

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

December 1, 2016

The Marlboro Township Council held its regularly scheduled Meeting on December 1, 2016 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 faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 11, 2016; faxed to the Board of Education Office; 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: Councilman Cantor, Councilman Metzger, Council Vice President Marder, and Council President Mazzola. Councilman Scalea was absent.

Also present were: Mayor Jonathan L. Hornik, Louis N. Rainone, Esq., Business Administrator Jonathan Capp, Municipal Clerk Alida Manco and Deputy Municipal Clerk Suzanne Branagan.

Councilman Metzger moved that the minutes of November 3, 2016 be approved. This was seconded by Council President Mazzola, and passed on a roll call vote of 3 - 0 in favor, with Council Vice President Marder abstaining, Councilman Scalea was absent.

The following Res. #2016-344/Ord. #2016-17 (Authorizing and Approving Deed of Open Space Dedication - Crine West, LLC to Marlboro Township) was introduced by reference, offered by Councilman Cantor, seconded by Councilman Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2016-344

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

ORDINANCE # 2016-17

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE
OPEN SPACE DEDICATION OF BLOCK 180 LOT 83.03 & 83.15
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO.

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

BE IT FURTHER RESOLVED that the same be considered for
final passage on December 15, 2016 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 # 2016-17

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE OPEN SPACE
DEDICATION OF BLOCK 180 LOT 83.03 & 83.15 ON THE OFFICIAL TAX
MAP OF THE TOWNSHIP OF MARLBORO.

WHEREAS, Crine West, LLC is the successor to Kara at Crine
West; and

WHEREAS, Kara at Crine West received Planning Board
approval for a subdivision on October 1, 2003 which required
dedication to block 180 Lot 83.03 & 83.15 on the official tax
map of the Township of Marlboro as an condition of the grant of
subdivision approval;

WHEREAS, Crine West, LLC was granted title to the subject
properties by Order of the United States Bankruptcy Court
District of New Jersey under case number #006-19770 entitled
"Kara at Crine West" dated October 16, 2007;

WHEREAS, it is an condition of the Order and procedure that
the Township of Marlboro adopt an Ordinance accepting the
dedication of this Block and Lots;

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the
Township Council of the Township of Marlboro that it hereby
accepts the deed of Open Space Dedication from Crine West, LLC
to the Township of Marlboro, for any and all municipal purposes
including open space, for the property known as Block 180, Lot
83.03 & 83.15 on the official tax map of the Township of
Marlboro.

BE IT FURTHER ORDAINED, 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.

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

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

The following Resolution #2016-345 (Setting Reorganization Meeting - January 5, 2017 - 7 PM) was introduced by reference, offered by Councilman Metzger, seconded by Council President Mazzola, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2016-345

SETTING REORGANIZATION MEETING FOR
JANUARY 5, 2017

BE IT RESOLVED, by the Township Council of the Township of Marlboro that it will hold its annual reorganization meeting on January 5, 2017 at 7 PM at the Town Hall, 1979 Township Drive, Marlboro, New Jersey 07746.

The following Resolution #2016-346 (Authorizing Grant Application to Hazardous Discharge Site Remediation Fund for Environmental Assessment and Investigation for the former Bluh & Batelli parcels - B & C) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Metzger, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2016-346

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF TWO (2) HAZARDOUS DISCHARGE SITE REMEDIATION FUND GRANTS TO CONDUCT ENVIRONMENTAL ASSESSMENT AND INVESTIGATION AT THE BLUH & BATELLI SITE, BLOCK 150 LOT 9 AND BLOCK 151 LOT 4 (PARCEL B) AND BLOCK 149 LOT 16 AND BLOCK 148 LOT 31 (PARCEL C)

WHEREAS, the New Jersey Department of Environmental Protection/New Jersey Economic Development Authority (NJDEP/NJEDA) through the Hazardous Discharge Site Remediation Fund (HDSRF), has grant funding available to municipalities for the purpose of funding preliminary assessments (PA) , site investigations (SI) , remedial investigations (RI) and/or

remedial actions (RA) to determine the existence or extent of contamination conditions on properties; and

WHEREAS, prior to the completion of redevelopment of the above referenced property, environmental assessment, investigation, and remediation is necessary; and

WHEREAS, the Township of Marlboro is eligible to receive grant monies from the NJDEP/NJEDA HDSRF to perform environmental investigation; and

WHEREAS, the cost of such investigation has been determined to be up to \$271,700 per parcel; for a total combined grant request of up to \$543,400; and

WHEREAS, the Township of Marlboro is conducting this assessment in anticipation of acquiring the property via voluntary conveyance for the purposes of redevelopment; and

WHEREAS, the Township will be required to pay a \$500.00 fee per each grant application; and

WHEREAS, funds in the amount of \$1,000.00 will be certified by the Chief Financial Officer at the time the 2017 municipal budget is adopted; and

WHEREAS, the Township has a reasonable expectation that the property will be developed within three years of the completion of environmental work at the site.

NOW THEREFORE BE IT RESOLVED, by the Town Council and the Township of Marlboro, that the Mayor is hereby authorized to execute any and all documents necessary in order to apply to the NJDEP/NJEDA and accept the HDSRF grant for the purposes of conducting environmental investigation on the above referenced property and execute all documents pertaining to such grant; and

BE IT FURTHER RESOLVED, that a fully executed copy of this resolution together with any and all documents executed on behalf of the Township will be filed in the Office of the Municipal Clerk.

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

- a. Township Administrator
- b. Township Engineer
- c. Township Chief Financial Officer

The following Resolution #2016-347 (Authorizing Renewal of Membership in the Monmouth Municipal Joint Insurance Fund) was introduced by reference, offered by Councilman Metzger, seconded

by Council President Mazzola, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2016-347

A RESOLUTION AUTHORIZING THE RENEWAL OF MEMBERSHIP
IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND AND
ADOPTING THE MONMOUTH MUNICIPAL JOINT INSURANCE
FUND'S SAFETY AND COMPLIANCE PROGRAM

WHEREAS, the Monmouth Municipal Joint Insurance Fund (hereinafter the "Fund") is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and

WHEREAS, the Township of Marlboro ("Municipality") is currently a member of the Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2016 unless renewed earlier by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership; and

WHEREAS, it is the policy of the Fund to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the Fund endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from recognized hazards through a comprehensive Safety and Compliance Program; and

WHEREAS, the Administrator of the Township of Marlboro has reviewed the Fund's Safety and Compliance Program and has recommended that it be adopted by the Governing Body in concert with the renewal.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Township of Marlboro hereby renews its membership in the Monmouth Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2017 and ending December 31, 2019 (12:01 am).
2. The Township of Marlboro agrees to adopt the Monmouth County Municipal Joint Insurance Fund's Safety and Compliance Program.

3. The Mayor and Clerk are hereby authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Metzger and seconded by Council Vice President Marder, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea): Res. #2016-348 (Authorizing Amendment to Legal Services Contract in Defense of Tax Appeals), Res. #2016-349 (Authorizing Amendment to Appraisal Services Contract in Connection with the Acquisition of Certain Parcels), Res. #2016-350 (Authorizing Contract for Measurement and Verification Consultant for Energy Audit in Connection with the Township's Energy Savings Improvement Program (ESIP)), Res. #2016-351 (Authorizing the Transfer and Acceptance of Surplus Military Equipment from the US Department of Defense 1033 Program), Res. #2016-352 (Authorizing One Year Renewal - Property Maintenance), Res. #2016-353 (Authorizing One Year Renewal - Curbside Bulk Pick-Up), Res. #2016-354 (Authorizing One Year Renewal - Sodium Chloride-Solar Salt), Res. #2016-355 (Authorizing One Year Renewal - Pool Maintenance Service), Res. #2016-356 (Authorizing One Year Renewal - Printing Services), Res. #2016-357 (Authorizing Contract Dump Truck/Snow Removal Equipment Rental), Res. #2016-358 (Authorizing Amendments to State Contracts for Auto/Truck Parts), Res. #2016-359 (Authorizing Amendments to Monmouth County Contracts for Auto/Truck Parts), Res. #2016-360 (Authorizing 2016 Budget Transfers), Res. #2016-361 (Authorizing Application Drive Sober Get Pulled Over Grant 2016), Res. #2016-362 (Authorizing Contract for the Purchase of Software /Document Image Scanning Services - State & County Cooperative Purchasing Contracts) Res. #2016-363 (Discharge of Mortgage - 12 Eastwick Court), Res. #2016-364 (Authorizing Final Close Out Change Order and Acceptance of Country Park Field Improvements), Res. #2016-365 (Authorizing State Contract for Local/Long Distance Telephone Service 2017), Res. #2016-366 (Authorizing Submission of Strategic Plan for Marlboro Municipal Alliance Grant for Fiscal Year 2018), Res. #2016-367 (Redemption Tax Sale Certs - Various), Res. #2016-368 (Refunds for Overpayments 2016 Taxes - Various), Res. #2016-369 (Refund for State Judgment 2013 - B 415, L 21.30), Res. #2016-370 (Refund for State Judgment 2014 - B 415, L 21.30), Res. #2016-371 (Refund for State Judgment 2015 - B 415, L 21.30), Res. #2016-372 (Refund for State Judgment 2016 - B 415, L 21.30).

RESOLUTION # 2016-348

A RESOLUTION AUTHORIZING AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC FOR SPECIAL TAX COUNSEL SERVICES

WHEREAS, the Township entered into an agreement with CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC to provide special tax counsel services, awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5 (R.2016-020); and

WHEREAS, on August 11, 2016 (R.2016-256) the Township Council authorized the first amendment to increase the contract total by \$25,000.00; and

WHEREAS, in a memo dated November 22, 2016, the Tax Assessor has reported a substantial increase in the appeals before the State Tax Court, and the work required per case; and

WHEREAS, the Tax Assessor has recommended that an additional increase of \$25,000.00 is necessary to provide for the proper defense of these appeals through the end of 2016, requiring an amendment to the existing agreement; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$25,000.00 are available for this purpose from Account #01-201-20-050-226230; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

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

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC

pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation at the rates set forth in the proposal dated November 20, 2015, in an additional amount not to exceed \$25,000.00; and

3. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract amendment shall be published in accordance with law; and

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. Cleary, Giacobbe, Alfieri, Jacobs, LLC
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Tax Assessor

RESOLUTION # 2016-349

A RESOLUTION AUTHORIZING AN AMENDMENT TO A
PROFESSIONAL SERVICES CONTRACT BETWEEN BETTINA
DURMASKIN SHOLK AND THE TOWNSHIP OF MARLBORO FOR
APPRAISAL SERVICES IN CONNECTION WITH THE ACQUISITION
OF CERTAIN PARCELS

WHEREAS, the Township requires real estate appraisal services in connection with the acquisition of certain parcels including Marlboro Motor Lodge and two Stattel parcels; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized to practice in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township of Marlboro and BETTINA DURMASKIN SHOLK have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to include additional Appraisal Services for the completion of Marlboro Motor Lodge and two Stattel parcels at a fee not to exceed \$22,000.00 for such Professional Services; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$22,000.00 are available for this purpose from Capital Fund Accounts #04-215-11-04A-140291 and #04-215-12-11A-309291; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with BETTINA DURMASKIN SHOLK to provide the required additional Appraisal Services for the completion of Marlboro Motor Lodge and two Stattel parcels; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

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

WHEREAS, BETTINA DURMASKIN SHOLK has previously completed and submitted a Business Entity Disclosure of Campaign Contributions and the Determination of Value in accordance with P.L. 2005, c.271.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between BETTINA DURMASKIN SHOLK and the Township of Marlboro, to include additional Appraisal Services for the completion of Marlboro Motor Lodge and two Stattel parcels, at a fee not to exceed \$22,000.00 for such Professional Services, be and is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally acceptable to the Township Attorney, the Professional Services Contract described herein; and

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$22,000.00 for such additional Professional Services; and

BE IT FURTHER RESOLVED, that a copy of the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED, notice of award of the Professional Services Contract shall be published pursuant to law, and a certified copy of this Resolution shall be provided to each of the following:

- a. Bettina Durmaskin Sholk
- b. Township Business Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2016-350

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
FOR MEASUREMENT AND VERIFICATION CONSULTING SERVICES
IN CONNECTION WITH THE DEVELOPMENT OF AN ENERGY
SAVINGS PLAN PURSUANT TO A FAIR AND OPEN
PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.

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WHEREAS, the Township of Marlboro is in the process of developing an Energy Savings Plan ("ESP"), with the intent of participating in the Energy Savings Improvement Program ("ESIP"); and

WHEREAS, Marlboro Township conducted a fair and open process and is currently reviewing proposals received on September 8, 2016 from Energy Services Companies ("ESCOs") to provide Energy Savings Plan development, design, and construction administration services; and

WHEREAS, the Township of Marlboro is in need of professional measurement and verification consulting services to provide third party verification of the ESP as required under the ESIP regulations; and

WHEREAS, on November 1, 2016, through a fair and open process, Marlboro Township received sealed proposals from six (6) companies to provide the required professional measurement and verification consulting services; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such engineering services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated October 28, 2016 from REMINGTON, VERNICK & VENA ENGINEERS (the "Business Entity") in response to the Request for Proposals for Measurement and Verification Consulting Services issued by the Township which sets forth the terms and conditions under which such services are to be rendered by the Business Entity under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds in the amount of \$9,000.00 have been certified by the Chief Financial Officer in account #04-215-12-08B-122288; and

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

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to REMINGTON, VERNICK & VENA ENGINEERS pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and
2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) in accordance with the proposal dated October 28, 2016, a copy of which is attached hereto, in an amount not to exceed \$9,000.00; and
3. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and
4. The Business Entity's Disclosure of Campaign Contributions and the Determination of Value shall be placed on file with this Resolution in accordance with P.L. 2005, c.271; and

5. That notice of the award of this contract shall be published in accordance with law.
6. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Remington, Vernick & Vena Engineers
 - b. Township Administrator
 - c. Township Chief Financial Officer

RESOLUTION # 2016-351

AUTHORIZING THE TRANSFER AND ACCEPTANCE OF SURPLUS MILITARY EQUIPMENT FROM THE UNITED STATES DEPARTMENT OF DEFENSE (DoD) 1033 PROGRAM FOR THE MARLBORO DIVISION OF POLICE

WHEREAS, the 1033 Program (formerly the 1208 Program) permits the Secretary of Defense to transfer, without charge, excess U.S. Department of Defense (DoD) personal property (supplies and equipment) to state and local law enforcement agencies (LEAs); and

WHEREAS, the Municipal Council authorized the Township through the Division of Police (R 2014-217) to make application to the Department of Defense 1033 Program for military surplus equipment from the United States DoD; and

WHEREAS, the Division of Police made application and has received the transferred surplus equipment identified in Schedule A attached.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township through the Division of Police is hereby authorized to accept the military surplus equipment identified in Schedule A from the Department of Defense 1033 Program.

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

- a. Human Resources
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2016-352

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO CLINTAR LANDSCAPE MANAGEMENT SERVICES FOR THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on April 16, 2015 (R.2015-176) the Township Council of the Township of Marlboro awarded a contract to CLINTAR LANDSCAPE MANAGEMENT SERVICES for THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

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

WHEREAS, on November 12, 2015 (R.2015-344) the Township Council of the Township of Marlboro awarded the first one-year extension of the contract to CLINTAR LANDSCAPE MANAGEMENT SERVICES for THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, in a memo dated November 22, 2016, the Director of Public Works has recommended that the Township approve a second and final one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to CLINTAR LANDSCAPE MANAGEMENT SERVICES whose address is PO Box 294, Perrineville, NJ 08535 for a period of one year commencing on January 1, 2017 and expiring on December 31, 2017, in a total amount not to exceed \$164,428.89; and

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds in the amount of \$153,875.00 are available for the aforesaid contract in Stormwater Trust Account #21-228-55-059 (\$58,989.00) and Open Space Trust Account #14-228-55-053 (\$94,886.00); and

BE IT FURTHER RESOLVED that funds in the remaining amount of \$10,553.89 will be made available and certified in 2017 upon adoption of the budget.

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

- a. Clintar Landscape Management Services
- b. Township Administrator
- c. Township Public Works Director
- d. Township Chief Financial Officer

RESOLUTION # 2016-353

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO
CENTRAL JERSEY WASTE & RECYCLING, INC. FOR
COMMUNITY SPRING BULK PICK-UP FOR THE TOWNSHIP
OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on March 19, 2015 (R.2015-137) the Township Council of the Township of Marlboro awarded a contract to CENTRAL JERSEY WASTE & RECYCLING, INC. for COMMUNITY SPRING BULK PICK-UP FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract for four (4) additional one (1) year periods in accordance with N.J.S.A. 40A:11-15(3) on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, on November 11, 2015 (R.2015-346) the Township Council awarded the first one year renewal of the contract to CENTRAL JERSEY WASTE & RECYCLING, INC. for calendar year 2016; and

WHEREAS, in a memo dated November 22, 2016, the Director of Public Works has recommended that the Township approve a one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to CENTRAL JERSEY WASTE & RECYCLING, INC. whose address is 432 Stokes Avenue, Ewing, NJ 08638 for a period of one year commencing on January 1, 2017 and expiring on December 31, 2017, in a total amount not to exceed \$203,500.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with CENTRAL JERSEY WASTE & RECYCLING, INC. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that funds in the amount of \$203,500.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2017 budget.

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

- a. Central Jersey Waste & Recycling, Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2016-354

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO OCEANPORT, LLC FOR THE SUPPLY OF SODIUM CHLORIDE (SOLAR SALT) FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on January 29, 2015 (R.2015-071) the Township Council of the Township of Marlboro awarded a contract to OCEANPORT, LLC for the SUPPLY OF SODIUM CHLORIDE (SOLAR SALT) 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 an additional one (1) two-year or two (2) one-year extensions on the same terms and conditions as specified in the bid proposal; and

WHEREAS, on November 12, 2015 (R.2015-345) the Township Council of the Township of Marlboro awarded the first one-year extension of the contract to OCEANPORT, LLC for the SUPPLY OF SODIUM CHLORIDE (SOLAR SALT) FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

WHEREAS, in a memo dated November 22, 2016, the Director of the Department of Public Works has recommended that the Township approve a second and final one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to OCEANPORT, LLC whose address is 6200 Philadelphia Pike, PO Box 608, Claymont, DE 19703 for a period of one year beginning on January 1, 2017 through December 31, 2017, in a total amount not to exceed \$28,845.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with OCEANPORT, LLC in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that funds in the amount of \$28,845.00 will be made available and certified by the Chief Financial Officer from account number 05-201-55-500-293020 at the time of the adoption of the 2017 municipal budget; and

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

- a. Oceanport, LLC
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Department of Public Works

RESOLUTION # 2016-355

A RESOLUTION AUTHORIZING YEAR FOUR OF CONTRACT TO AQUATIC SERVICE, INC. FOR THE PROVISION OF POOL MAINTENANCE SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION AND SWIM UTILITY

WHEREAS, by Resolution #2014-158, dated April 3, 2014, the Township of Marlboro awarded a two-year contract to AQUATIC SERVICE INC., 170 Burlington Avenue, Spotswood, NJ 08884 to provide pool maintenance services for the Township of Marlboro Recreation and Swim Utility, as set forth in the bid proposal on file with the Township; and

WHEREAS, the bid specifications included the option to renew said contract for two additional one-year periods; and

WHEREAS, by Resolution 2015-378, dated December 3, 2015, the Township Council of the Township of Marlboro awarded the first one year contract renewal to AQUATIC SERVICE, INC. for THE PROVISION OF POOL MAINTENANCE SERVICES; and

WHEREAS, AQUATIC SERVICE, INC.'S bid price for optional year 2017 is \$66,318.30 for services at the Swim Club and \$32,214.55 services at the Aquatic Center, for a total contract amount not to exceed \$98,532.85; and

WHEREAS, the Director of the Recreation and Swim Utility has recommended that the Township approve a one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to AQUATIC SERVICE, INC. whose address is 170 Burlington Avenue, Spotswood, NJ 08884 for a period of one year, in a total amount not to exceed \$98,532.85; and

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

BE IT FURTHER RESOLVED, funds for the 2017 contract will be certified by the Chief Financial Officer at the time the 2017 municipal budget is adopted; and

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

- a. Aquatic Service, Inc.
- b. Township Business Administrator
- c. Recreation Director
- d. Chief Financial Officer

RESOLUTION # 2016-356

A RESOLUTION AWARDDING YEAR 3 OF CONTRACT TO CENTURION PRINTING, CRAFTMASTER PRINTING, INC., MGL PRINTING SOLUTIONS, RIDGEWOOD PRESS, AND URNER BARRY PUBLICATIONS, INC. FOR PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro authorized the acceptance of bids for PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO, and on December 18, 2014 (R.2014-432) authorized the award of contracts to the lowest responsible bidders as follows:

	Centurion Printing, Kenilworth, NJ	Craftmaster Printing, Inc., Neptune City, NJ	MGL Printing Solutions New Providence , NJ	Ridgewood Press, Ridgewood, NJ	Urner Barry Publication s, Inc., Bayville, NJ
SECTION A: ENVELOPES	8,137.50	10,166.00	0.00	8,105.40	14,048.00
SECTION B: BUSINESS CARDS	3,466.50	3,014.00	0.00	0.00	3,961.00
SECTION C: LETTERHEAD	183.00	211.00	0.00	232.00	275.00
SECTION D: FORMS (BUILDING ITEMS D14-D18, & D21, ENGINEERING & ZONING)	4,761.50	6,768.10	0.00	1,288.00	10,136.00
SECTION D: FORMS (BUILDING ITEMS	1,713.00	8,404.55	0.00	1,565.00	5,003.00

D19, D20 & D22, COURT & FIRE PREVENTION)					
SECTION D: FORMS (TAX COLLECTOR & WATER)	3,584.00	0.00	5,706.00	235.00	0.00
SECTION D: FORMS (POLICE & RECREATION)	975.00	1,039.00	0.00	1,023.00	1,790.00
SECTION E: BOOKLETS/BROCHURES (REC SR)	0.00	2,429.00	0.00	0.00	3,822.00
SECTION E: BOOKLETS/BROCHURES (RECREATION ITEM E4)	0.00	0.00	0.00	0.00	580.00
SECTION E: BOOKLETS/BROCHURES (RECREATION ITEMS E3, E5-E9 EXCEPT E7, POLICE, DRUG ALLIANCE)	0.00	1,118.00	0.00	763.00	2,130.00
SECTION F: POSTERS/SIGNS	0.00	1,702.30	0.00	150.00	0.00
SECTION G: STICKERS (BUILDING)	0.00	1,218.00	0.00	1,282.00	1,875.00
SECTION G: STICKERS (SWIM)	0.00	0.00	0.00	265.00	350.00
SECTION H: COPIES	1,330.00	3,515.00	0.00	0.00	0.00
SECTION I: MISCELLANEOUS (COURT)	0.00	538.50	0.00	0.00	0.00
SECTION I: MISCELLANEOUS (POLICE, TAX COLLECTOR, RECREATION ITEMS I7, I8 & I13)	3,894.00	5,109.00	0.00	3,057.00	3,650.00
SECTION I: MISCELLANEOUS (RECREATION ITEMS I14-I17)	0.00	1,410.00	0.00	0.00	1,250.00
SECTION J: PRINT/MAILING (CLERK, POLICE, RECREATION, SWIM)	0.00	0.00	0.00	0.00	15,031.50
SET-UP FEE (ESTIMATE OF 7 QTY.)	45.00 x 7 = 315.00	0.00	0.00	0.00	0.00
TOTAL	5,259.50	20,821.35	5,706.00	13,213.40	16,861.50

; and

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

WHEREAS, on November 12, 2015 (R.2015-348) the Township Council of the Township of Marlboro awarded the first one-year extension of the contract to Centurion Printing, Craftmaster Printing, Inc., MGL Printing Solutions, Ridgewood Press, and Urner Barry Publications, Inc. for PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO; and

WHEREAS, the Department of Administration recommends that the Township extend the contracts for a second and final year for the period of January 1, 2017 through December 31, 2017 at the contract unit prices; 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 awarded to Centurion Printing in an amount not to exceed \$5,259.50, Craftmaster Printing, Inc. in an amount not to exceed \$20,821.35, MGL Printing Solutions in an amount not to exceed \$5,706.00, Ridgewood Press in an amount not to exceed \$13,213.40 and Urner Barry Publications, Inc. in an amount not to exceed

\$16,861.50 for PRINTING-DIRECT MAILING SERVICES for the period January 1, 2017 through December 31, 2017; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with Centurion Printing, 352 Market Street, Kenilworth, NJ 07033, Craftmaster Printing, Inc., 2024 Corlies Avenue, Neptune City, NJ 07753, MGL Printing Solutions, 154 South Street, New Providence, NJ 07974, Ridgewood Press, 609 Franklin Turnpike, Ridgewood, NJ 07450 and Urner Barry Publications, Inc., 182 Queens Blvd., Bayville, NJ 08721, in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that funds will be certified by the Chief Financial Officer in 2017 upon adoption of the 2017 municipal budget; and

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

- a. Centurion Printing
- b. Craftmaster Printing, Inc.
- c. MGL Printing Solutions
- d. Ridgewood Press
- e. Urner Barry Publications, Inc.
- f. Township Business Administrator
- g. Township Chief Financial Office

RESOLUTION # 2016-357

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR
THE PROVISION OF DUMP TRUCK WITH SNOW REMOVAL
EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, the Township of Marlboro advertised for the receipt of bids for the provision of DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL in the Township of Marlboro; and

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

WHEREAS, two bids received on May 3, 2016 (R.2016-190) were rejected as the bid submitted by the apparent lowest bidder exceeded the Township's estimated cost; and

WHEREAS, bids were advertised for again and on October 4, 2016 the Township received one (1) bid; and

WHEREAS, the sole bid received on June 15, 2016 (R.2016-239) was rejected as the bid exceeded the Township's estimated cost; and

WHEREAS, N.J.S.A. 40A:11-5(3)(b) provides that a contract, the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising if bids have been advertised pursuant to N.J.S.A. 40A:11-4 on two occasions and the governing body has rejected such bids because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the contracting agent prior to the advertising therefor; and

WHEREAS, in accordance with Local Public Contracts Law, the Township proceeded to negotiate a contract for the provision of DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL for the Township of Marlboro; and

WHEREAS, the Township Administration and the Department of Public Works have recommended that Herc Rentals, Inc. be awarded the contract as follows:

Vehicle/Item Description	Qty .	Monthly Rate	Period	Total
5/6 Yard Dump Trucks	3	\$2,250.00 per month	4 Mo.	\$27,000.00
Snowplows	3	\$800.00 per month	4 Mo.	\$9,600.00
				\$36,600.00

; and

RESOLUTION # 2016-358

RESOLUTION AMENDING AWARD OF STATE CONTRACTS TO
VARIOUS VENDORS FOR PURCHASE OF AUTO, TRUCK,
HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES
FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION
OF VEHICLE MAINTENANCE

WHEREAS, the Township of Department of Public Works Division of Vehicle Maintenance is in need of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES in order to maintain the Township vehicle fleet; and

WHEREAS, the Township Council previously granted authorization to utilize vendors approved under the State Cooperative Purchasing Program pursuant to R.2016-059; and

WHEREAS, the Division of Vehicle Maintenance has recommended that the Township purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under various State contracts as follows:

Vendor	State Contract ID	Not to Exceed Amount	Proposed Amend	Total
National Parts Supply Company	85993	\$10,000.00	\$0.00	\$10,000.00
Service Tire Truck Center	82527	\$20,000.00	\$0.00	\$20,000.00
Route 1 Chrysler Dodge	79170	\$15,000.00	\$0.00	\$15,000.00
Chemung Supply	88262	\$10,000.00	\$0.00	\$10,000.00
Creston Hydraulics	89297, 88272	\$10,000.00	\$5,000.00	\$15,000.00
A & K Equipment	88273	\$7,500.00	\$0.00	\$7,500.00
Browns Hunterdon Mack	89271	\$10,000.00	\$0.00	\$10,000.00
Central Jersey Starter	89280	\$2,700.00	(\$2,700.00)	\$0.00
Norman's Auto Services	40174	\$3,000.00	\$0.00	\$3,000.00
Norcia	85864, 89298, 89252	\$3,500.00	(\$2,500.00)	\$1,000.00
Perth Amboy Springs	89276	\$5,000.00	\$0.00	\$5,000.00
Craft Oil (Petro Choice)	81514	\$18,000.00	\$0.00	\$18,000.00
Harter Equipment	76919	\$1,500.00	\$0.00	\$1,500.00
Trius, Inc.	85856	\$27,500.00	\$0.00	\$27,500.00
Storr Tractor	76921	\$10,500.00	\$0.00	\$10,500.00
Foley Equipment	84365, 85846	\$15,000.00	\$0.00	\$15,000.00
R J Walsh	80375	\$5,500.00	(\$3,500.00)	\$2,000.00
Hoover Truck Center	89257	\$2,500.00	\$1,500.00	\$4,000.00
Fastenal	79873	\$5,000.00	\$0.00	\$5,000.00
Groff	76917	\$1,500.00	\$0.00	\$1,500.00
Kaldor Emergency Lighting	81333, 81334	\$10,000.00	(\$1,000.00)	\$9,000.00
Praxair Distribution	83290	\$2,500.00	(\$2,000.00)	\$500.00

Central Jersey Equipment	76914	\$2,500.00	(\$1,500.00)	\$1,000.00
ODB Municipal Products	85861	\$17,500.00	\$2,500.00	\$20,000.00
W. E. Timmerman Co.	85857	\$2,500.00	(\$1,300.00)	\$1,200.00
Joseph Fazzio Steel	84215	\$2,000.00	(\$500.00)	\$1,500.00
D & W Diesel	42124	\$0.00	\$6,000.00	\$6,000.00
		\$220,700.00	\$0.00	\$220,700.00

; 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, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Department of Public Works to obtain AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under various State contracts in order to maintain the Township vehicle fleet; and

WHEREAS, funds will be certified by the Chief Financial Officer at the time of order; and

WHEREAS, the Township Council desires to approve the purchase of said AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase additional AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from the vendors and under the State Contracts identified above; and

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

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

RESOLUTION # 2016-359

RESOLUTION AMENDING AWARD OF CONTRACTS TO VARIOUS VENDORS FOR PURCHASE OF AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VEHICLE MAINTENANCE

THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY
COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township is authorized to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from bids obtained from a cooperative pricing system such as the Monmouth County Cooperative Purchasing Program pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded contracts to NAPA Auto Parts (F&C Auto), Edwards Tire Company, Inc., Freehold Ford, B. J. and M. Auto, and Fingers Radiator Hospital for the provision of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES; and

WHEREAS, the Public Works Department has indicated that NAPA Auto Parts (F&C Auto), Edwards Tire Company, Inc., Freehold Ford, B. J. and M. Auto, and Fingers Radiator Hospital have agreed to extend the pricing provided to Monmouth County to Marlboro Township through the Monmouth County Cooperative Purchasing Program; and

WHEREAS, the Township Council previously granted authorization to utilize vendors approved under the Monmouth County Cooperative Purchasing Program pursuant to R.2016-60; and

WHEREAS, the Township of Department of Public Works Division of Vehicle Maintenance is in need of additional auto and truck parts and supplies in order to maintain the Township vehicle fleet for the remainder of 2016; and

WHEREAS, at this time, the Public Works Department has recommended the award of contracts as follows:

Vendor	Contact Number	Amount	Proposed Amend	Total
NAPA Auto Parts (F&C Auto)	F-46-2015	\$45,000.00	(\$2,000.00)	\$43,000.00
Edwards Tire Company, Inc.	F-49-2016	\$55,000.00	(\$2,000.00)	\$53,000.00
Freehold Ford	F-18-2016	\$15,500.00	(\$1,000.00)	\$14,500.00
B. J. and M. Auto	F-47-2015	\$2,000.00	\$0.00	\$2,000.00
Fingers Radiator Hospital	F-48-2015	\$1,500.00	\$0.00	\$1,500.00
Van Wickle Auto Supply	F-29-2016	\$0.00	\$5,000.00	\$5,000.00

\$119,000.00 \$0.00 \$119,000.00

; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Department of Public Works to obtain AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under the Monmouth County Cooperative Purchasing Program in order to maintain the Township vehicle fleet; and

WHEREAS, funds will be certified by the Chief Financial Officer at the time of order; and

WHEREAS, the Township Council desires to approve the purchase of said AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from NAPA Auto Parts (F&C Auto), Edwards Tire Company, Inc., Freehold Ford, B. J. and M. Auto, Fingers Radiator Hospital, and Van Wickle Auto Supply pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program; and

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

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

RESOLUTION # 2016-360

RESOLUTION AUTHORIZING 2016 BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Calendar Year 2016 Municipal Budget as follows:

CURRENT:		
Account	From	To
Tax Assessor Other Expenses	\$ 25,000.00	
Employee Insurance Other Expenses	67,000.00	
Administration Other Expenses		\$ 75,000.00
Vehicle Maintenance Other Expenses		15,000.00
Sewer Other Expenses		2,000.00
	\$ 92,000.00	\$ 92,000.00

RESOLUTION # 2016-361

SUPPORTING THE 2016 DRIVE SOBER OR GET PULLED
OVER YEAR END HOLIDAY CRACKDOWN GRANT

WHEREAS, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

WHEREAS, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the 2016 *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadway.

NOW, THEREFORE, BE IT RESOLVED that Marlboro Township declares its support for the *2016 Drive Sober or Get Pulled Over Year End Holiday Crackdown* from December 9, 2016 through January 1, 2017; and pledges to increase awareness of the dangers of drinking and driving.

RESOLUTION # 2016-362

AUTHORIZING CONTRACT FOR THE PURCHASE OF SOFTWARE AND DOCUMENT
IMAGE SCANNING SERVICES THROUGH COOPERATIVE PURCHASING CONTRACTS

WHEREAS, the Township of Marlboro as part of its 2016 capital program (850-12) authorized the acquisition of software and document image scanning services into a Document Management System for the Construction Code Enforcement Division (Building); and

WHEREAS, the Division of Information Technology ("IT") solicited proposals from various vendors and in a memo dated October 13, 2016, Marlboro IT has recommended the following items necessary for a successful document image scanning solution:

- | | | |
|---|---|--------------|
| 1) Digitech Image Silo 12-Month Cloud Software Subscription | - | \$21,216.00 |
| 2) Digitech PaperVision Enterprise On-Premise Backup Software | - | \$1,125.00 |
| 3) Scanning Services, Software Setup, Document Loading Into Databases and the Certification Process | - | \$185,800.00 |
| 4) Consulting Services for Project Review and Interoperability Assurance | - | \$8,500.00 |
| Grand Total | - | \$216,641.00 |

; and

WHEREAS, the Township is authorized to purchase software and document image scanning services from bids obtained from a cooperative pricing system such as the UNION COUNTY COOPERATIVE PRICING SYSTEM (8 UCCP) pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the UNION COUNTY COOPERATIVE PRICING SYSTEM conducted a public bidding process and awarded a contract to DRS Imaging, 43 Fadem Road, Springfield, NJ 07081, for the provision of document image scanning services which include Item No. 3 above; and

WHEREAS, the Division of Information Technology ("IT") has indicated that DRS Imaging has agreed to extend the pricing provided through the UNION COUNTY COOPERATIVE PRICING SYSTEM to Marlboro Township; and

WHEREAS, Marlboro IT has recommended the award of contract for the software and document image scanning services to DRS Imaging for a total amount not to exceed \$185,800.00; 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 State of New Jersey has awarded a contract to SHI International Corp., 290 Davidson Avenue, Somerset, NJ 08873, for on-premises backup software including Item No. 2 above; and

WHEREAS, Marlboro IT has recommended the award of contract for the on-premises backup software to SHI International Corp. for a total amount not to exceed \$1,125.00; and

WHEREAS, this project serves as the first phase of a Township-wide Document Management System that will in the future serve other departments including Planning, Zoning, Engineering and others, and while primarily making use of cloud based storage it will also have an on premise backup system; 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 software and document image scanning services through the UNION COUNTY COOPERATIVE PRICING SYSTEM and on-premises backup software from SHI International Corp. under State Contract #89851; and

WHEREAS, the Township solicited pricing from qualified vendors on items 1 and 4 not covered under either cooperative pricing system. These items were awarded by the Qualified Purchasing Agent to the vendors that provided the lowest, most advantageous quote; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of software and document image scanning services from DRS Imaging, at pricing pursuant to the bid obtained by the UNION COUNTY COOPERATIVE PRICING SYSTEM, and on-premises backup software from SHI International Corp. under State Contract #89851 for a total amount not to exceed \$186,925.00; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to confirm the contracts awarded by the Qualified Purchasing Agent to Cranel Imaging, 8999 Gemini Parkway, Columbus, Ohio 43240 for the purchase of item 1 in the amount of \$21,216.00 and to Spatial Data Logic, Inc., 285 Davidson Avenue, Somerset, New Jersey 08873 for the purchase of item 4 in the amount of \$8,500.00; and

WHEREAS, funds in the total amount of \$216,641.00 have been certified by the Chief Financial Officer in Uniform Construction Code (UCC) Trust Account #16-201-56-850-210850 and #16-201-56-850-288850 for this purpose.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase software and document image scanning services, at pricing pursuant to the bid obtained by the UNION COUNTY COOPERATIVE PRICING SYSTEM for a total amount not to exceed \$185,800.00, and on-premises backup software from SHI International Corp. under State Contract #89851 for a total amount not to exceed \$1,125.00; and

BE IT FURTHER RESOLVED, by the Township Council that the contracts awarded by the Qualified Purchasing Agent to Cranel Imaging and Spatial Data Logic, Inc. be confirmed for an amount not to exceed \$29,716.00; and

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

- a. DRS Imaging, Springfield, NJ
- b. SHI International Corp., Somerset, NJ
- c. Cranel Imaging
- d. Spatial Data Logic, Inc.
- e. Township Administrator
- f. Township Construction Official
- g. Township Chief Information Officer
- h. Township Chief Financial Officer

RESOLUTION # 2016-363

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL AUTHORIZING
A DISCHARGE OF A MORTGAGE DATED DECEMBER 22, 2011, AGAINST A
PROPERTY LOCATED AT 12 EASTWICK COURT, MARLBORO, NEW JERSEY

WHEREAS, the Township of Marlboro currently operates and participates under the auspices of New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) as to its affordable housing obligations and it also operates and adheres to the Uniform Housing Affordability Controls act which are codified at N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the homeowners, Jerry Wax and Lucy Wax, as husband and wife, ("the Homeowners"), acquired a residence which is commonly known as 12 Eastwick Court, within the Township of Marlboro, and said home can be more specifically identified as Lot 27, Block 377 ("the Residence"); and

WHEREAS, in or around 2011 the homeowners filed an application with Marlboro Township in the hopes of being accepted into Marlboro's "Mount Laurel Housing Rehabilitation Program"; and

WHEREAS, Marlboro's then administrative agent approved the Homeowners' application into the "Mount Laurel Housing Rehabilitation Program" and as such, the Homeowners executed a mortgage note and a mortgage to Marlboro Township on or about December 22, 2011 ("the Marlboro Mortgage"); and

WHEREAS, the Marlboro Mortgage and mortgage note secured a forgivable loan in the amount of \$10,260.00 with said amount being forgiven if certain conditions were satisfied over a ten (10) year period; and

WHEREAS, the Marlboro Mortgage was recorded in the Monmouth County Clerk's Office on November 8, 2012, in Book OR-8979, at Page 8615; and

WHEREAS, the Homeowners have both passed away and a foreclosure action has been commenced against the Residence by a priority lien holder known as "CIT Bank, N.A." (Docket No. F-025003-16, Monmouth County); and

WHEREAS, the Homeowners' representatives, in response to the foregoing foreclosure action, have repaid the monies due and owing under the Marlboro Mortgage and as such they are seeking a discharge and release of the Marlboro Mortgage; and

WHEREAS, it has been determined that there is good cause to grant this discharge of the Marlboro Mortgage;

NOW, THEREFORE, BE IT RESOLVED that the Hon. Mayor Jonathan L. Hornik is hereby authorized to execute the attached discharge of mortgage; and

BE IT FURTHER RESOLVED that subsequent to the signature on the said discharge of mortgage that this discharge will be recorded in the Monmouth County Clerk's Office.

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

- a. Mayor Jonathan L. Hornik
- b. Township Business Administrator, Jon Capp
- c. Lynn Franco, Municipal Housing Liaison
- d. Township Attorney, DeCotiis, Fitzpatrick, & Cole, LLP

- e. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2016-364

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND DOWN TO EARTH LANDSCAPING, INC. AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF THE COUNTRY PARK BALLFIELD IMPROVEMENTS

WHEREAS, by Resolution #2015-168 the Township of Marlboro authorized the award of a contract to Down to Earth Landscaping, Inc. for the Country Park Ballfield Improvements project (the "Project"); and

WHEREAS, Closeout Change Order has been requested resulting in a decrease in the original contract amount of \$517,756.00 to \$514,397.00, a net decrease of \$3,359.00; and

WHEREAS, in a Letter dated November 28, 2016, the Township Engineer has confirmed that the project has been completed in accordance with the approved plans and specifications and has recommended approval of the Closeout Change Order, acceptance of the Project improvements, and issuance of final payment in the amount of \$30,451.44; and

WHEREAS, pursuant to the terms of the contract, Down to Earth Landscaping, Inc. has provided a two-year maintenance bond in an amount equal to 30% of the final contract amount or \$154,319.10; and

WHEREAS, the Township Council of the Township of Marlboro is amenable to approving Closeout Change Order, accepting the Project improvements and issuing a final payment to Down to Earth Landscaping, Inc. in the amount of \$30,451.44 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order to the existing contract with Down to Earth Landscaping, Inc. be and is hereby approved, decreasing the original contract total of \$517,756.00 to \$514,397.00, a net decrease of \$3,359.00.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$30,451.44 for work completed by Down to Earth Landscaping, Inc. is hereby approved.

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

- a. Down to Earth Landscaping, Inc.
- b. Township Administrator
- c. Township Engineer
- c. Township Chief Financial Officer

RESOLUTION # 2016-365

A RESOLUTION AWARDING A CONTRACT TO BROADVIEW NETWORKS, INC. FOR LOCAL, REGIONAL AND LONG DISTANCE TELEPHONE SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro is in need of local, regional and long distance telephone services in order to conduct the business of the Township of Marlboro; and

WHEREAS, Broadview Networks has been awarded State Contract #85017 to provide such services; and

WHEREAS, pursuant to NJSA 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 the Treasury; and

WHEREAS, the Township of Marlboro Division of Information Technology ("IT") has recommended that a contract to provide local, regional and long distance telephone services be awarded to Broadview Networks, Inc. (the "Contractor"), under State Contract #85017 in an amount not to exceed \$35,000.00; and

WHEREAS, funds in the amount of \$35,000.00 will be certified by the Chief Financial Officer from account number 01-201-31-162-232 following the adoption of the 2017 budget; and

WHEREAS, the Township Council deemed it necessary for the proper function of the Township to enter into a contract for the purchase of local, regional and long distance telephone services.

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

1. The Township Council of the Township of Marlboro, hereby authorizes and approves the award of a contract to Broadview Networks, Inc., to provide local, regional and

long distance telephone services pursuant to the Proposal described above; and

2. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver the contract for goods and services on behalf of and in the name of the Township of Marlboro; and

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

- a. Broadview Networks, Inc.
- b. Township Division of IT
- c. Township Administrator
- d. Township Chief Financial Officer

RESOLUTION # 2016-366
FORM 1B

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2014-June 2019

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 of Marlboro 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 of Marlboro 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 of Marlboro 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, State of New Jersey hereby recognizes the following:

1. The Township of Marlboro Council does hereby authorize submission of a strategic plan for the Marlboro Municipal Alliance grant for fiscal year 2018 in the amount of:

2.

DEDR	\$ 53,578.00
Cash Match	\$ 13,394.50
In-Kind	\$ 40,183.50

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

RESOLUTION # 2016-367

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$ 224,895.08 as per Schedule "A",

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$ 224,895.08 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>
2016-019	159.03/10	TOM TIEHUA CAO 19 Edendale Street Ladera Ranch, CA 92694 Assessed Owner: Grill, Joshua & Jennifer	2,344.14
2016-022	170/41	US Bank as Cust for Phoenix 2 Liberty Place 50 South Street, Suite 2050 Philadelphia, PA 19102 Assessed Owner: Mesaros, Rose (Estate)	31,141.50
2015-097	337/114	TTLBL, LLC 4747 Executive Drive Suite 510 San Diego, CA 92121 Assessed Owner: Gentile, Richard	3,290.64

2016-009	120/11	TWR as CST for Ebury Fund 2 NJ, LLC P.O. Box 54908 New Orleans, LA 70154 Assessed Owner: Kot, Robert & Anna	2,265.60
2014-044	176/7/C1059	MTAG Cust. Fig Capital Inv 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Lane, Peggy	3,465.66
2014-005	108/7	MTAG Cust. Fig Capital Inv 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Jones, David W.	3,090.35
2012-007	108/3	Stonefield Invest Fund IV Stonefield - Liens Remittance Drive Dept 6803 Chicago, IL 60675 Assessed Owner: Jones, David & Barbara Gattola	41,334.48
2016-091	288/29/C0464	TWR as CST for Ebury Fund 2 NJ, LLC P.O. Box 54908 New Orleans, LA 70154 Assessed Owner: Wells Fargo Bank NA	2,953.99
2016-120	364/29.01	Sunshine State Certificates 7900 Miami Lakes Drive West Miami Lakes, FL 33016 Assessed Owner: Kay, Leroy & Janet	135,008.72

RESOLUTION # 2016-368

WHEREAS, the attached list in the amount of \$ 1,379.98 known as Schedule "A", is comprised of amounts representing overpayments for 2016 taxes,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to refund the above-mentioned overpaid amounts as per the attached Schedule "A",

RESOLUTION # 2016-369

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$15,141.32 for the year 2013 for Block 415 Lot 21.30, located at 95 South Main Street assessed to Matthews, David James & Michael,

WHEREAS, the 2013 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$15,141.32,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$15,141.32, to Michael A. Vespasiano, Attorney Trust C/O Matthews, David James & Michael.

RESOLUTION # 2016-370

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$16,115.74 for the year 2014 for Block 415 Lot 21.30, located at 95 South Main Street assessed to Matthews, David James & Michael,

WHEREAS, the 2014 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$16,115.74,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$16,115.74, to Michael A. Vespasiano, Attorney Trust C/O Matthews, David James & Michael.

RESOLUTION # 2016-371

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$16,490.85 for the year 2015 for Block 415 Lot 21.30, located at 95 South Main Street assessed to Matthews, David James & Michael,

WHEREAS, the 2015 taxes have been paid in full, the Tax Collector is directed to refund the amount of \$16,490.85,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$16,490.85, to Michael A. Vespasiano, Attorney Trust C/O Matthews, David James & Michael.

RESOLUTION # 2016-372

WHEREAS, the Tax Court of New Jersey has granted a judgment in the amount of \$16,741.06 for the year 2016 for Block 415 Lot

21.30, located at 95 South Main Street assessed to Matthews, David James & Michael,

WHEREAS, an adjustment of \$10,690.69 has been applied to the 2016 taxes, resulting in the 2016 taxes being paid in full, the Tax Collector is directed to refund the amount of \$6,050.37,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$6,050.37, to Michael A. Vespasiano, Attorney Trust C/O Matthews, David James & Michael.

At 7:12 P.M., Councilman Metzger moved that the meeting be adjourned. This was seconded by Council President Mazzola, and was passed on a roll call vote of 4-0 in favor (Absent: Scalea).

MINUTES ADOPTED: DECEMBER 15, 2016

OFFERED BY: CANTOR

AYES: 4

SECONDED BY: METZGER

NAYS: 0

ABSENT: 0

ABSTAIN: SCALEA

ALIDA MANCO
MUNICIPAL CLERK

CAROL MAZZOLA
COUNCIL PRESIDENT