construed as exclusive. "Kiddie rides" shall not be considered a mechanical or electronic amusement device for the purpose of this article. A "kiddie ride" is a coin-operated machine which is sat upon or in and causes a certain motor or gyration following the insertion of a coin and is designated primarily for use by children under the age of 10.

§ 88-8 General regulations.

The following regulations shall apply to all mechanical or electronic amusement devices which are not regulated by the State of New Jersey:

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 88, "Amusement Devices and Amusement Parks", Article II "Recognized Amusement Parks" shall be renamed "AMUSEMENT PARKS, ARCADES AND ENTERTAINMENT CENTERS" and be replaced in its entirety as follows:

§ 88-13. Definitions.

As used in this article, the following terms shall have the meanings indicated, and shall house one or more devices regulated by the State of New Jersey:

ACCESSORY AMUSEMENT - the operation of electronic amusement devices in commercial establishments that contain no more than three such devices.

AMUSEMENT CENTERS - A commercial establishment that houses four or more electronic amusement devices.

AMUSEMENT MACHINES OR DEVICES - Any machine, contrivance or device which, upon the payment of any price, in any form, operates or may be operated by the public generally.

AMUSEMENT PARK RECOGNIZED - a commercially operated, permanent business, open to the public at least 31 consecutive days annually, whose acreage is designed and themed for the primary purpose of providing participatory amusements, incorporating rides or water slides licensed in accordance with N.J.S.A. 5:3-1, et seq., and food and merchandise concessions in permanent structures, available for use by the general public.

ARCADE - A place where a single player may play any one of a number of machines or devices, upon payment of a fee, to attempt to obtain a prize or tickets or tokens redeemable for a prize, or to attempt to attain a score or result upon the basis of which a prize, ticket or token is awarded.

ELECTRONIC AMUSEMENT - An amusement offered through an electronic device that allows a player to participate in a game of skill or chance through interaction with the device (N.J.S.A. 5:8-101)

GAME - A game or amusement which is authorized under the provisions of the Amusement Games Licensing Law.

OPERATOR - Any person or entity who owns, leases, rents, or operates any premises on or at which any automatic, mechanical, electronic amusement machine or device is kept placed, or exhibited for use or operation by the public.

PUBLIC OR QUASI-PUBLIC PLACE - Any building, store, marketplace, club, tavern, inn, cocktail lounge, restaurant, hotel or other premises wherein the public is expressly or impliedly invited or may enter.

SKILL-BASED ATTRACTION - An amusement utilizing a tangible object such as a ball, puck or other portable object either alone or in competition with other on-premises guest, or requiring the exertion of physical, aerobic activity, such as dancing, climbing, running, or jumping rope; or any amusement that is predominantly skill-based and can be played either alone or in competition with other on-premises guests. (N.J.S.A 5:8-101)

§ 88-14. Scope.

The Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., and such regulations as promulgated under Chapter 3, Office of Amusement Games Control, N.J.A.C. 13:3-1.1 et seq. are by this reference hereby incorporated as provisions of this article, as fully as if they were herein at length set out, it being the intention of the Township Council that any violation of such sections by a licensee shall be a violation not only of the Amusement Games Licensing Law but also of this article and that any duties of a licensee as set out in such sections are duties of a licensee under both the Amusement Games Licensing Laws and this section.

§ 88-15. Designation of Amusement Parks, Arcades and Entertainment Centers.

It is hereby determined, decided and declared that there exists zones within the Township of Marlboro for use as indoor recreational activities in Zone C-3 (Community Commercial District), Zone LI (Light Industrial Zone District) and Zone IOR (Industrial Office Research District) for amusement parks, arcades and entertainment areas in accordance with the definition contained in §88-13, and subject to the restrictions in §88-15.1.

§ 88-15.1 Number of devices permitted and location restrictions.

No more than twenty-five (25) mechanical or electronic amusement devices shall be permitted to be licensed and operated for the first 3,000 square feet of any one place of business as calculated within the principal building wherein that business is conducted. Where more than one commercial use or industry is conducted in any one building or in attached buildings on the same property, the square footage for the purposes of this subsection shall be calculated on a per-use basis. Jukeboxes shall not be counted in the determination of the original two mechanical or electronic amusement devices.

§ 88-16. License Required to Operate Games. It shall be unlawful for any person, firm or corporation to own, conduct or operate within this municipality any amusement game or games as said amusement game or games are defined by the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., as amended from time to time, and in § 88-13 "Definitions", hereinabove, whether said amusement game or games are of skill or chance, or both and whether said amusement game is played and operated with or without numbers, symbols, or figures without first having obtained a state issued license. Said license shall be issued subject to the provisions of the Amusement Games Licensing Law and the Revised Amusement Games Regulations, effective April 11, 1966, promulgated by the Office of Amusement Games Control, Department of Law and Public Safety of the State of New Jersey.

§ 88-17 Written Application; state license; fees; term of license; investigatory period.

A. Written Application.

Each applicant for such license shall file with the Municipal Clerk of the municipality a written application in the form as prescribed by the Amusement Games Control Commissioner, duly executed and verified, in which shall be stated the name and address of the applicant, together with sufficient facts relating to its incorporation and organization, if the applicant be a corporation or organization; the specific kind of amusement games intended to be held, operated and conducted by the applicant, the place or places where, the period, term, date or dates and the time or times when, such amusement games are intended to be conducted by the applicant, under the license applied for; and that no prize or prizes will be offered and given under said license except of merchandise only and same that no prize or prizes will be offered and given under said license except of merchandise only and same shall be of a value not in excess of the sum or value authorized to be offered and given by this act and such other information as shall be prescribed by the Amusement Games Control Commissioner. Said application shall contain the minimum information required by N.J.S.A. 5:8-102 and shall require the applicant to furnish information required by N.J.S.A. 5:8-103, as amended from time to time.

B. State Issued license.

Every such municipal license so issued shall be inoperative unless the licensee named therein shall also, within 90 days from the issuance thereof and prior to the conduct or operation of amusement games thereunder, procure a state license authorizing the licensee holding the municipal license to operate and conduct certain games according to the terms of such municipal license. The said state license shall be issued by the State Amusement Games Control Commissioner, if all conditions, terms and requirements of this act and of said rules and regulations have been fully met and complied.

C. License Fees.

1. State Fees:

As a condition of granting any such state license the applicant shall pay to the State Amusement Games Control Commissioner an annual fee of \$250.00. An applicant who is the owner of an arcade shall pay an additional \$10.00 fee per each machine over fifty (50) machines. If the municipal license authorizes the licensee to conduct and operate games at more than one place or of more than one specific kind of game than the applicant holding a state license shall pay the annual fee of \$250.00 for each place and each specific type of games. Said annual fee

shall be payable without proration and shall accompany the license application.

2. Municipal Fees:

a. Permissible Amusement Games Certification No. 1. Throw games wherein a single player upon payment of fee is furnished a number of balls, hoops, darts or other objects, or uses his own coins to be hand thrown, rolled or propelled at, into, or upon targets, with prizes awarded according to results achieved, generally known as a Basketball game, Dart game, Coin Pitch game, Roll Down game, Bushel Basket Ball Toss game and such similar games. \$500.00 per license. In this category, there shall be only one game per license.

b. Permissible Amusement Games Certification No. 2. Arcade games wherein a single player upon payment of fee is permitted to play a machine or device to obtain a prize or attain to score upon the basis of which a prize is awarded, generally known as a Crane machine, Skee-ball, Wacky Gator, Rotary Merchandiser, Silver Ski's Coin Pusher, Hoop Shoot and such similar games, including electronic games. - \$500.00 for the first 50 player positions and an additional ten (\$10.00) dollars for each player position thereafter.

c. Permissible Amusement Games Certification No. 3. Games wherein a single player upon payment of fee is permitted to make a blind selection of one object from a number of objects, the object selected being the prize won or indicating the prize won, generally known as Duck Pond Game, Fish Pond Game, Grab-bag Game and Pick-the-Stick Game, and such similar games. \$500.00 per license. In this category, there shall be only one game per license.

d. Permissible Amusement Games Certification No. 4. Competitive games wherein several players upon payment of fee are permitted to compete against each other for a prize to be awarded to the player who first achieves the required result, generally known as Bowlo Game, Fascination Game, Greyhound Game, Skilo Game, Throw Fascination Game, and Water Gun Game, and such similar games. \$500.00 dollars per license up to 100 seats; 100-200 seats, \$1,000.00; 201 - 350 seats, \$1,500.00; over 350 seats - \$2,000.00.

e. Permissible Amusement Games Certification No. 5. A game incorporating, a laydown board marked in segments bearing numbers, names or symbols whereon the player or players place

the entry fee as an indication of choice of expected winner. \$500.00 dollars per license. In this category, there shall be only one game per license.

f. Permissible Amusement Games Certification No. 6. Guessing games wherein in a single player upon payment of fee is entitled to win a prize in the event that the operator is unable to guess, within announced limits, the weight or age of the player, generally known as Guess Your Weight Game and Guess Your Age Game. \$500.00 dollars per game. In this category, there shall be only one game per license.

g. Permissible Amusement Games Certification No. 7. A game wherein a single player upon payment of fee is entitled to win a prize in the event that within a permitted number of tries he rings a bell or gong a required number of times by striking with a maul one end of a horizontal level arm the other end of which propels a weight upward along a vertical wire at the top of which the bell or gong is located, generally known as Ring The Bell Game or High Striker Game. \$500.00 dollars per game. In this category, there shall be only one game per license.

h. Permissible Amusement Games Certification No. 8. Miscellaneous skill games wherein a single player upon payment of a fee is entitled to use a physical skill to attain a predetermined goal for which a prize is awarded, generally known as Log Roll and Rope Climb, and such similar games. \$500.00 per game. In this category, there shall be only one game per license.

i. Permissible Amusement Games Certification No. 9. A game of chance incorporating a laydown board marked in segments bearing numbers, names or symbols whereon the player or players place the entry fee as an indication of the choice of expected winner, which is determined by a non-electrical and non-mechanical device, set in motion by a player or players, coming to rest, generally known as Pan Game, Crazy Ball and Crazy Block. \$500.00 per game. In this category, there shall be only one game per license.

2. In the event of denial or withdrawal of the application, or in the event of the denial or withdrawal of the application for the State License filed with the Legalized Games of Chance Control Commission pursuant to N.J.A.C. 13:3-2, 25% of the total municipal fee paid shall be retained by the Township as and for an investigation fee, and the remainder of the fee, shall be refunded to the applicant.

D. Term of license.

All licenses shall be issued on a calendar-year basis, with a maximum from January 1 to December 31 of the year within which the license is to be operative. (N.J.A.C. 13:3-1.9)

E. Investigatory period.

1. Upon receipt of the application, the Municipal Clerk shall refer a copy of the application to the Chief of Police and copies thereof to the Zoning Officer, Code Enforcement Officer and Fire Official. Thereupon, the Chief of Police or his designee shall cause an investigation to be undertaken into the character, moral turpitude and fitness of the applicant and shall file an investigative report incorporating the findings made and recommendation thereon with the Municipal Clerk within 30 days of referral.

2. Upon receipt of the completed and satisfactory police investigation report and Zoning Officer, Code Enforcement and Fire Official inspection reports, the Municipal Clerk shall request that the Township Council of the Township of Marlboro adopt a resolution approving the application. After the adoption of the resolution, the Municipal Clerk shall file the application, police investigation reports, incorporation papers and annual fee and additional fees, if applicable, to the Director of the Legalized Games Chance Control Commission (LGCCC).

3. If approval for the license is granted, the Zoning Officer, Code Enforcement Officer and Fire Official may continue to make periodic inspections of the premises in which the licensed device(s) is/are located in order to assure compliance with all applicable code provisions.

§ 88-18. Issuance of License; Certificate; Display.

A. Upon proof of compliance with all applicable requirements, the Township Council shall authorize the issuance of a license, to be effective for not more than one year, by resolution, said license to be effective for a term of one year, commencing on the date of issuance and terminating on December 31 in each year. Said resolutions shall specifically recite that the premises to be licensed are located in a recognized amusement and entertainment center within the municipality. A certified copy of the resolution shall be transmitted, together with a copy of the application and license certificate issued to the Legalized Games of Chance Controls Commission. No license shall

issue unless the applicant has complied with all of the requirements of N.J.S.A. 5:8-100 et seq. and N.J.A.C. 13:1-1.1 et seq., as amended from time to time.

B. Each license certificate shall be in the form prescribed by the Legalized Games of Chance Controls Commission and shall indicate: the name of the licensee; the address of the licensed premises; the name or description of the kind of games licensed; the amount of fee paid; a statement of the hours between which such games may be conducted.

C. Each license shall be conspicuously displayed at the place where the game is to be conducted at all times during conduct thereof.

D. Each Licensee shall notify the Township of any material change of any relevant fact regarding the License application within ten (10) days of the occurrence thereof.

§ 88-19. Hours and Days of Operation. Amusement Parks, Arcades and Entertainment Centers shall not be operated between the hours of 2:00 a.m. and 7:00 a.m. where such facility is located within 200 feet of any residential use or residential district. The hours of operation shall not be earlier than 7:00 a.m. nor later than 11:00 p.m. on Sundays through Thursdays and not later than 12:00 midnight on Fridays or Saturdays.

§ 88-20. Location of games, devices, machines.

No operable machine or device shall be located in any part of the licensed premises which is not open to the general public.

§ 88-21. Hearing prior to refusal of license; amendments.

1. All applications shall be either approved or denied in accordance with the provisions of N.J.S.A 5:8-100, et seq.

2. No application for the issuance of a license shall be refused by the Township Council until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard up the qualifications of the applicant and the merits of the application (N.J.S.A. 5:8-104)

3. Any license issued under this article may be amended upon adoption of a resolution by the Township Council of the Township of Marlboro. Only if the subject matter of the proposed

amendment could lawfully have been included in the original license.

§ 88-20. Control and Supervision.

The Township Council shall have and exercise control and supervision over all amusement games operated or conducted under such license with all of the powers authorized and granted to it under the Amusement Games Licensing Law and all amendments and supplements thereto.

§ 88-21. Forfeiture of license for certain acts.

In the event any licensee shall violate any of the provisions of this article, the Amusement Games Licensing Law, the rules and regulations promulgated by the Legalized Games of Chance Controls Commission or the specific terms of the license, such licensee shall be a disorderly person and if convicted as such shall in addition to suffering any other penalties which may be imposed, suffer forfeiture, revocation or suspension of any license issued under this article.

§ 88-22. Violations and Penalties.

Any person who violates any provision of this article shall, upon conviction thereof, in addition to the provisions of §§ 88-20 herein, be punished as provided in § 4-3 of the Code. Each day that a violation occurs or is committed shall constitute a separate offense.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 4, "Administration of Government", Section 88.1 "Division of Water Utility", Section T "Water Customer Charges" is hereby amended to increase the fees as follows:

§ 4-88.1 Division of Water Utility

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Connection Fee	4-88.1 T 2 D 1	Marlboro Water Utility Division	5,855.00
Cost of standard residential (5/8" x 3/4") water meter and associated equipment including labor/installation	4-88.1 T 2 D 2	Marlboro Water Utility Division	

Connection Fee for Affordable Units 50%	4-88.1 T 2 D 3	Marlboro Water Utility Division	2,927.50
Cost of standard residential (5/8" x 3/4") pit meter and associated equipment including labor/installation	4-88.1 T 2 D 4	Marlboro Water Utility Division	39.00
Single Family Residential - Basic quarterly service charge per meter	4-88.1 T 2 A 1.1	Marlboro Water Utility Division	39.00
Single Family Residential - First 30,000 gallons (0 - 30,000) per thousand gallons	4-88.1 T 2 A 1.2	Marlboro Water Utility Division	3.89
Single Family Residential - Next 20,000 gallons (30,001 - 50,000) per thousand gallons	4-88.1 T 2 A 1.3	Marlboro Water Utility Division	7.08
Single Family Residential - All usage in excess of 50,000 gallons (50,001 +) per thousand gallons	4-88.1 T 2 A 1.4	Marlboro Water Utility Division	8.99
Multifamily Residential - Basic quarterly service charge per unit	4-88.1 T 2 A 1.5	Marlboro Water Utility Division	33.00
Multifamily residential with single meter - First 30,000 gallons (0 - 30,000) per thousand gallons	4-88.1 T 2 A 1.2	Marlboro Water Utility Division	3.89
Multifamily residential with single meter- Next 20,000 gallons (30,001 - 50,000) per thousand gallons	4-88.1 T 2 A 1.3	Marlboro Water Utility Division	7.08
Multifamily residential with single meter - All usage in excess of 50,000 gallons (50,001 +) per thousand gallons	4-88.1 T 2 A 1.4	Marlboro Water Utility Division	8.99
Nonresidential - Basic quarterly service charge per meter	4-88.1 T 2 A 2.1	Marlboro Water Utility Division	39.00
Nonresidential with single meter - First 30,000 gallons (0 - 30,000) per thousand gallons	4-88.1 T 2 A 2.2	Marlboro Water Utility Division	3.89
Nonresidential with single meter- Next 20,000 gallons (30,001 - 50,000) per thousand gallons	4-88.1 T 2 A 2.3	Marlboro Water Utility Division	7.08
Nonresidential with single meter - All usage in excess of 50,000 gallons (50,001 +) per thousand gallons	4-88.1 T 2 A 2.4	Marlboro Water Utility Division	8.99
Basic quarterly service charge per meter	4-88.1 T 2 B 1	Marlboro Water Utility Division	39.00

Basic quarterly service charge, per classroom	4-88.1 T 2 C 1	Marlboro Water Utility Division	20.00
Private Fire Protection Charges - 2" meter	4-88.1 T 2 E 1	Marlboro Water Utility Division	0.00
Private Fire Protection Charges - 4" meter	4-88.1 T 2 E 2	Marlboro Water Utility Division	86.70
Private Fire Protection Charges - 6" meter	4-88.1 T 2 E 3	Marlboro Water Utility Division	115.30
Private Fire Protection Charges - 8" meter	4-88.1 T 2 E 4	Marlboro Water Utility Division	141.80
Private Fire Protection Charges - 10" meter	4-88.1 T 2 E 5	Marlboro Water Utility Division	178.50
Public Fire Protection Charges	4-88.1 T 2 F	Marlboro Water Utility Division	141.80
Water service. Schedule I(2). Water Service Restoration Fee (Normal Hours).	4-88.1 T 2 I 2	Marlboro Water Utility Division	127.00

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following section of the Marlboro Township Code be and is hereby supplemented to codify fees pertaining to tax sales authorized pursuant to N.J.S.A. 54:5-52.1 et seq, as follows:

§ 171-7 Fees for copies of tax records from Municipal Tax Collector.

E. Pursuant to the provisions of N.J.S.A. 54:5-52.1, the Tax Collector of the Township of Marlboro is authorized to charge \$100.00 to supply a duplicate tax sale certificate.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Article XI (Department of Finance), Section 4-54 (Powers and duties) of the Marlboro Township Code is amended to allow for electronic payments by the Chief Financial Officer where permitted under State law, as follows:

All bills, claims and demands against the Township shall be deemed approved or disapproved by the Township Council in accordance with the recommendation of the Chief Financial Officer and the concurrence of the Mayor. A voucher on a form prescribed by the Chief Financial Officer shall be presented for each bill, claim or demand and shall be paid only upon audit, warrant and approval of the Chief Financial Officer. Disbursement shall be made by ~~check drawn by~~ the Chief Financial Officer and shall be signed by the Mayor. Provision may be made for facsimile signatures on checks to provide for all disbursement of Township funds.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that a new section to be identified as Article 1 of Chapter 265 ("Parks and Recreation Facilities, General Provisions") is hereby established in order to standardize present in a single location the sections of code applicable to all Parks and Recreation Facilities, and Sections 4-64.4, 265-3, 265-14, 265-16, 265-22, 265-26, 265-27, 265-28, 265-29, 265-33.H(5)a-d, 265-36, 265-37, 265-38, 265-39 and 265-41(A)2(d)) of the Code are hereby repealed and related with the new Chapter 265, Article 1 as follows:

A. DEFINITIONS

PARK or RECREATIONAL FACILITY: A park, pool, playground, field, building, open space or other area in the Township which is owned, used or maintained by the Township and is devoted to active or passive recreation.

RESIDENT: An individual, couple or family demonstrating acceptable proof of Marlboro Township residency, the form of which may include: a New Jersey Division of Motor Vehicles-issued license or identification, bank statement, residential lease, utility (gas, electric, water, oil), cable, telephone, internet service or telephone bill.

NON-RESIDENT An individual, couple, or family residing outside of Marlboro Township.

AGE An applicant's age as of the start date of the program being applied to.

SENIOR CITIZEN An individual who is age 60 or older.

ADULT An individual who is age 18 or older.

CHARITABLE ORGANIZATION A nonprofit organization holding a tax-exempt status under the Federal Internal Revenue Code of 1954, i.e., 26 U.S.C. § 501(c) or (d).

COMMERCIAL APPLICANT A for-profit business entity with a physical location in Marlboro Township applying to use a facility as part of or as an extension of its business.

COMMERCIAL OUT OF TOWN APPLICANT A for-profit business entity with a physical location outside of Marlboro Township

proposing to use a facility as part of or as an extension of its business.

RESIDENT LEAGUE A group or organization comprised of at least 75% Marlboro residents using the facility as part of a league or single use for its members or employees. All other groups under 75% will be classified as nonresident leagues.

PRIVATE EVENT Any event which is conducted, sponsored or permitted by an individual, family or an organized group of persons, where admissions are not opened to the general public.

B. APPLICATION FOR PROGRAM REGISTRATION

The application form for program registration shall include but not be limited to the following elements:

1. In-person or on-line registration through the Township's website
2. Applicant waiver/indemnification and hold-harmless agreement
3. Proof of residency
4. Proof of age or grade (youth programs)
- 5.

C. APPLICATION FOR FACILITY USE

A permit is required for the reservation of any Township park or recreational facility. The use of any Township park or recreation facility by any individual or entity providing fee-based programming requires a permit. The application form for a facility use permit shall include but not be limited to the following elements:

1. In-person or on-line registration through the Township's website
2. Applicant waiver/indemnification and hold-harmless agreement
3. Proof of residency or corporate status
4. For use of any Township facility, applicant must furnish a Certificate of Insurance (ACORD 25) providing evidence of general liability limits including Bodily Injury and Property Damage as follows: \$300,000 per occurrence for an individual; \$500,000 per occurrence for a charitable organization; \$1 million per occurrence for any commercial applicant. Any Corporation must also include evidence of Workers Compensation - statutory limits and Employers' Liability minimum of \$300,000 per accident/\$300,000 per employee/\$300,000 policy limit.
5. For use of any Township facility involving the consumption of alcohol, where permitted under the Code,

the applicant shall obtain the appropriate permit issued by the New Jersey Division of Alcoholic Beverage Control. A certificate of insurance shall be furnished by an applicant with evidence of Host Liquor Liability coverage of \$1 million per occurrence. If alcohol is to be sold to raise money or any organization is providing alcohol/bartending service in concert with the event the vendor serving alcohol will also be required to supply evidence of Liquor Legal Liability coverage of \$2 million per occurrence. Events involving the consumption of alcohol shall be staffed by the Division of Police in a manner as determined by the Chief of Police, the cost of which shall be borne by the applicant.

6. For use of any Township facility involving a raffle, bingo or a game of chance, applicant shall obtain the appropriate permit issued by the New Jersey Division of Consumer Affairs.
7. In the event of two (2) simultaneous applications for the use of the same facility, or if there is other potential conflict, the Recreation Department shall grant permission to the request first received.

D. GRANTING OF FINANCIAL NEED WAIVERS

Upon application, the Department of Recreation may, after investigation, grant a scholarship for any of the programs conducted by the Department of Recreation in circumstances of financial need. The Recreation Director is hereby authorized and directed to promulgate such reasonable regulations governing the granting of such financial need waivers.

E. AUTHORITY TO MAKE RULES; ENFORCEMENT

1. Rules and regulations shall be determined by the Department of Recreation for the operation of all parks and recreation facilities.
2. Rules and regulations shall be published, posted or readily available upon request and strictly enforced.

F. SUBMISSION OF FALSE OR MISLEADING INFORMATION

Any person submitting or who knowingly provides false or misleading information will be subject to immediate removal from all programs or facilities, and forfeit any and all fees paid. Such person shall also be subject to the penalties provided in section G of this article.

G. VIOLATIONS AND PENALTIES

Violations of the provisions of this article shall be punishable as provided in § 4-3 of the Code.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the existing Article 1 of Chapter 265 ("Recreation Program Fees") of the Marlboro Township Code be and is hereby supplemented to provide for the administrative reduction of non-refundable deposits or administrative processing fees and to increase the not to exceed fee amounts for licensing and permitting as follows:

§ 265-1 Authorization to impose fees.

E. Requests for refunds shall be processed pursuant to Section 171-5.2 of the Code. The Recreation Director may, however, reduce or refund the non-refundable deposits or administrative processing fees on a prorated basis, in the following cases:

(1) A letter from a physician is provided stating that a participant is unable to continue in a program due to a documented medical condition which arose after the application deadline.

(2) A participant is approved for a financial need waiver.

(3) Documentation is received from the Marlboro Board of Education or Freehold Regional School District stating that the participant has a conflict with a school-sponsored program.

If requested and in lieu of a refund the Recreation Director may authorize a credit towards future Marlboro Recreation programs without an administrative processing fee.

§ 265-2 Recreation program fees.

A. Basketball Program (not to exceed, per season):

- (1) All grades, rec: \$180.
- (2) All grades, travel: \$190.
- (3) Adult league (per individual): \$160.
- (4) Adult league (per team): \$1,300.
- (5) Spring Youth League: \$125.
- (6) Summer Youth League: \$120.

B. Soccer Program, all grades: not to exceed \$232.50 per season.

D. Summer Camp:

- (1) Summer Camp six-week sessions: Not to exceed \$1,463. Non-refundable deposit of \$100 shall apply.
- (2) Summer Camp three-week sessions: Not to exceed \$812. Non-refundable deposit of \$100 shall apply.

(3) H2O camp/7th week: Not to exceed \$298. Non-refundable deposit of \$50 shall apply.

(4) Pre camps, six weeks: Not to exceed \$397. Non-refundable deposit of \$50 shall apply.

(5) After camps, six weeks: Not to exceed \$589. Non-refundable deposit of \$50 shall apply.

(6) Pre and after camps, six weeks: Not to exceed \$912. Non-refundable deposit of \$100 shall apply.

(7) Pre camps, three weeks: Not to exceed \$211. Non-refundable deposit of \$50 shall apply.

(8) After camps, three weeks: Not to exceed \$310. Non-refundable deposit of \$50 shall apply.

(9) Pre and after camps, three weeks: Not to exceed \$459. Non-refundable deposit of \$50 shall apply.

E. Travel camp: Not to exceed \$1,860. Non-refundable deposit of \$250 shall apply.

F. Theater Camp: Not to exceed \$718. Non-refundable deposit of \$100 shall apply.

U. Mobile stage rental. Use of Township mobile stage by other municipalities or affiliated agencies:

(1) Fee for single event: \$600.

(2) Fee for continuous multiday use: \$600; \$200 per day for each additional day.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of Article III of Chapter 265 ("Parks and Recreation Facilities, Marlboro Swim Club") of the Marlboro Township Code be and are hereby amended and supplemented to rename the membership categories (Tier I = Early Bird, Tier III = Standard Membership) and increase the not to exceed program fees as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	Fee Not to Exceed
Early bird family membership	Parks and Recreation Facilities; 265-18 A 1 a	Membership and other fees, Marlboro Swim Club	\$507
Early bird individual membership	Parks and Recreation Facilities; 265-18 A 1 b	Membership and other fees, Marlboro Swim Club	\$264

Early bird senior membership starting	Parks and Recreation Facilities; 265-18 A 1 c	Membership and other fees, Marlboro Swim Club	\$137
Tier II full-time family membership starting 2019 season	Parks and Recreation Facilities; 265-18 A 2 a	Membership and other fees, Marlboro Swim Club	\$480
Tier II full-time individual membership starting 2019 season	Parks and Recreation Facilities; 265-18 A 2 b	Membership and other fees, Marlboro Swim Club	\$242
Tier II full-time senior membership starting 2019	Parks and Recreation Facilities; 265-18 A 2 e	Membership and other fees, Marlboro Swim Club	\$125
Family membership	Parks and Recreation Facilities; 265-18 A 3 a	Membership and other fees, Marlboro Swim Club	\$601
Individual membership	Parks and Recreation Facilities; 265-18 A 3 b	Membership and other fees, Marlboro Swim Club	\$314
Senior membership	Parks and Recreation Facilities; 265-18 A 3 c	Membership and other fees, Marlboro Swim Club	\$159
Mid-season family membership	Parks and Recreation Facilities; 265-18 A 4 a 1	Membership and other fees, Marlboro Swim Club	\$318
Mid-season individually membership	Parks and Recreation Facilities; 265-18 A 4 a 2	Membership and other fees, Marlboro Swim Club	\$167
Mid-season senior membership	Parks and Recreation Facilities; 265-18 A 4 a 3	Membership and other fees, Marlboro Swim Club	\$101
Non-resident full-time family membership	Parks and Recreation Facilities; 265-18 B 1 a	Membership and other fees, Marlboro Swim Club	\$727
Non-resident full-time individual membership	Parks and Recreation Facilities; 265-18 B 1 b	Membership and other fees, Marlboro Swim Club	\$371
Non-resident senior membership	Parks and Recreation Facilities; 265-18 B 1 c	Membership and other fees, Marlboro Swim Club	\$201
Mid-season Non-resident family membership	Parks and Recreation Facilities; 265-18 B 2 a	Membership and other fees, Marlboro Swim Club	\$399

Mid-season Non-resident individual membership	Parks and Recreation Facilities; 265-18 B 2 b	Membership and other fees, Marlboro Swim Club	\$203
Mid-season Non-resident senior membership	Parks and Recreation Facilities; 265-18 B 2 c	Membership and other fees, Marlboro Swim Club	\$151
Swim Club Day Camp Resident	Parks and Recreation Facilities; 265-18 E 5 a 1	Membership and other fees, Marlboro Swim Club	\$918
Group swimming and diving lessons. Regular group swim lessons (per class)	Parks and Recreation Facilities; 265-18 E 1 a	Membership and other fees, Marlboro Swim Club	\$8.00
Group swimming and diving lessons. Moms and tots (per class)	Parks and Recreation Facilities; 265-18 E 1 b	Membership and other fees, Marlboro Swim Club	\$8.00
Swim Club Activities Camp Resident	Parks and Recreation Facilities; 265-18 E 5 a 1[1]	Membership and other fees	\$949
Swim Club Sports Camp Resident	Parks and Recreation Facilities; 265-18 E 5 a 1[2]	Membership and other fees, Marlboro Swim Club	\$949
Swim Club Day Camp Non-resident	Parks and Recreation Facilities; 265-18 E 5 b	Membership and other fees, Marlboro Swim Club	\$998
Swim Club Activities Camp Non-resident	Parks and Recreation Facilities; 265-18 E 5 b 1[1]	Membership and other fees, Marlboro Swim Club	\$1,027
Swim Club Sports Camp Non-resident	Parks and Recreation Facilities; 265-18 E 5 b 1[2]	Membership and other fees, Marlboro Swim Club	\$1,027

§ 265-40 Facility usage policies.

A. Usage permits and fees. All groups, organizations and/or leagues will be required to apply for a usage permit and to pay a user fee for such usage permit.

B. Exemptions. All Marlboro Township Recreation Department-sponsored programs, all youth programs sponsored by the Marlboro Township Board of Education and all youth programs sponsored by the Marlboro High School, including youth programs operated and attended by Marlboro High School coaches employed by the Marlboro Board of Education or Freehold Regional School District with the express purpose of training and developing Marlboro youth for

Marlboro school team sports are exempt from all user fees for usage permits. Any additional fees will be assessed as may be required.

C. Discounts. Charitable organizations may be eligible for a discount on indoor facility usage fees assessed per section 265-41 A(2)a and 265-41 B(1) not to exceed 85%. Said exemption shall be granted upon application to the Recreation Director, along with proof of said tax-exempt status. All Marlboro senior citizens will be eligible for a discount of 10% on indoor facility usage fees assessed under section 265-41 A(1)a, 265-41 A(1)b, 265-41 A(2)a, 265 41 A(3)a, 265-41 A(4), 265 41 B(1) and 265-41 B(2). Cancellation fees, set up and break down fees, security deposits and janitorial services will be assessed as required under section 265-41.

D. Refunds. No refund will be issued for seasonal usage permit holders due to cancellations caused by weather or program scheduling. If available, hourly usage permit holders will be offered another date or refund.

E. Arts and crafts room. In addition to the above policies, there shall be additional policies for the arts and crafts room as follows:

- (1) Parties. Due to the nature of the facilities, the arts and crafts room shall be available solely for children's parties.
- (2) Adult supervision shall be required as follows:
 - (a) One to 10 children: 1 adult supervisor.
 - (b) Eleven to 25 children: 1 adult supervisor plus 1 aide.

§ 265-41 Facility usage fees (indoors).

A. Recreation Community Center.

- (1) Meeting fees.
 - (a) Meeting room or similar (includes setup)
 - [1] Fee for weekdays, per hour: \$20.
 - [2] Fee for weekends, per hour: \$20.
 - (b) Meetings, multipurpose room.
 - [1] Fifty-one to 300 (chairs only): Fee per hours: \$25.
 - [2] One hundred to 300 (tables/chairs): Fee per hours: \$25.
 - (c) Refundable security deposits. There will be a deposit of \$50 for use of the multipurpose room. Such deposit will be returned if the room is cleaned and left as found.

(d) Cancellation fee. If the applicant does not contact the Recreation Department by 12:00 noon of said meeting date, the following cancellation fees will be charged:

- [1] Meeting room: \$5.
- [2] Multipurpose room: \$25.

(2) Event fees.

(a) Resident and nonprofit organization fees for event size of:

- [1] One to 50 people: \$75.
- [2] Fifty-one to 150 people: \$200.
- [3] One hundred fifty-one to 250 people: \$500.

(b) Refundable security deposits. A security deposit in the amounts set forth below shall be required. Such deposit will be returned if the room is cleaned and left as found.

- [1] Event size of one to 50 people: \$150.
- [2] Event size of 51 to 150 people: \$300.
- [3] Event size of 151 to 250 people: \$500.

(c) Building attendant. A building attendant is required for events from 4:00 p.m. through 12:00 midnight for a fee of \$20 per hour.

(d) Setup and breakdown. Setup and breakdown service is required for all events at a fee of \$30 per hour (total hours based on size of event).

(e) Optional janitorial services. \$25 per hour.

(f) Cancellation fee. If the event is cancelled after 14 days from the posting of the deposit, an administrative fee of \$50 will be charged.

(3) Arts and crafts room (limit from one to 25 people).

(a) Arts and crafts events.

- [1] Room only: \$45.
- [2] Room with gym use: \$60.

[3] Room gym use and organized activities: \$60 plus instructor/aide rate.

[4] Room with arts and crafts project: \$60 plus instructor/aide rate and cost of materials.

(b) Refundable security deposits. A security deposit in the amount of \$50 shall be required.

(4) Recreation gym.

(a) Weekdays, per hour: \$60.

(b) Weekends, per hour: \$75.

B. Morganville Senior Center.

(1) Resident and nonprofit organization event fees (50 people maximum): \$75.

(2) Meetings.

(a) Single use: \$20 per hour.

(b) Multiple use: \$20 per hour.

(3) Rental options.

(a) Weekend daytime parties (Saturday and/or Sunday): 11:00 a.m. to 4:00 p.m.

(b) Weekend evening parties (Friday, Saturday and/or Sunday): 5:00 p.m. to 11:00 p.m.

(c) Weekdays, meetings only (Monday through Friday): 9:00 a.m. to 10:00 p.m.

(4) Refundable security deposit. A security deposit in the amount of \$150 shall be required for parties only. Such deposit shall be returned if the room is cleaned and left as found.

(5) Building attendant: \$20 per hour.

(6) Setup and breakdown fee, required for all parties: \$30 per each event.

(7) Optional janitorial services: \$25 per hour.

(8) Cancellation fee. If the event is canceled after 14 days from the posting of the deposit, an administrative fee of \$25 shall be charged

§ 265-42 Facility usage fees (outdoors).

These fees include the use of all Township and Marlboro Board of Education facilities.

A. Permit fees.

(1) Single/multipurpose use permit, grass fields.

(a) Marlboro Resident/Marlboro non-profit organization/league: \$10/two hours: \$20 per hour.

(b) Nonresident/Out of Town non-profit organization/league: \$20 per hour.

(c) Marlboro Commercial organization/league: \$50/hour.

(d) Out of Town Commercial organization/league: \$75.00/hour.

(2) Turf field.

(a) Marlboro Resident/Marlboro non-profit organization/league: \$25 per hour.

(b) Nonresident/Out of Town non-profit organization/league: \$50 per hour.

(c) Marlboro Commercial organization/league: \$100/hour.

(d) Out of Town Commercial organization/league: \$150.00/hour.

(3) Fields with lights.

(a) Marlboro Resident/Marlboro non-profit organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$25 per hour.

(b) Nonresident/Out of Town non-profit organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$50 per hour.

(c) Marlboro Commercial organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$35 per hour.

(d) Out of Town Commercial organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$60 per hour.

B. Seasonal fees (subject to change).

(1) Marlboro Pop Warner, permit fee for August 1 to November 30: \$3,600.

(2) Marlboro Little League, permit fee for April 1 to June 30: \$600.

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

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

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

The following Res. #2020-107/Ord. #2020-5 (Bond Ordinance - General Capital Improvements) was introduced by reference, offered by Councilman Metzger, seconded by Council President Mazzola, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-107

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

ORDINANCE #2020-5

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$5,196,158 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,936,350 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on April 23, 2020 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at

which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE #2020-5

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$5,196,158 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,936,350 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$5,196,158, and further including the aggregate sum of \$259,808 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,936,350 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Administration Acquisition of office furniture and equipment, including all related costs and expenditures incidental thereto	\$5,621	\$5,340	5 years
b) Management Information System Management information system infrastructure improvements and the acquisition of management information system equipment, including, but not limited to, software licensing, rack mount servers and storage devices, firewall and network improvement hardware, annual personal computer and laptop replacement program, laser printers and a phone system, including all work and materials necessary therefor and incidental thereto, and further including all related costs and expenditures incidental thereto	\$267,444	\$254,072	5 years
c) Engineering 1) Road Improvement Program, including street improvements, resurfacing, drainage	\$2,488,393	\$2,363,973	10 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
and reconstruction of various streets, all as set forth on a list on file in the Office of the Clerk, and further including all work and materials necessary therefor and incidental thereto			
2) Storm drainage improvements all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto	\$151,980	\$144,381	20 years
3) Dog park improvements, including all work and materials necessary therefor and incidental thereto	\$61,200	\$58,140	10 years
4) Site remediation projects, including all work and materials necessary therefor and incidental thereto	\$25,500	\$24,225	15 years
<u>d) Police Department</u>			
1) Replacement of vehicles, including, but not limited to, trucks and vans and a motorcycle, and further including all related costs and	\$60,737	\$57,700	5 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
expenditures incidental thereto			
2) Acquisition of equipment, including, but not limited to, equipment for police vehicles, police equipment for patrol, and weapons systems and accessories, and further including all related costs and expenditures incidental thereto	\$251,165	\$238,606	5 years
3) Acquisition of furniture, including all related costs and expenditures incidental thereto	\$17,140	\$16,283	5 years
4) Building improvements, including all work and materials necessary therefor and incidental thereto	\$5,100	\$4,845	15 years
5) Acquisition of traffic control and enforcement equipment, including all work and materials necessary therefor and incidental thereto, and further including all related costs and expenditures incidental thereto	\$14,694	\$13,959	10 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
e) <u>Road Maintenance</u> 1) Acquisition of a pick-up truck with plow and refurbishment of vehicles, including all related costs and expenditures incidental thereto	\$146,880	\$139,536	5 years
2) Acquisition and refurbishment of equipment, including, but not limited to, a front-end loader with tink bucket, a loader attachment, a 25 cubic yard garbage paker and a hot patch machine, and further including all related costs and expenditures incidental thereto	\$413,013	\$392,363	15 years
f) <u>Grounds Maintenance</u> 1) Acquisition of a pick-up truck, including all related costs and expenditures incidental thereto	\$45,900	\$43,605	5 years
2) Improvements to public buildings, including HVAC upgrades and energy saving improvements, and further including all work and materials necessary therefore and incidental thereto	\$464,100	\$440,895	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
g) Recreation 1) Replacement of vehicles, including all related costs and expenditures incidental thereto	\$11,539	\$10,962	5 years
2) Various park improvements, all as set forth on a list on file in the Office of the Clerk, and further including all work and materials necessary therefor and incidental thereto	\$725,462	\$689,189	15 years
h) 911 Expenses 1) Annual personal computer and laptop replacement program, including all related costs and expenditures incidental thereto	\$20,400	\$19,380	5 years
2) Improvements to police communication system, including acquisition of radios, and further including all related costs and expenditures incidental thereto	<u>\$19,890</u>	<u>\$18,896</u>	10 years
Totals:	<u>\$5,196,158</u>	<u>\$4,936,350</u>	

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.06 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,936,350, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$101,885 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change

in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

The following Res. #2020-108/Ord. #2020-6 (Bond Ordinance - Water Capital Improvements and Issuance of Bonds or Notes) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-108

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

ORDINANCE #2020-6

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$2,318,950 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,318,950 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on April 23, 2020 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at

which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE #2020-6

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$2,318,950 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,318,950 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,318,950. No down payment is required as the purposes authorized herein are deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,318,950 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Installation of a water main extension, including all work and materials necessary therefor and incidental thereto	\$890,950	\$890,950	40 years
b) Miscellaneous valve replacement in connection with the Water Quality Accountability Act, including all work and materials necessary therefor and incidental thereto	\$510,000	\$510,000	15 years
c) Acquisition of Management Information System equipment including, but not limited to, SCADA architecture (backup system) and further including all work and materials necessary therefor and incidental thereto	\$153,000	\$153,000	5 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
d) Replacement of water meters, including all work and materials necessary therefor and incidental thereto	\$204,000	\$204,000	15 years
e) Emergency water main repairs and restoration, including all work and materials necessary therefor and incidental thereto	\$510,000	\$510,000	20 years
f) Repair of hydrants, valves and pipes, including all work and materials necessary therefor and incidental thereto	<u>\$51,000</u>	<u>\$51,000</u>	15 years
Totals:	<u>\$2,318,950</u>	<u>\$2,318,950</u>	

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 25.04 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the

Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,318,950, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$45,470 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change

in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

The following Res. #2020-109/Ord. #2020-7 (Bond Ordinance - Recreation and Swim Capital Improvements and Issuance of Bonds or Notes) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-109

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

ORDINANCE #2020-7

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE RECREATION UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$214,404 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$214,404 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on April 23, 2020 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at

which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE #2020-7

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE RECREATION UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$214,404 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$214,404 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$214,404. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$214,404 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various improvements to the recreation utility, including, but not limited to, installation of defibrillators, resurfacing of tennis courts at the Marlboro Swim Club and pool repairs at the Marlboro Swim Club, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$214,404, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$4,204 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct

payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

The following Res. #2020-110/Ord. #2020-8 (Providing for Lease Purchase Financing and Acquisition of Police Cars) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-110

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

ORDINANCE #2020-8

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

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

BE IT FURTHER RESOLVED that the same be considered for final passage on April 23, 2020 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE #2020-8

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

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

Section 1. The Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township") hereby authorizes the lease purchase financing and acquisition of police cars for the Township pursuant to N.J.S.A. 40A:11-15(7) for a total principal cost of not to exceed \$220,000. The procurement of the police cars is available through a State Contract. The rental payments will be paid over three years at an interest rate per annum to be approved by the Chief Financial Officer of the Township through a procurement process authorized herein and in accordance with law. The Chief Financial Officer of the Township is authorized to take financing bids or proposals or procure financing by other lawful means, including through a national purchasing cooperative, as she deems most cost effective for the Township.

Section 2. The Mayor and/or the Chief Financial Officer are hereby authorized to negotiate, execute and deliver, subject to the review of Bond Counsel, a lease purchase agreement (the "Lease") in accordance with the terms set forth in this ordinance, an agent or an escrow agreement, an assignment agreement, if

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

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

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

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

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

The following Res. #2020-111/Ord. #2020-9 (Appropriating \$200,000 Grant for Nolan Road Park Improvement Project Phase II) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Metzger, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-111

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

ORDINANCE #2020-9

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING A \$200,000 GRANT FOR THE PRESERVATION OF OPEN SPACE IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on April 23, 2020 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE #2020-9

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING A \$200,000 GRANT FOR THE

PRESERVATION OF OPEN SPACE 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. The \$200,000 grant is hereby appropriated for the improvements of Nolan Road Park (Phase II) included in the Township's Open Space and Recreation Plan in and by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township").

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 Township Clerk and is available there for public inspection.

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

The following Res. #2020-112/Ord. #2020-10 (Appropriating \$215,000 Grant for Improvements to Wyncrest Road) was introduced by reference, offered by Council Vice President Cantor, seconded by Council President Mazzola, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-112

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

ORDINANCE #2020-10

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN
THE COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING A \$215,000 GRANT TO BE
RECEIVED BY THE TOWNSHIP FOR THE MARLBORO
ROAD PROGRAM IN AND FOR THE TOWNSHIP OF

MARLBORO, IN THE COUNTY OF MONMOUTH, NEW
JERSEY

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

BE IT FURTHER RESOLVED that the same be considered for final passage on April 23, 2020 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE #2020-10

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING A \$215,000 GRANT TO BE RECEIVED BY THE TOWNSHIP FOR THE MARLBORO ROAD PROGRAM 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 \$215,000 grant expected to be received by the Township from the State of New Jersey Department of Transportation FY 2020 Municipal Aid Program is hereby appropriated for the purpose of providing funds for the Marlboro Road Program, 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 Township Clerk and is available there for public inspection.

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

The following Res. #2020-113 (Appointments to Ethics Board) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2020-113

A RESOLUTION CONSENTING TO THE MAYOR'S RE-APPOINTMENT OF LIZA L. CONSELYEA AND KENNETH LISS AND THE APPOINTMENT OF CAROL CINCOTTA TO FILL THE UNEXPIRED TERM OF HOWARD WOLFSON TO THE MARLBORO TOWNSHIP ETHICS BOARD

WHEREAS, Section 4-102 of the Code of the Township of Marlboro establishes the Marlboro Township Ethics Board; and

WHEREAS, said Board shall consist of six (6) members who shall be appointed by the Mayor with the advice and consent of the Township Council; and

WHEREAS, the members of the Marlboro Township Ethics Board shall be chosen by virtue of their known and consistent reputation for integrity and their knowledge of local government affairs; and

WHEREAS, the terms of LIZA L. CONSELYEA and KENNETH LISS are due to expire on March 31, 2020 and Mayor Jonathan L. Hornik desires to re-appoint them to the Marlboro Township Ethics Board for five (5) year terms; and

WHEREAS, Mayor Jonathan L. Hornik desires to appoint CAROL CINCOTTA to fill the unexpired term of Howard Wolfson, such term expiring March 31, 2023.

WHEREAS, the Township Council desires to consent to the Mayor's re-appointment of LIZA L. CONSELYEA and KENNETH LISS for five year terms and the appointment of CAROL CINCOTTA to fill the unexpired term of Howard Wolfson expiring March 31, 2023.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that it hereby consents to the Mayor's re-appointment of LIZA L. CONSELYEA and KENNETH LISS for five year terms and the Mayor's appointment of CAROL CINCOTTA to fill the unexpired term of Howard Wolfson expiring March 31, 2023.

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

- a. Liza L. Conselyea
- b. Kenneth Liss
- c. Carol Cincotta
- d. Marlboro Township Ethics Board

As the consent agenda, the following resolutions were introduced by reference, offered by Councilwoman Marder, seconded by Councilman Scalea, and passed on a roll call vote of 5 - 0 in favor: Res. #2020-114 (Authorizing 2020 Temporary Capital Budget), Res. #2020-115 (Authorizing 2020 Temporary Emergency Appropriations), Res. #2020-116 (Authorizing Reserve Year Budget Transfers 2019), Res. #2020-117 (Authorizing Purchase of Website and Cloud Services Renewal for IT), Res. #2020-118 (Appointment of Registrar), Res. #2020-119 (Authorizing Amended Submission of Strategic Plan for MT Municipal Alliance Grant for Fiscal Year 2021), Res. #2020-120 (Authorizing Participation in NJ E-Procurement Pilot Program - On-Line Purchasing Agent to Conduct Internet-Based Reverse Auctions, and Execution of Agreements for Purchase of Electric Power Supplies), Res. #2020-121 (Authorizing Acceptance of Donations to Marlboro Recreation for Youth Recreation Programs), Res. #2020-122 (Authorizing One year Renewal - T-Shirts in Various Colors and Sizes), Res. #2020-123 (Authorizing Purchase of Police Vehicle Equipment (2018 106-3,1m 2019 106-29, 2019-16, 27, 2019 106-2.21 and 2019 106-13), Res. 2020-124 (Authorizing Execution of Developers Agreement - Buckdale, LLC), Res. #2020-125 (Authorizing Contract Renewal A.C. Schultes, Inc - Maintenance and Service of Wells and Pumps), Res. #2020-126 (Authorizing Contract Renewal - Provision of Water Meters), Res. #2020-127 (Authorizing Contract Renewal - Chemicals), Res. #2020-128 (Lien Redemptions - Various).

RESOLUTION # 2020-114

RESOLUTION ADOPTING A TEMPORARY CAPITAL BUDGET
CALENDAR YEAR 2020

WHEREAS, the Township of Marlboro, County of Monmouth, desires to establish a 2020 Temporary Capital Budget to permit various capital improvements.

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

SECTION 1.

The 2020 Temporary Capital Budget for Township of Marlboro is hereby constituted as follows:

Project Title	Estimated 2020 Cost	Capital Improvement Fund	Grants in Aid and Other Funds	Debt Authorized
<u>General Capital</u>				
Bldg Improvements	469,200.00	23,460.00		445,740.00
Equipment-DPW	265,200.00	13,260.00		251,940.00
Equipment-Police Dept	285,748.92	14,287.45		271,461.47
Furniture	5,162.22	258.11		4,904.11
Furniture-Police Dept	17,140.08	857.00		16,283.08
MIS Equipment	287,844.00	14,392.20		273,451.80
Office Equipment	459.00	22.95		436.05
Open Space	25,500.00	1,275.00		24,225.00
Park Improvements	786,661.74	39,333.09		747,328.65
Storm drainage improvements	151,980.00	7,599.00		144,381.00
Street Improvements and Resurf	2,488,393.02	124,419.65		2,363,973.37
Vehicles-DPW	340,593.20	17,029.67		323,563.64
Vehicles-Other	11,539.26	576.96		10,962.30
Vehicles-Police Dept	60,736.92	3,036.85		57,700.07
	5,196,158.36	259,807.93	-	4,936,350.54
<u>Water Capital</u>				
MIS Equipment	153,000.00			153,000.00
Water System Improvements	2,165,949.60			2,165,949.60
	2,318,949.60	-	-	2,318,949.60
<u>Recreation Capital</u>				
Park Improvements	1,224.00			1,224.00
Swim Club Improvements	213,180.00			213,180.00
	214,404.00	-	-	214,404.00

SECTION 2.

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

SECTION 3.

The aforementioned capital projects shall be included in the 2020 Permanent Capital Budget as adopted.

RESOLUTION # 2020-115

EMERGENCY TEMPORARY APPROPRIATION
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of the fiscal year and before the adoption of the 2020 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2019 appropriations with the exception of debt service and obligations associated with seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2020 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$24,032,425.26 for the municipal budget, \$6,444,446.08 for the operations of the water utility, and \$1,560,053.01 for the operations of the recreation and swim utility; and

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

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation will be provided for in the CY 2020 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION # 2020-116

RESOLUTION AUTHORIZING TRANSFER
OF APPROPRIATION RESERVES
DURING FIRST THREE MONTHS
OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation reserve transfers during the first three (3) months of the following fiscal year, when it has been determined that additional funds may be necessary to pay for services or goods that had been received in the operations of the preceding year.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Appropriation Reserves (Calendar Year 2019 Municipal Budget) as follows:

CURRENT:		
Account	From	To
(2019) Planning Board Contractual Other Expenses	\$ 2,000.00	
(2019) Planning Board Other Expenses		2,000.00
	\$ 2,000.00	2,000.00

RESOLUTION #2020-117

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #89851
TO SHI INTERNATIONAL CORP FOR THE PURCHASE OF WEBSITE
AND CLOUD SERVICES RENEWAL FOR THE TOWNSHIP OF
MARLBORO INFORMATION TECHNOLOGY

WHEREAS, the Township of Marlboro currently utilizes website and cloud services to operate and maintain the Township's official website and email system and wishes to renew the service; 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, SHI International Corp was awarded State Contract #89851 for various SOFTWARE LICENSE & RELATED SERVICES including website and cloud services renewal for a price of \$16,533.75; and

WHEREAS, Marlboro IT has recommended that the Township purchase the website and cloud services renewal from SHI International Corp under State contract #89851; 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 website and cloud services renewal; and

WHEREAS, funds in the amount of \$16,533.75 have been certified by the Chief Financial Officer in Current Account# 01-201-20-033-288; and

WHEREAS, the Township Council desires to approve the purchase of the website and cloud services renewal.

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 website and cloud services renewal under State Contract #89851 from SHI International Corp, 290 Davidson Avenue, Somerset, NJ 08873 in an amount not to exceed \$16,533.75.

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

- a. Business Administrator
- b. Chief Information Officer
- c. Chief Financial Officer

RESOLUTION # 2020-118

RESOLUTION APPOINTING REGISTRAR OF VITAL STATISTICS
TO FILL UNEXPIRED TERM

BE IT RESOLVED by the Township Council of the Township of Marlboro that Adrienne Spota is hereby appointed Registrar of Vital Statistics to fill the unexpired term of Michelle Moorhouse expiring on December 31, 2020;

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

- a. Adrienne Spota
- b. Business Administrator
- c. Human Resources
- d. State Registrar

RESOLUTION #2019-119

AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR MARLBORO TOWNSHIP
MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2021
(FORM 1B)

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2020 - June 2025
(FORM 1B)

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of

Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the Township of Marlboro, County of Monmouth, and State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Marlboro Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR:	\$47,149.00
Cash Match:	\$11,787.25
In-Kind:	\$35,362.75

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION #2020-120

A RESOLUTION AUTHORIZING PARTICIPATION IN THE NEW JERSEY E-PROCUREMENT PILOT PROGRAM, AUTHORIZING THE HIRING AND ENGAGEMENT OF AN ON-LINE PURCHASING AGENT TO CONDUCT INTERNET-BASED REVERSE AUCTIONS, AND THE EXECUTION OF AGREEMENTS FOR THE PURCHASE OF ELECTRIC POWER SUPPLIES

WHEREAS, the Mayor and Township Council of the Township of Marlboro are committed to the pursuit of initiatives that will

stabilize and even reduce the costs of local government operations;
and

WHEREAS, over the past nine (9) years in cooperation with the Marlboro Township Board of Education, the Township of Marlboro has achieved meaningful cost reductions through the competitive procurement of electric generation service from third party suppliers utilizing an internet-based reverse auction platform;
and

WHEREAS, the Marlboro Township Board of Education and the Township of Marlboro are engaged in a registered cooperative pricing system with the State of New Jersey for the joint purchase of electrical generation supplies, with the Township of Marlboro being designated as the Lead Agency to act on its own behalf, as well as on behalf of the Board of Education;
and

WHEREAS, the State of New Jersey allows local government units, through participation in an *E-Procurement Pilot Program* in accordance with the provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30), to utilize on-line bidding services to purchase electric power supplies and to do so either alone, on a single agency basis, or in concert with other government contracting units through a cooperative purchasing arrangement;
and

WHEREAS, pursuant to provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30), local contracting units are specifically authorized to engage, without competitive bidding, on-line purchasing agents for the purpose of conducting internet-based auctions to procure certain bulk commodities, including electric energy supplies;
and

WHEREAS, EnerNOC, Inc. (formerly World Energy Solutions, Inc.) conducted auctions for electric energy supplies on behalf of the Township of Marlboro and Marlboro Board of Education in each of 2011, 2013, 2015 and 2017, through which rates for electricity supplies were secured which have resulted in substantial savings for taxpayers.

WHEREAS, the Township entered into an agreement with EnerNOC, Inc. dated April 27, 2017 for a term of 12 months with 2 optional 1 year extensions;
and

WHEREAS, in a letter dated July 9, 2019 (attached), EnerNOC, Inc. advised that it had transferred its client portfolio to

EnerConnex, LLC, 17 Sherwood Drive, Mountain Lakes, NJ 07046; and

WHEREAS, EnerConnex, LLC is approved by the New Jersey Department of Community Affairs (NJDCA) to provide online reverse auctions for the purchase of energy generation services; and

WHEREAS, EnerConnex, LLC has agreed to assume and extend the terms of the agreement between the Township and EnerNOC executed on April 27, 2017; and

WHEREAS, the Township wishes to exercise the option under the same terms with EnerConnex, LLC offering to serve as Marlboro Township's on-line purchasing agent for the reasonable sum of \$0.001 per kilowatt-hour of procured electric generation service, payable by the successful vendor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, and State of New Jersey, that:

Section 1. Subject to the provisions of Section 2, below, the participation of Marlboro Township in the New Jersey *E-Procurement Pilot Program* pursuant to the provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30) is hereby authorized and approved for the purpose of purchasing electric generation service from third party suppliers utilizing on-line competitive bidding services and, in particular, an internet-based reverse auction platform.

Section 2. It is the intention of the Mayor and Township Council that the Township's procurement of electric power supplies be effected as part of a cooperative purchasing arrangement with the Marlboro Township Board of Education and with the Township serving as the Lead Agency in connection therewith under an approved Cooperative Pricing System by the State of New Jersey (190MTCPS) which expires on March 4, 2021.

Section 3. Subject to the provisions of Section 2, above, the Township is hereby authorized to hire EnerConnex, LLC, 17 Sherwood Drive, Mountain Lakes, NJ, as an on-line purchasing agent, to conduct competitive reverse auctions utilizing an internet-based platform, as well as to perform related procurement services, in conjunction with the Township's planned purchase of electric energy supplies, to be effected through the execution of an agreement substantially in the form attached hereto and made a part hereof as Exhibit A, which said contract is hereby awarded, without competitive bidding, pursuant to the provisions of Section

7 of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30), for a term not to exceed 36 months.

Section 4. With the understanding that following the acceptance of any such bid, the Township of Marlboro and the Marlboro Township Board of Education shall enter into separate contracts with the successful vendor so that each part shall have sole and singular responsibility for the payment of their respective electric generation service, the Mayor, or his designee, is hereby authorized to award a contract to and execute an agreement on behalf of the Township of Marlboro, in a form approved by the Township Attorney, with the lowest responsible bidder.

Section 5. The Mayor, or his designee, shall report on the bid results at the first meeting of the Township Council following the conclusion of the auctions to enable the Township Council to ratify and confirm the contract award.

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

- A. Marlboro Township Business Administrator
- B. Marlboro Township Chief Financial Officer
- C. Marlboro Township Board of Education
- D. EnerConnex, LLC.

RESOLUTION # 2020-121

A RESOLUTION AUTHORIZING ACCEPTANCE
OF DONATION FROM MARLBORO TOWNSHIP ALLIANCE
FOR THE MARLBORO TOWNSHIP TRUST FUND FOR YOUTH RECREATION
PROGRAMS

WHEREAS, Marlboro Township Alliance offered to donate \$7,500.00 to the Marlboro Township Trust Fund for the youth recreation programs; and

WHEREAS, we believe that the programs that will be funded by this donation will make a difference in the lives of the youth of Marlboro Township; and

WHEREAS, there have been no promises 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 herein are hereby accepted.

BE IT FURTHER RESOLVED that the Township Council of the Township of Marlboro hereby extends it thanks and appreciation to Marlboro Township Alliance for their donation and for their support of the Marlboro Township Youth Recreation.

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

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

RESOLUTION #2020-122

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO DOT DESIGNING LLC FOR THE PROVISION OF T-SHIRTS IN VARIOUS COLORS AND SIZES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on April 11, 2019 (R.2019-158) the Township Council of the Township of Marlboro awarded a contract to DOT DESIGNING LLC for THE PROVISION OF T-SHIRTS IN VARIOUS COLORS AND SIZES FOR THE TOWNSHIP OF MARLBORO; and

WHEREAS, the bid specifications included the option to renew said contract for one (1) two-year, 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 March 4, 2020, the Director of Recreation has recommended that the Township approve a one (1) year renewal of the contract; and

WHEREAS, Marlboro Township Council desires 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 contract extension be awarded to DOT DESIGNING LLC whose address is 242 Possum Hollow Road, Monroe Township, NJ 08831 for a period of one (1) year beginning on May 1, 2020 through April 30, 2021, in a total amount not to exceed \$77,103.57.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with

DOT DESIGNING LLC 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 that sufficient funds in the amount of \$77,103.57 are available for the aforesaid contract in the Current Account #09-201-55-400-266, 01-201-20-083-266, 01-201-28-146-266, 01-201-26-121-266, and 01-201-27-134-266286.

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

- a. DOT DESIGNING LLC
- b. Business Administrator
- c. Director of Recreation
- d. Chief Financial Officer

RESOLUTION # 2020-123

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE AND
VARIOUS VENDORS FOR THE PURCHASE OF POLICE EQUIPMENT
FOR THE POLICE DIVISION OF THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2018 and 2019 capital program (2018 106-2.2 and 2019 106-9, 106-6, 106-2.11, 106-2.21, 106-19, 106-27, 106-29, 106-3.1, 106-13, and 106-14) authorized the purchase of replacement police equipment for the Division of Police; 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, the Chief of Police has reviewed the requests and has recommended that the Township purchase the below equipment under State Contract as follows:

Equipment/ Description	Qty	SC#	Vendor	Cost	Ext. Cost	Dept.	Source	Capital ID
Mobile Router	4	89980	GTBM	\$995.91	\$3,983.64	Police - Patrol	2019 Capital	106- 2.11

TOTAL \$3,983.64

; and

WHEREAS, a number of the additional items required and are not available on State Contracts; and

WHEREAS, the Chief of Police has recommended that the Township purchase the below equipment based upon price quotes:

Equipment/Description	Qty	SC#	Vendor	Cost	Ext. Cost	Dept.	Source
Flashlights	18	Quotes	Strohman Enterprise, Inc.	\$115.00	\$2,070.00	Police - Patrol	2019 Capital
Patrol Rifle	4	Quotes	Atlantic Tactical	\$1,166.40	\$4,665.60	Police - Patrol	2019 Capital
Radar Mounts	2	Quotes	R & R Radar	\$273.00	\$546.00	Police - Patrol	2019 Capital
Mobile Printers	4	Quotes	Southern Computer Warehouse	\$551.54	\$2,206.16	Police - Patrol	2019 Capital
Gun Mount	1	Quotes	Kaldor	\$542.50	\$542.50	Police - Patrol	2019 Capital
Radars	3	Quotes	Stalker Radar	\$2,912.50	\$8,737.50	Police - Patrol	2019 Capital
EV12 Sign Board with Solar	4	Quotes	Traffic Logix Corp	\$2,625.00	\$10,500.00	Police - Traffic & Safety	2019 Capital
Undercover Bar	2	Quotes	Lawmen Supply	\$89.41	\$178.82	Police - Patrol	2018 Capital
Traffic Data Collector	1	Quotes	JAMAR Technologies	\$4,300.00	\$4,300.00	Police - Traffic & Safety	2019 Capital
Window Guards	1	Quotes	Kaldor	\$239.00	\$239.00	Police - Patrol	2019 Capital
Camera	1	Quotes	The Photo Center	\$2,924.98	\$2,924.98	Police - Detectives	2019 Capital

TOTAL \$36,910.56

;and

WHEREAS, it is in the best interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase the police equipment 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 \$40,894.20 in Capital Accounts 04-215-18-01H-106297 and 04-215-19-01G-106297; and

WHEREAS, the Township Council desires to approve the purchase of the police equipment.

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 police equipment as identified above in an amount not to exceed \$40,894.20.

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

- a. Business Administrator
- b. Chief of Police
- c. Chief Financial Officer

RESOLUTION #2020-124

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPERS AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND BUCKDALE, LLC IN CONNECTION WITH THE SUBDIVISION APPROVAL FOR THE SITE LOCATED AT BLOCK 355 LOTS 6, 7, 8 & 11 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, on May 28, 2019 the Zoning Board of Adjustment ("Zoning Board") of the Township of Marlboro granted Preliminary and Final Major Subdivision Approval to Buckdale, LLC ("Developer") for the development of the property known as Block 355, Lots 6, 7, 8 & 11 on the official tax map of the Township of Marlboro, Monmouth County, New Jersey (the "Site"); and

WHEREAS, the Zoning Board resolution conditioned the approval upon the Developer entering into a Developer's Agreement with the Township of Marlboro in substantially similar form to the Developers Agreement, attached hereto and made a part hereof as "Exhibit A"; and

WHEREAS, the necessary performance guarantees, cash deposits and/or insurance certificates are subject to the review and approval of the Township Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, that the Mayor and Township Clerk are hereby authorized to execute and enter into the Developer's Agreement between the Township of Marlboro and Buckdale, LLC, in substantially similar form to the Developers Agreement attached hereto as "Exhibit A".

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

- A. Buckdale, LLC
- B. Township Business Administrator
- C. Township Engineer
- D. Township Chief Financial Officer
- E. Rainone Coughlin & Minchello, LLC

RESOLUTION #2020-125

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO A.C. SCHULTES, INC. FOR THE MAINTENANCE AND SERVICE OF WELLS AND PUMPS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on March 21, 2019 (R.2019-142) the Township Council of the Township of Marlboro awarded a contract to A.C. SCHULTES, INC. for the MAINTENANCE AND SERVICE OF WELLS AND PUMPS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

WHEREAS, the bid specifications included the option to renew said contract for 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 March 4, 2020, the Director of Public Works has recommended that the Township approve a one (1) year renewal of the contract; and

WHEREAS, Marlboro Township Council desires 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 contract be awarded to A.C. SCHULTES, INC. whose address is 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 for a period of one (1) year beginning on May 1, 2020 through April 30, 2021, in a total amount not to exceed \$159,250.00.

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

BE IT FURTHER RESOLVED that funds in the amount of \$159,250.00 have been certified by the Chief Financial Officer in Current Account #01-201-28-123-288121, Water Utility Account #05-201-55-500-288020, and Water Capital Account #06-215-15-03D-500288; and

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

- a. A.C. SCHULTES, INC.
- b. Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2020-126

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO HD SUPPLY WATERWORKS, LTD - CORE AND MAIN LP FOR THE PROVISION OF WATER METERS FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, the Township of Marlboro as part of its 2019 capital program (500-32) authorized Meter Replacement Program; and

WHEREAS, on March 1, 2018 (R.2018-125) the Township Council of the Township of Marlboro awarded a contract to HD Supply Waterworks, LTD -CORE AND MAIN LP for the PROVISION OF WATER METERS FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

WHEREAS, the bid specifications included the option to renew said contract for an additional (1) one two-year, or (2)

two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, on February 21, 2019 (R.2019-102) the Township Council of the Township of Marlboro approved the first one-year extension of the contracts; and

WHEREAS, in a memo dated February 24, 2020, the Director of Public Works has recommended that the Township approve a second and final 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 a contract be renewed with HD SUPPLY WATERWORKS, LTD - CORE AND MAIN LP whose address is 61 Gross Avenue, Edison, NJ 08817, for the PROVISION OF WATER METERS FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION, for a period of one year commencing on April 1, 2020 and expiring on March 31, 2021, for the total contract amount not to exceed \$386,912.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with HD SUPPLY WATERWORKS LTD - CORE AND MAIN LP 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 \$96,728.00 are available and have been certified by the Chief Financial Officer in capital account# 06-215-19-02F-500288 and the remaining amount of funds will be certified at the time the materials are needed.

BE IT FURTHER RESOLVED that the Chief Financial Officer will certify funds in the Water Capital Account for the services upon the adoption of the 2020 Capital Budget.

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

- a. HD SUPPLY WATERWORKS LTD -CORE AND MAIN LP
- b. Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2020-127

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO GEORGE S. COYNE CHEMICAL CO. INC, KLENZOID 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 February 15, 2018 (R.2018-108) the Township Council of the Township of Marlboro awarded contracts to GEORGE S. COYNE CHEMICAL CO. INC, KLENZOID 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 (1) one two-year, or (2) two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, on March 7, 2019 (R.2019-116) the Township Council of the Township of Marlboro approved the first one-year extension of the contracts; and

WHEREAS, in a memo dated February 20, 2020, the Director of Public Works has recommended that the Township approve a second and final 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 with George S. Coyne Chemical Co., Inc. whose address is 3015 State Road, Croydon, PA 19021 for the Supply of Liquid Chlorine for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$22,340.25 and for a term of one (1) year beginning on April 1, 2020 through March 31, 2021.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that a Contract 1C be renewed with Klenzoid Inc. whose address is 912 Spring Mill Avenue, Conshohocken, PA 19428 for the Supply of Zinc Orthophosphate for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$18,645.00 and for a term of one (1) year beginning on April 1, 2020 through March 31, 2021.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1D, Contract 1E, and Contract 1F be renewed with 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 \$329,792.00 and for a term of one (1) year beginning on April 1, 2020 through March 31, 2021.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, Contracts with GEORGE S. COYNE CHEMICAL CO. INC., KLENZOID 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 2020 portion of the contracts in the amount of \$259,413.94 are available in the Water Utility Account #05-201-55-500-293020 and funds in the amount of \$24,892.00 for the full 2020 summer season are available in Recreation Utility Accounts #09-201-55-400-293452 & 09-201-55-400-293451.

BE IT FURTHER RESOLVED funds for the 2021 portion of each contract in the total amount of \$86,471.31 will be certified by the Chief Financial Officer for this purpose upon adoption of the 2021 Municipal Budget.

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

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

RESOLUTION #2020-128

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$12,455.76 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 \$12,455.76 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>
2019-026	267/15	CC1 NJ II LLC PO Box 123800 Dallas, TX 75312 Assessed Owner: Granat, Darren & Kim	3,739.04
2019-024	198/9	CC1 NJ II LLC PO Box 123800 Dallas, TX 75312 Assessed Owner: Boles, Scott & Carolee	3,739.04
2019-022	178/2/C0131	CC1 NJ II LLC PO Box 123800 Dallas, TX 75312 Assessed Owner: Caputo, Gary & Angela	2,969.14
2019-021	178/2/C0021	Fig N19 LLC PO Box 54226 New Orleans, LA 70154 Assessed Owner: Dwarampudi, Bheemesh & Tadi, Venkat	2,008.54

At 7:25 p.m., Councilman Metzger moved that the meeting be adjourned. This was seconded by Council President Mazzola, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: APRIL 23, 2020

OFFERED BY: MARDER

AYES: 4

SECONDED BY: MAZZOLA

NAYS: 0

ABSENT: CANTOR

ALIDA MANCO,
MUNICIPAL CLERK

CAROL MAZZOLA,
COUNCIL PRESIDENT