

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

May 18, 2017

The Marlboro Township Council held its regularly scheduled Meeting on May 18, 2017 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Cantor opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this 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 9, 2017; 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: Council Vice President Marder, Councilwoman Mazzola, Councilman Metzger, Councilman Scalea, and Council President Cantor.

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

Councilman Metzger moved that the regular minutes and executive session minutes of May 4, 2017 be adopted. This was seconded by Councilman Scalea, and passed on a roll call vote of 4 - 0 in favor with Council Vice President Marder abstaining.

The following Resolution #2017-173 (Authorizing Execution of Developer's Agreement - Ray Catena - Water Improvements) was introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Marder, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2017-173

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO, AND 480 ROUTE 9 REALTIES, LLC, CONNECTION WITH PRELIMINARY, TENTATIVE AND FINAL WATER SERVICE APPROVAL FOR THE SITE LOCATED ON BLOCK 299 LOT 113.01 TOWNSHIP

OF MARLBORO, AND BLOCK 5 LOT 26, TOWNSHIP OF MANALAPAN, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, 480 Route 9 Realties, LLC (the "Developer") has applied to the Township of Marlboro Water Utility Division for Preliminary, Tentative and Final Water Service Approval for the property located along Route 9, which is known as Block 299 Lot 113.01 on the Official Tax Map of the Township of Marlboro, and Block 5 Lot 26 on the Official Tax Map of the Township of Manalapan, Monmouth County New Jersey, (the "Site") to construct a 58,945 square foot Automobile Dealership, Showroom and Service Center, and

WHEREAS, the Township of Marlboro Water Utility Division has granted approval with respect to the water service to the Project and the site and conditioned the approval upon the Developer entering into a Developer Agreement with the Township of Marlboro Water Utility Division and posting all the necessary performance guarantees; and

WHEREAS, the Developer Agreement has been negotiated by the parties, and the negotiation and preparation of same shall be paid for from Developer's escrow account held by the Township of Marlboro; and

WHEREAS, the necessary performance guarantees, cash deposits and insurance certificates shall be 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 execution by the Director of Public Works on behalf of the Township of Marlboro Water Utility Division be and is hereby ratified and the Mayor is authorized to execute and the Municipal Clerk is authorized to witness, the Developer Agreement with 480 Route 9 Realties, LLC (the "Developer") for the Preliminary, Tentative and Final Water Service Approval issued for the site located on Block 299 Lot 113.01 on the Official Tax Map of the Township of Marlboro, and Block 5 Lot 26 on the Official Tax Map of the Township of Manalapan, Monmouth County New Jersey, which is located along Route 9, the negotiation and preparation of which shall be paid for from the Developer's escrow account held by the Township of Marlboro; and

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

- a. 480 Route 9 Realties, LLC
- b. Mayor Jonathan L. Hornik
- c. Township Business Administrator
- d. Township Engineer
- e. Township Chief Financial Officer
- f. Marlboro Township Water Utility Division
- g. Township Attorney

The following Resolution #2017-174 (Authorizing Execution of Developer's Agreement - Camelot West) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2017-174

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND CAMELOT WEST AT MARLBORO, LLC IN CONNECTION WITH SITE PLAN APPROVAL FOR THE SITE LOCATED ON BLOCK 150, LOTS 2, 3 AND 4 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, On June 1, 2016 the Planning Board of the Township of Marlboro ("Planning Board") adopted Resolution P.B. 1134-16 granting amended Preliminary and Final Site Plan Approval to Camelot West At Marlboro, LLC ("Developer") for the development of property known as Block 150, Lots 2, 3 and 4, on the Official Tax Map of the Township of Marlboro, Monmouth County New Jersey (the "Site"); and

WHEREAS, the Planning Board resolution conditioned the approval upon the Developer entering into a Developer's Agreement with the Township of Marlboro, attached hereto and made apart 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 the Developer's Agreement between the Township of Marlboro and Camelot West at Marlboro, LLC, attached hereto in form and substance as "Exhibit A".

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Metzger, seconded by

Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor: Res. #2017-175 (Authorizing Professional Engineering Services Rt. 9 Water Main Looping), Res. #2017-176 (Authorizing Contract - Licensed Site Remediation Services - Block 150, Lot 9, Block 151, Lot 4, Block 149, Lot 16 and Block 148, Lot 31), Res. #2017-177 (Authorizing Agreement with Marlboro Basketball Booster Club, Inc. - Refereeing Services), Res. #2017-178 (Authorizing Agreement with Marlboro Soccer Booster Assoc. - Refereeing Services), Res. #2017-179 (Authorizing Change Order Coach Bus Transportation), Res. #2017-180 (Authorizing One Year Renewal-On Site Brush Grinding), Res. #2017-181 Authorizing Amendment to State Contract - Purchase of Police Vehicle Equipment) Res. #2017-182 (Authorizing Rejection of Bids - Mechanical (HVAC) Renovations), Res. #2017-183 (Subordination of Mortgage - 114 Pelican Court) and Res. #2017-184 (Redemption Tax Sale Certs - Various).

RESOLUTION #2017-175

A RESOLUTION AUTHORIZING AN AMENDMENT TO A  
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES  
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL  
ENGINEERING SERVICES ASSOCIATED WITH ROUTE 9 WATER  
MAIN LOOP PROJECT

WHEREAS, the Township of Marlboro as part of its 2017 capital program (500-22) authorized the installation of additional water main across State Highway Route 9 within the Marlboro Water System ("Project"); and

WHEREAS, the Township is in need of professional engineering services for design, bid and construction management activities associated with the Project; and

WHEREAS, CME Associates has provided a proposal dated April 4, 2017 (the "Proposal") for the drafting, bid phase and construction management professional services required in connection with the Project; and

WHEREAS, the Township of Marlboro and CME Associates have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services (as defined hereinabove) for the Projects at a fee not to exceed \$30,000.00 for such Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; 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 \$30,000.00 are available for this purpose from Capital Account # 06-215-17-03A-500288; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with CME Associates to provide the required additional Professional Services for the Projects in accordance with the Proposal; 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, CME has previously completed and submitted a Political Contribution Disclosure Form 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 CME Associates and the Township of Marlboro, to expand the scope of services for Professional Engineering Services Associated with Route 9 Water Main Loop Project by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$30,000.00 for such Professional Services, as further described and set forth in CME's Proposal dated April 4, 2017 ("Proposal"), 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 \$30,000.00 for such additional Professional Services for the Projects as described in the Proposal; 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. CME Associates, 1460 Route 9 South, Howell, NJ 07731
- b. Township Business Administrator
- c. Township Chief Financial Officer

RESOLUTION #2017-176

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LICENSED SITE REMEDIATION PROFESSIONAL (LSRP) SERVICES FOR BLOCK 150 LOT 9, BLOCK 151 LOT 4, BLOCK 149 LOT 16 AND BLOCK 148 LOT 31 (ALSO KNOWN AS BLUH & BATELLI PARCELS "B" AND "C")

WHEREAS, the Township of Marlboro has entered into a settlement agreement associated with Bluh & Batelli Site identified as Block 150 Lots 2, 3 and 4 (Parcel "A"), Block 150 Lot 9 and Block 151 Lot 4 (Parcel "B") and Block 149 Lot 16 and Block 148 Lot 31 (Parcel "C"), dated January 21, 2016 (R. 2015-394); and

WHEREAS, Section 7.4 of the settlement agreement calls for the donation of land owned by Camelot 2 at Marlboro, LLC, identified as Block 150 Lot 9 and Block 151 Lot 4 (Parcel "B") and Block 149 Lot 16 and Block 148 Lot 31 (Parcel "C") to the Township of Marlboro; and

WHEREAS, there is a need for the Township to perform environmental investigations and regulatory reporting associated with Parcels "B" and "C"; and

WHEREAS, the current owner of the properties is under contract with React Environmental Professional Services Group, Inc. ("REPSG, Inc."), PO Box 5377, 6901 Kingsessing Avenue,

Suite 201, Philadelphia, PA 19142-0377 to perform Licensed Site Remediation Professional (LSRP), environmental investigation and reporting services pursuant to NJDEP regulations ("Services"); and

WHEREAS, REPSG, Inc. has responsibility for the entire site including the parcels to be donated, and is in a position to most efficiently complete the necessary LSRP services relative to the parcels to be donated; and

WHEREAS, the State of New Jersey provides funding for environmental investigation and remediation through the Hazardous Discharge Site Remediation Fund (HDSRF); and

WHEREAS, in order to apply for and receive HDSRF monies for such purposes, the Township must contract directly with the LSRP for the required services; and

WHEREAS, the Township of Marlboro has a need for Licensed Site Remediation Professional (LSRP) services pursuant to NJDEP regulations; and

WHEREAS, the Township Administrator, in a memo dated May 12, 2017 has recommended the award of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. in order to complete the necessary services in the most efficient and cost-effective manner possible; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such 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 Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one year or until completion of services pursuant to NJDEP regulations; and

WHEREAS, REPSG, Inc. has submitted a proposal dated March 20, 2017 indicating they will provide the Services for an amount not to exceed \$26,683.00; and

WHEREAS, REPSG, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that REPSG, Inc. has not made any reportable contributions to a political or candidate committee in the TOWNSHIP OF MARLBORO in the previous one year, and that the contract will prohibit the REPSG, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$13,341.50 are available for this purpose from Affordable Housing Trust Fund Account #15-228-55-054 (Parcel "C") and \$13,341.50 are available for this purpose from Grant Fund Account #02-213-14-765-030000 (Parcel "B"); and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between REPSG, Inc., PO Box 5377, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142-0377 and the Township of Marlboro for LICENSED SITE REMEDIATION PROFESSIONAL (LSRP) SERVICES FOR Block 150 Lot 9, Block 151 Lot 4, Block 149 Lot 16 and Block 148 Lot 31 (also known as BLUH & BATELLI PARCELS "B" and "C") ("Professional Services"), at a fee not to exceed \$26,683.00 for such Professional Services, as further described and set forth in the Proposal dated March 20, 2017 ("Proposal"), be and is hereby authorized; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 \$26,683.00 for such additional Professional Services as described in the Proposal; 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. REPSG, Inc.
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Township Engineer

RESOLUTION #2017-177

RESOLUTION AUTHORIZING AGREEMENT WITH THE MARLBORO BASKETBALL BOOSTER CLUB, INC. ("BOOSTER CLUB") FOR THE PROVISION OF REFEREEING SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF RECREATION BASKETBALL LEAGUES

WHEREAS, the BOOSTER CLUB is a not-for-profit organization which provides refereeing services to the Marlboro Township Department of Recreation; and

WHEREAS, the Township of Marlboro Department of Recreation and Recreation Commission are in need of refereeing services for the 2017/2018 Fall/Winter basketball season; and

WHEREAS, the BOOSTER CLUB has supplied a proposal to provide such services for the 2017/2018 Fall/Winter basketball season; and

WHEREAS, the total value of the services to be provided for 2017/2018 are estimated at and shall not exceed \$15,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # 09-201-55-400-285402 and # 09-201-55-400-288402.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the Township Council of the Township of Marlboro, hereby authorizes the Mayor and Town Clerk to enter into an agreement with the BOOSTER CLUB for the services described above.

RESOLUTION # 2017-178

RESOLUTION AUTHORIZING AGREEMENT WITH THE MARLBORO SOCCER ASSOCIATION BOOSTERS, INC. (BOOSTER CLUB) FOR THE PROVISION OF

REFEREEING SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF  
RECREATION SOCCER LEAGUES

WHEREAS, the BOOSTER CLUB is a not-for-profit organization which provides refereeing services to the Marlboro Township Department of Recreation; and

WHEREAS, the Township of Marlboro Department of Recreation and Recreation Commission are in need of refereeing services for the 2017 Spring and Fall soccer seasons; and

WHEREAS, the BOOSTER CLUB has supplied a proposal to provide such services for the 2017 Spring and Fall soccer seasons; and

WHEREAS, the total value of the services to be provided for 2017 are estimated at and shall not exceed \$64,980.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # 09-201-55-400-296409.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the Township Council of the Township of Marlboro, hereby authorizes the Mayor and Town Clerk to enter into an agreement with the BOOSTER CLUB, P.O. Box 436, Marlboro, New Jersey 07746 for the services described above.

RESOLUTION #2017-179

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH  
SUBURBAN TRAILS, INC. FOR COACH BUS TRANSPORTATION FOR THE  
TOWNSHIP OF MARLBORO RECREATION DEPARTMENT

WHEREAS, on February 11, 2016 (R.2016-078) the Township Council of the Township of Marlboro awarded a contract to SUBURBAN TRAILS, INC., the lowest responsible bidder, for COACH BUS TRANSPORTATION FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT; and

WHEREAS, the bid specifications included the option to renew said contract for an additional 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, on March 2, 2017 (R.2017-112) the Township Council of the Township of Marlboro authorized a one-year renewal of the contract to SUBURBAN TRAILS, INC. for the period of March 1, 2017 to February 28, 2018; and

WHEREAS, the Recreation Director has advised that additional COACH BUS TRANSPORTATION will be needed prior to the expiration of the contract due to increased enrollment in the Teen Travel camp in an amount which will exceed the existing authorization by approximately \$10,030.00; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a change order to the contract with SUBURBAN TRAILS, INC. whose address is 750 Somerset Street, New Brunswick, New Jersey 08901 be authorized in a total amount not to exceed \$10,030.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$10,030.00 are available for the aforesaid change order in Utility Account #09-201-55-400-288485; and

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

- a. SUBURBAN TRAILS, INC.,
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Department of Recreation

RESOLUTION #2017-180

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO MAZZA MULCH, INC.  
FOR THE PROVISION OF ON-SITE BRUSH GRINDING SERVICES FOR THE  
MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, on May 21, 2015 (R.2015-213) the Township Council of the Township of Marlboro awarded a contract to D & J MAZZA DEMOLITION, INC. for the PROVISION OF ON-SITE BRUSH GRINDING SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS; 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 July 7, 2016 (R.2016-247) the Township Council of the Township of Marlboro awarded the first one-year extension of the contract to D & J MAZZA DEMOLITION, INC. FOR THE PROVISION OF ON-SITE BRUSH GRINDING SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, in accordance with page 16, section 23 of the bid specifications, on January 16, 2017, D & J MAZZA DEMOLITION, INC. advised the Township of an internal buyout wherein all obligations are transferred from D & J MAZZA DEMOLITION, INC. to MAZZA MULCH, INC. for the open balance of the contract; and

WHEREAS, MAZZA MULCH, INC. subsequently submitted the necessary contract documents as would be required by the Local Public Contracts Law and Township Purchasing Procedures; and

WHEREAS, in a memo dated May 10, 2017, the Director of Public Works has recommended that the Township extend the contract with MAZZA MULCH, INC., for the period of June 1, 2017 through May 31, 2018; 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 MAZZA MULCH, INC. whose address is 3230A Shafto Road, Tinton Falls, NJ 07753, for the PROVISION OF ON-SITE BRUSH GRINDING SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS, for a period of one year commencing on June 1, 2017 and expiring on May 31, 2018, and for the total contract amount not to exceed \$179,400.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with MAZZA MULCH, 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 in the amount of \$59,800.00 are available and have been certified by the Chief Financial Officer in account #01-201-26-117-288103; and

BE IT FURTHER RESOLVED, funds for the remaining 2018 amount will be certified by the Chief Financial Officer at the time the 2018 budget is adopted; and

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

- a. MAZZA MULCH INC.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2017-181

RESOLUTION AUTHORIZING AMENDMENT TO AWARD OF STATE  
CONTRACTS TO EMERGENCY ACCESSORIES & INSTALLATION FOR  
INSTALLATION OF POLICE VEHICLE EQUIPMENT FOR THE  
POLICE DIVISION OF THE TOWNSHIP OF MARLBORO

WHEREAS, the Police Department submitted its 2017 capital plan which included a request for the replacement of police vehicle equipment; and

WHEREAS, the Township of Marlboro as part of its 2017 capital program (106-1.1, 106-1.6) authorized the purchase of replacement police vehicle equipment for the Division of Police; and

WHEREAS, on April 20, 2017 (R.2017-153), the Township Council of the Township of Marlboro authorized Township officials to purchase equipment from various vendors specifically for replacement police vehicles; and

WHEREAS, it was determined that additional items would be needed including equipment installation; and

WHEREAS, the Chief of Police has recommended that the Township purchase the vehicle equipment installation under various State contracts as follows:

Equipment/ Description	Qty	SC#	Vendor	Cost	Ext. Cost	Dept.	Source
Installation of Whelen Equipment	6	81336	Emergency Accessories & Install	1,000.20	6,001.25	Police Patrol	Capital 2017
Installation of Police Equipment	6	81344	Emergency Accessories & Install	1,000.20	6,001.25	Police Patrol	Capital 2017

; 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 to purchase the required equipment installation for five (5) replacement Dodge Charger police vehicles and one (1) Ford Interceptor police vehicle to be utilized by the Police Department; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$12,002.50 from account #04-215-17-02G-106297, and

WHEREAS, the Township Council desires to approve the purchase of the police vehicle equipment installation; and

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 vehicle equipment installation from the Emergency Accessories & Installation, 250 Berlin Rd. Cherry Hill, NJ 08034 and under the State Contracts identified above in an amount not to exceed \$12,002.50.

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

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

RESOLUTION # 2017-182

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR  
MECHANICAL RENOVATIONS TO THE MARLBORO POLICE DEPARTMENT  
FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on April 5, 2017, bids were opened for MECHANICAL RENOVATIONS TO THE MARLBORO POLICE DEPARTMENT for 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, the bid submitted by the apparent lowest bidder exceeds the Township's budgeted cost.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that all bids heretofore received for the project titled MECHANICAL RENOVATIONS TO THE MARLBORO POLICE DEPARTMENT for the Township of Marlboro are hereby rejected pursuant to N.J.S.A. 40A:11-13.2(b).

BE IT FURTHER RESOLVED, that the Business Administrator is hereby authorized and directed to return the bid bond(s) or other security(ies) to the appropriate bidder(s).

RESOLUTION #2017-183

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL AUTHORIZING A SUBORDINATION OF A REPAYMENT MORTGAGE DATED JANUARY 20, 2012, WHICH IS AGAINST A PROPERTY LOCATED AT 114 PELICAN COURT, MARLBORO, NEW JERSEY, WHICH IS OWNED BY ANTHONY CAMPANILE AND AMANDA CAMPANILE

WHEREAS, the Township of Marlboro's affordable housing program is administered in accordance with the New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) and the administrative rules of the Council on Affordable Housing n/k/a The Office Of Local Planning Services; and

WHEREAS, as part of the foregoing program various units throughout the Township have been deed restricted and affordability controls have been recorded against the said units; and

WHEREAS, on or about January 20, 2012, the homeowners hereunder, ANTHONY CAMPANILE AND AMANDA CAMPANILE ("the Homeowners"), purchased their residence at 114 Pelican Court in the Township of Marlboro, Block 412, Lot 165.07 ("the Residence") with said deed being recorded on February 6, 2012, in the Monmouth County Clerk's Office in deed book OR-8931, at page 2331 et seq.; and

WHEREAS, at or about the same time that the Homeowners acquired the Residence, on or about January 20, 2012, they executed a mortgage to Sovereign Bank to secure a loan in the amount of \$122,882.00 with said mortgage being recorded on March 20, 2012, in book OR-8938, at page 7949 ("the Sovereign Mortgage"); and

WHEREAS, at or about the same time that the Homeowners acquired the Residence they executed a repayment mortgage in favor of Marlboro Township with that instrument also being recorded on February 06, 2012, in book OR-8931, at page 2331, and re-recorded on March 20, 2012, in book OR-8938, at page 8046 et seq. ("the Repayment Mortgage"); and

WHEREAS, the Repayment Mortgage provided, in part, that affordability controls would remain in place as to the Residence for a period of 30 years and said Repayment Mortgage remains in full effect today; and

WHEREAS, the Homeowners now desire to refinance the Sovereign Mortgage with Santander Bank for the purposes of reducing their interest rate, as such, a subordination of the Repayment Mortgage is necessary and it is requested by the Homeowners and Santander Bank; and

WHEREAS, Santander Bank is now prepared to move forward with the refinance for the Homeowners however, Santander Bank has requested that the Township of Marlboro subordinate the Repayment Mortgage in order to effectuate the refinance; and

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

NOW, THEREFORE, BE IT RESOLVED that the Hon. Mayor Jonathan L. Hornik is hereby authorized to execute the attached subordination of the Repayment Mortgage which is of record against the Residence; and

BE IT FURTHER RESOLVED that subsequent to the signature of the said subordination that this subordination 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) Township Business Administrator, Jonathan Capp
- b) Lynn Franco, Municipal Housing Liaison
- c) Kenneth W. Biedzynski, Affordable Housing Special Counsel.



RESOLUTION #2017-184

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$ 3,909.48 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 \$ 3,909.48 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>
2016-034	176/7/C0528	FWDSL & Associates, LP 17 W. Cliff Street Somerville, NJ 08876 Assessed Owner: Hood, Krystal	1,625.29
2016-038	176/7/C0771	MTAG Custodian for Fig Capital Investments 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Stuller, Jady & Christine	2,284.19

At 7:08 PM, Councilman Metzger moved that the meeting be adjourned. This was seconded by Councilman Scalea, and passed on a roll call vote of 5 - 0 in favor.

MINUTES APPROVED: JUNE 8, 2017

OFFERED BY: MARDER AYES: 5

SECONDED BY: MAZZOLA NAYS: 0

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ALIDA MANCO,  
MUNICIPAL CLERK

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JEFF CANTOR,  
COUNCIL PRESIDENT