

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

July 13, 2017

The Marlboro Township Council held its regularly scheduled Meeting on July 13, 2017 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council Vice President Marder 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: Councilwoman Mazzola, Councilman Metzger, and Council Vice President Marder. Council President Cantor and Councilman Scalea were absent.

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

Councilman Metzger moved that the minutes of June 8, 2017 be adopted. This was seconded by Councilwoman Mazzola, and passed on a roll call vote of 3 - 0 (Absent: Cantor and Scalea).

Council Vice President Marder opened the Public Hearing on the CDBG Grant Application FY2018 for roadway improvements within the Greenbriar Development. As there was no one who wished to speak, the Public Hearing was closed.

The following Resolution #2017-207/Ordinance #2017-8 (Refunding All or Portion of 2010 General Obligation Bond Ordinance) was introduced by reference, offered by Councilman Metzger and seconded by Councilwoman Mazzola was passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-207

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

ORDINANCE # 2017-8

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF GENERAL OBLIGATION BONDS OF 2010, APPROPRIATING \$11,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$11,000,000 FOR FINANCING THE COST THEREOF.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on August 10, 2017 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 # 2017-8

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF GENERAL OBLIGATION BONDS OF 2010, APPROPRIATING \$11,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$11,000,000 FOR FINANCING THE COST THEREOF.

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

Section 1. The Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), is hereby authorized to advance refund all or a portion of the \$9,995,000 outstanding principal amount of General Obligation Bonds of 2010, consisting of \$8,474,000 outstanding principal amount of General Improvement Bonds (the "General Improvement Refunded Bonds"), \$1,041,000 outstanding principal amount of Open Space Bonds (the "Open Space Refunded Bonds") and \$480,000 outstanding principal amount of Water Utility Bonds (the "Water Utility Refunded

Bonds"), originally issued in the aggregate principal amount of \$19,000,000, dated September 30, 2010, which amounts mature on October 1 in each of the years 2021 through 2025, inclusive (the "Refunded Bonds"), and which are subject to redemption on any date on or after October 1, 2020 at the option of the Township at a redemption price of 100% of the principal amount of the Refunded Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds are hereby authorized to be issued in one or more series in the aggregate principal amount not exceeding \$11,000,000 (the "Refunding Bonds") pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The Township desires to provide for all or a portion of the principal amount of the Refunded Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township is increased by the authorization of the Refunding Bonds provided in this refunding bond ordinance by \$11,000,000, and that an amount equal to \$10,043,000, representing the par amount of the General Improvement Refunded Bonds (\$8,474,000), plus the par amount of the Open Space Refunded Bonds (\$1,041,000) and plus the principal amount of the Refunding Bonds allocated to the refunding of the Water Utility Refunded Bonds (\$528,000), will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by that law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, which consent will be so endorsed in accordance with N.J.A.C. 5:30-2.5.

The following Resolution #2017-208 (Change of Council Meeting Locations) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Metzger, and passed on a roll call vote of 3-0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-208

CHANGE OF COUNCIL MEETING LOCATIONS

BE IT RESOLVED by the Township Council of the Township of Marlboro that the regularly scheduled Council meeting locations will be changed as follows:

Sept. 7, 2017 - Marlboro Greens Clubhouse
1 Ivy Hill Drive, Englishtown, NJ 07726

October 5, 2017 - Greenbriar at Marlboro Clubhouse
21 Clubhouse Lane, Marlboro, NJ 07746

October 19, 2017 - Rosemont Estates Clubhouse
246 Everton Blvd., Marlboro, NJ 07746

BE IT FURTHER RESOLVED that all meetings will begin at 7:00PM.

The following Resolution #2017-209 (Acceptance of 2016 Municipal Audit) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola, and passed on a roll call vote of 3-0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-209

ACCEPTANCE OF 2016 MUNICIPAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the annual report of audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and

a copy has been received by each member of the governing body,
and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed as a minimum, the sections of the annual audit entitled "Comments and Recommendations", and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

The following Resolution #2017-210 (Authorizing Release of Performance Bond - GS Realty) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola, and passed on a roll call vote of 3-0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-210

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR THE SITE KNOWN AS G.S. REALTY CORPORATION, BLOCK 160.03, LOT 16, CONOVER ROAD, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Janet A. Briggs for a release in the Township held Performance Guarantees in the form of a Letter of Credit for site improvements ("Public Improvements") on the Site known as "G.S. Realty Corporation" (the "Site"), property known as Block 160.03, Lot 16, located on Conover Road as shown on the Official Marlboro Township Tax Map sheet #61.02, Monmouth County, State of New Jersey, posted by Amboy Avenue Partners, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated June 2, 2017, regarding the completion of the Public Improvements at the Site, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the current Performance Guarantee in the form of a Letter of Credit, Letter of Credit No. #1817 issued by Amboy Bank in the original amount of \$204,001.08 and current value of \$111,770.04, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release and the posting of a two (2) year fifteen percent (15%) maintenance bond in the amount of \$25,500.23; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid Performance Guarantee.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the above-described Performance Guarantee for Phase I in the form of a Letter of Credit, Letter of Credit No. #1817 issued by Amboy Bank in the original amount of \$204,001.08 and current value of \$111,770.04, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release and the posting of a

two (2) year fifteen percent (15%) maintenance bond in the amount of \$25,500.23; and

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

- a. G.S. Realty Corporation
- b. Amboy Bank
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Jonathan M. Heilbrunn, Esq.

The following Resolution #2017-211 (Authorizing Release of Performance Bond - GS Realty) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola, and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-211

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR
THE SITE KNOWN AS MARLBORO ESTATES, LLC, BLOCK 119, LOT 31,
TEXAS ROAD, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Falson LN Development, LLC for a reduction in the Township held Performance Guarantees in the form of a bond and cash deposit for site improvements ("Public Improvements") on the Site known as "Marlboro Estates, LLC" (the "Site"), property known as Block 119, Lot 31, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Falson LN Development, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated May 26, 2017, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a partial reduction be made in the current bond and cash deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated May 26, 2017.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a bond and cash deposit posted by the Developer, Falson LN Development, LLC, for the site known as Marlboro Estates, LLC located on property known as Block 119, Lot 31, Township of Marlboro, New Jersey, shall be reduced as follows:

The "Performance Guarantee Bond"
(Developers Surety and Indemnity Company,
bond No. 481771S), in the original and
present amount of \$960,369.16 shall be
reduced by \$311,437.17, so that the
remaining amount shall be \$648,931.99.

2. The Cash Deposit, in the original and present amount of \$106,707.68 shall be reduced by \$34,604.13, so that the amount to remain shall be \$72,103.55; and

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the posting of any and all outstanding review and/or inspections fees required by the Planning Board and/or Township and the resolution of any valid homeowners' complaints; and

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

- a. Falson LN Development, LLC
- b. Developers Surety and Indemnity Company
- c. Township Business Administrator
- e. Township Chief Financial Officer
- f. Township Engineer

The following Resolution #2017-212 (Authorizing Reduction of Performance Bond - Marlboro Estates) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Mazzola, and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-212

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES
FOR THE WATER IMPROVEMENTS AT THE SITE KNOWN AS MARLBORO
ESTATES, BLOCK 119, LOT 31, INTERSECTION OF TENNENT ROAD
AND FALSON LANE, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request from Felix Elinson for a reduction in the Township held Performance Guarantees in the form of a Bond and cash deposit for water improvements ("Public Improvements") on the Site known as "Marlboro Estates" (the "Site"), property known as Block 119, Lot 31, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Falson LN Development, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated June 30, 2017, a copy of which is attached hereto and made a part hereof; and

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

WHEREAS, the Township Council desires to reduce the performance guarantee Bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated June 30, 2017.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Bond and cash deposit posted by the Developer, Falson LN Development, LLC, for the site known as Marlboro Estates, located on property known as Block 119, Lot 31, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Bond (Developers Surety and Indemnity Company, Bond No. 481772S), in the original amount of \$210,141.00, and present value of \$210,141.00, shall be reduced by \$84,766.50, so that the remaining amount shall be \$125,374.50.
2. The Cash Deposit, in the original amount of \$23,349.00, and present amount of \$23,349.00 (excludes accrued interest) shall be reduced by \$9,418.50, so that the amount to remain shall be \$13,930.50;

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the posting of any and all outstanding review and/or

inspections fees required by the Planning Board and/or Township and the resolution of any valid homeowners' complaints; and

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

- a. Falson Lane Development, LLC (Marlboro Estates, LLC)
- b. Developers Surety and Indemnity Company
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Louis N. Rainone, Esq.

The following Resolution #2017-213 (Place to Place Transfer (Expansion of Premises) - Pampini LLC d/b/a Brioso) was introduced by reference, offered Councilman Metzger, seconded by Councilwoman Mazzola, and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-213

A RESOLUTION OF THE TOWNSHIP OF MARLBORO AUTHORIZING A PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NUMBER 1328-33-008-010 ISSUED TO PAMPINI LLC T/A BRIOSO

WHEREAS, application was made to the Township of Marlboro ("Township") by Pampini, LLC T/A Brioso ("Applicant") for a place to place transfer of Plenary Retail Consumption License Number 1328-33-008-010 ("License") presently held by Pampini, LLC to permit the expansion of the licensed premises.

WHEREAS, the Township Council of the Township of Marlboro has reviewed the application and all supporting documentation and finds it appropriate to approve the place to place transfer of the aforesaid plenary retail consumption license to permit the expansion of the licensed premises.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the application by Pampini, LLC T/A Brioso for a place to place transfer of Plenary Retail Consumption License Number 1328-33-008-010 presently held by Pampini, LLC T/A Brioso to permit the expansion of the licensed premises, be and is hereby is approved.

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

- a. Pampini, LLC T/A Brioso
448 Route 9, Englishtown, NJ 07726
- b. Township Administrator

- c. Township Building Department
- d. Township Police Department
- e. Township Attorney

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Metzger, seconded by Council woman Mazzola were passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea): Res. #2017-214 (Authorizing Engineering Services - Preparation of Third Community Forestry Plan), Res. #2017-215 (Authorizing Shared Services Agreement with Monmouth County - Explosive Detection K-9 Services), Res. #2017-216 (Amending Shared Services Agreement - Marlboro BOE - Police Youth Academy and Alcohol Alliance Programs), Res. #2017-217 (Authorizing Transfer and Acceptance of Surplus Military Equipment from US Department of Defense (DOD) 1033 Program), Res. #2017-218 (Authorizing Award of State Contract to Eagle Point Gun for the Purchase of Ammunition for Qualification and Range Training) and Res. #2017-219 (Authorizing Budget Amendment - Chapter 159 - Clean Communities), Res. #2017-220 (Authorizing Budget Amendment - Chapter 159 - Green Communities), Res. #2017-221 (Authorizing Budget Amendment - Chapter 159 - FY 2018 Municipal Alliance Grant), Res. #2017-222 (Award of State Contract to Dell Marketing - Purchase of Microsoft Enterprise Agreement Software Licensing), Res. #2017-223 (Award of Bid - Route 9 Water Main Loop), Res. #2017-224 (Authorizing One Year Renewal - Recycling Collection and Disposal Services) and Res. #2017-225 (Authorizing One Year Renewal - Equipment Rental and Operator Services"), Res. #2017-226 (Amending Shared Services Agreement - FRHSD - School Resource Officers - Marlboro High School), Res. #2017-227 (Amending Shared Services Agreement - Marlboro BOE - School Resource Officers - Marlboro K-8 Schools), Res. #2017-228 (Authorizing Support for NJDOT Road Improvements to Route 34 Northbound & Southbound from CR 537 in Colts Neck Twp to Washington Ave in Old Bridge), Res. #2017-229 (Authorizing Removal of Emergency Pumping of Leaching Septic Tank and Recording of Lien by Tax Collector), Res. #2017-230 (Authorizing Application Drive Sober Labor Day Crackdown Grant 2017), Res. #2017-231 (Authorizing Rejection of Bids - Farming Leases (Dimeo and McCarron Farms)), Res. #2017-232 (Authorizing Rejection of Bid - Dump Truck Rental), Res. #2017-233 (Award of Bid - Salt Dome Roof Repair), Res. #2017-234 (Award of Bid - Contract Snow Removal), Res. #2017-235 ("Confirming the Sale of Solar Renewable Energy Credits), Res. #2017-236 (Authorizing Award of Cooperative Contract (MRESC) for Building Remediation and Restoration Services), Res. #2017-237 (Authorizing Coleen Dolan, Tax Collector, to Complete Application to Participate in Electronic Tax Sale), Res. #2017-238 (Redemption Tax Sales Certificates - Various).

RESOLUTION # 2017-214

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE PREPARATION OF THE THIRD FIVE YEAR COMMUNITY FORESTRY MANAGEMENT PLAN

WHEREAS, the Township recognizes the importance of promoting a sustainable and productive forest and shade tree resource that will improve the quality of life for the residents of Marlboro; and

WHEREAS, a Community Forestry Management plan is needed to guide the Shade Tree Committee in maintaining and improving Marlboro's community forest; and

WHEREAS, the Township has received a grant from the New Jersey Department of Environmental Protection, Division of Forestry in order to prepare the third five year community forestry plan ("project"); and

WHEREAS, CME Associates has provided a proposal dated June 6, 2017 (the "Proposal") for such Professional Services in connection with the Project with a not to exceed amount of \$6,000.00; and

WHEREAS, CME Associates has agreed to perform the work necessary within the funds budgeted and available for an amount to exceed \$3,000.00; 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 Project at a fee not to exceed \$3,000.00 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 are available for this purpose from Account 11-228-55-018; 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 Project 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 to include professional services by way of its Township Planner and Engineer for the PREPARATION OF THE THIRD FIVE YEAR COMMUNITY FORESTRY PLAN ("Professional Services"), at a fee not to exceed \$3,000.00 for such Professional Services, as further described and set forth in CME's Proposal dated June 6, 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 \$3,000.00 for such additional Professional Services for the Project 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 Administrator
- c. Township Chief Financial Officer
- d. Township Engineer
- e. Shade Tree Commission

RESOLUTION # 2017-215

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY,
NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN
THE TOWNSHIP OF MARLBORO AND MONMOUTH COUNTY FOR EXPLOSIVE
DETECTION K-9 TEAM SERVICES FOR THE DIVISION OF POLICE

WHEREAS, the Marlboro Township Division of Police is in the process of expanding its K-9 team to include explosive detection capabilities; and

WHEREAS, on an interim and as-needed basis, the Township of Marlboro ("Marlboro") and Monmouth County are interested in entering into an Agreement whereby Monmouth County ("County") provides EXPLOSIVE DETECTION K-9 TEAM services; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, this cooperative Agreement between the County and the Township would be beneficial to the taxpayers in both public entities; and

WHEREAS, the County of Monmouth and the Township of Marlboro are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, Monmouth County has the available resources and has agreed to provide EXPLOSIVE DETECTION K-9 TEAM services on an as-needed basis; and

WHEREAS, Monmouth County and Marlboro desire to enter into a Shared Services Agreement to set forth the operational and financial terms concerning the work to be performed.

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

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.

2. The Mayor and Township Clerk are hereby authorized to execute a Shared Services Agreement for FOR EXPLOSIVE DETECTION K-9 TEAM SERVICES FOR THE DIVISION OF POLICE in a form acceptable to the Township Attorney and inclusive of the terms expressed in EXHIBIT A.

3. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.

RESOLUTION # 2017-216

AMENDING A SHARED SERVICES AGREEMENT WITH THE MARLBORO TOWNSHIP BOARD OF EDUCATION PROVIDING FOR BUS TRANSPORTATION SERVICES FOR THE RECREATION DEPARTMENT SUMMER CAMP, DIVISION OF POLICE YOUTH ACADEMY AND DRUG AND ALCOHOL ALLIANCE PROGRAMS

WHEREAS, on May 5, 2016 the Township of Marlboro ("Township") entered into a shared services agreement (R.2016-180) with the Marlboro Township Board of Education (the "Board") for transportation services; and

WHEREAS, the Township has requested and the Board has agreed to provide additional transports for the Township Youth Police Academy and Drug and Alcohol Alliance ("Alliance") programs; and

WHEREAS, pursuant to N.J.S.A. 18A:39-22, the Board is authorized to permit the use of school buses it owns or leases for the purpose of transporting children and adults participating in a recreation or other program operated by the municipality in which the Board's School District is located; and

WHEREAS, the Township and the Board desire to amend the Shared Services Agreement to provide Transportation Services for Youth Police Academy and Alliance programs for the period commencing on January 1, 2017 and terminating on December 31, 2017; and

WHEREAS, the costs of the Transportation Services for the Youth Police Academy and Alliance programs shall be paid by the Township to the Board as per the attached proposals in an amount not to exceed \$1,568.66; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes local units to enter into shared services agreements for the provision of services, including the transportation services contemplated herein; and

WHEREAS, the proposed Shared Services Agreement for the Transportation Services is on file in the Township Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-5(b); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Current Account Number 01-201-25-106-288619 and Grant Account Number 02-213-17-721-135200 in a total amount not to exceed \$1,568.66; and

WHEREAS, the Mayor and Marlboro Township Council desire to amend the proposed Shared Services Agreement with the Board pursuant to the above-described terms and conditions for a total contract amount not to exceed \$158,168.66.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute and witness, respectively, the proposed amendment to the Shared Services Agreement for the provision of transportation services for the Marlboro Youth Police Academy and Alliance programs in accordance with the term and conditions described hereinabove; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the shared services agreement authorized herein shall be filed with the Division of Local Government Services in the Department of Community Affairs for informational purposes; and

BE IT FURTHER RESOLVED, that a copy of the shared services agreement authorized herein shall be open to the public for inspection in the Township Clerk's Office; and

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

- a. Marlboro Township Board of Education
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Chief of Police
- e. Alliance Coordinator

RESOLUTION # 2017-217

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 Township 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
- d. Insurance

RESOLUTION # 2017-218

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #81296 TO EAGLE POINT GUN SHOP FOR THE PURCHASE OF AMMUNITION FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, the Township of Marlboro Police Department is in need of ammunition for qualifications and range training; and

WHEREAS, the Marlboro Police Department has recommended that the Township purchase the ammunition from Eagle Point Gun Shop, 1707 Third Street, Thorofare, New Jersey 08086 under State Contract #81296 in an amount not to exceed \$37,000.00; 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 Police Department to obtain the ammunition from Eagle Point Gun Shop; and

WHEREAS, funds are available in Account 01-201-25-106-262644 for an amount not to exceed \$37,000.00 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said ammunition;

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 ammunition from Eagle Point Gun Shop, 1707 Third Street, Thorofare, New Jersey 08086 under State Contract #81296 in an amount not to exceed \$37,000.00; and

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

- a. Eagle Point Gun Shop
- b. Township Administration
- c. Township Police Department
- d. Township Chief Financial Officer

RESOLUTION # 2017-219

RESOLUTION REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

Section 1

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an revenue in the budget of the year 2017 in the sum of \$90,256.42, which has been awarded to the municipality for the "2017 Clean Communities" Grant.

Section 2

BE IT FURTHER RESOLVED that the amount of \$90,256.42 be hereby appropriated under the caption "2017 Clean Communities" Grant.

RESOLUTION # 2017-220

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an revenue in the budget of the year 2017 in the sum of \$3,000.00, which has been received by the municipality for the "Green Communities" Grant.

BE IT FURTHER RESOLVED that the amount of \$3,000.00 be hereby appropriated under the caption "Green Communities" Grant.

RESOLUTION # 2017-221

RESOLUTION REQUESTING APPROVAL OF ITEMS OF
REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an revenue in the budget of the year 2017 in the sum of \$53,578.00, which has been received by the municipality for the "FY2018 Municipal Alliance" Grant.

BE IT FURTHER RESOLVED that the amount of \$53,578.00 be hereby appropriated under the caption "FY2018 Municipal Alliance" Grant.

RESOLUTION # 2017-222

A RESOLUTION AUTHORIZING CONTRACT WITH DELL MARKETING LP FOR THE PURCHASE OF MICROSOFT SERVER AND CLIENT SOFTWARE IN THE TOWNSHIP OF MARLBORO INFORMATION TECHNOLOGY DEPARTMENT UNDER NJ STATE CONTRACT #89850

WHEREAS, the Marlboro Township Information Technology Department, as part of the Township's approved 2017 Capital Program (033-1), has recommended that the Township purchase Microsoft Server and Client software under the NJ State Contract #89850; and

WHEREAS, it is necessary for operations to upgrade the Township's Technology Infrastructure to the latest versions of Microsoft Server and Client software to more efficiently and securely serve the needs of the Township; and

WHEREAS, the most cost-effective way to purchase the software is by entering into an Enterprise Agreement with Microsoft which allows the Township to remain current on any future releases of all software purchased for a period of three years, at which point the Agreement can be extended at reduced costs for another 3 year period; and

WHEREAS, purchasing the software will allow for decreased operating expenses in future operating budgets as existing 3rd party systems are replaced by functionality included in the Microsoft software; 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 Information Technology Department has reviewed the information received and has recommended that DELL MARKETING LP be awarded the contract based upon the quotation received; and

WHEREAS, funds are available in Capital Account Number 04-215-17-02C-033297 and have been certified to by the Chief Financial Officer of the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to contract with DELL MARKETING LP whose address is ONE DELL WAY, ROUND ROCK, TX 78682 for the provision of Microsoft Server and Client software under NJ State Contract #89850 in an amount not to exceed \$78,259.32; and

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

- a. DELL Marketing, LP
- b. Township Administrator
- c. Township Chief Information Officer
- d. Township Chief Financial Officer

RESOLUTION # 2017-223

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO
KMETZ INC., FOR PROPOSED ROUTE 9 WATER MAIN
LOOP FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2017 capital program (500-22) authorized improvements to the water system including the installation of a water main loop on Route 9; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for PROPOSED ROUTE 9 WATER MAIN LOOP FOR THE TOWNSHIP OF MARLBORO, and on June 7, 2017, received two (2) bids, as follows:

Bidder	Address	Base Bid
KMETZ Inc.	10 Fresh Ponds Rd, East Brunswick, NJ 08816	\$438,385.00
Montana Construction Corp Inc.	80 Contant Ave, Lodi, NJ 07644	\$619,118.00

; and

WHEREAS, it has been determined that the submission of the lowest bidder, KMETZ Inc. is responsive as detailed in a June 19, 2017 memo submitted by the Township Engineer; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Township Engineer to award the bid 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 KMETZ Inc., whose address is 10 Fresh Ponds Road, East Brunswick, NJ 08816 for the base bid, for all items one through thirty five, in an amount not to exceed \$438,385.00, for the project titled ROUTE 9 WATER MAIN LOOP FOR THE TOWNSHIP OF MARLBORO; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with KMETZ Inc. in an amount not to exceed \$438,385.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$438,385.00 are available for the aforesaid contract in Water Capital Accounts # 06-215-17-03A-500288 and 06-215-17-03B-500288; and

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

- a. KMETZ Inc.
- b. Township Administrator
- c. Director of Public Works
- d. Township Engineer
- e. Chief Financial Officer

RESOLUTION # 2017-224

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO CENTRAL JERSEY WASTE & RECYCLING, INC. FOR THE PROVISION OF RECYCLING COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on July 7, 2016 (R.2016-250) the Township Council of the Township of Marlboro awarded a contract to CENTRAL JERSEY WASTE & RECYCLING, INC. FOR THE PROVISION OF RECYCLING COLLECTION AND DISPOSAL SERVICES 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) one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, 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 extension be awarded to CENTRAL JERSEY WASTE & RECYCLING, INC., whose address is 432 Stokes Avenue, Ewing, New Jersey 08638 for RECYCLING COLLECTION AND DISPOSAL SERVICES for a period of one year commencing on September 1, 2017 and expiring on August 31, 2018 in a total amount not to exceed \$449,366.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with CENTRAL JERSEY WASTE & RECYCLING, INC. in accordance with this resolution; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$149,788.68 are available for the aforesaid contract in Current Account #01-201-26-117-233112; and

BE IT FURTHER RESOLVED that funds for the 2018 portion of the contract will be certified by the Chief Financial Officer upon adoption of the 2018 Municipal Budget; and

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 Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2017-225

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO LUCAS CONSTRUCTION GROUP, INC. FOR THE PROVISION OF EQUIPMENT RENTAL AND OPERATOR SERVICE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on July 16, 2015 (R.2015-248) the Municipal Council of the Township of Marlboro awarded a contract to LUCAS CONSTRUCTION GROUP, INC. for THE PROVISION OF EQUIPMENT RENTAL AND OPERATOR SERVICE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract 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 July 7, 2016 (R.2016-240) the Township Council of the Township of Marlboro awarded the first one-year extension of the contract to LUCAS CONSTRUCTION GROUP, INC. FOR THE PROVISION OF EQUIPMENT RENTAL AND OPERATOR SERVICE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, 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 extension be awarded to LUCAS CONSTRUCTION GROUP, INC. whose address is 173 Amboy Road, Morganville, NJ 07751 for a period of one year commencing on August 1, 2017 and expiring on July 31, 2018, in a total amount not to exceed \$112,870.00; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with LUCAS CONSTRUCTION GROUP, 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 portion in the amount of \$112,870.00 have been certified by the Chief Financial Officer in Current Accounts #01-201-28-123-215101 and #01-201-28-123-215102, Grant Accounts ##02-213-14-703-123000, #02-213-15-703-123000, #02-213-16-703-123000 and #02-213-14-701-117000, and Capital Account #04-215-16-02B-060288 for this purpose; and

BE IT FURTHER RESOLVED, funds for the 2018 portion of the contract will be certified by the Chief Financial Officer upon the adoption of the 2018 Municipal Budget; and

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

- a. Lucas Construction Group, INC.
- b. Township Business Administrator
- c. Department of Public Works
- d. Chief Financial Officer

RESOLUTION # 2017-226

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AMENDING THE SHARED SERVICES AGREEMENT WITH THE FREEHOLD

REGIONAL HIGH SCHOOL DISTRICT ("FRHSD") TO PROVIDE FOR SCHOOL
RESOURCE OFFICERS (SROs) IN MARLBORO HIGH SCHOOL

WHEREAS, there are police officers specifically trained in educating, counseling, and protecting the public in an educational setting within the Township of Marlboro Division of Police known as School Resource Officers (SROs); and

WHEREAS, the Township of Marlboro ("Township") and Freehold Regional High School District ("FRHSD") are partners in providing for School Resource Officers (SROs), and acknowledge that these officers have been a constructive and valuable presence in the schools; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Township of Marlboro and Freehold Regional High School District are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, on December 3, 2015 (R.2015-370) the Township Council authorized a Shared Services Agreement to be executed with the FRHSD to provide for School Resource Officers (SROs) for the 2016/2017 school year; and

WHEREAS, the Township and the FRHSD wish to extend the agreement to include the 2017/2018 school year; and

WHEREAS, the Township Council of the Township of Marlboro supports the SRO program in the K-8 schools and endorses this partnership between the Township and the FRHSD.

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

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.

3. The Mayor and Township Clerk are hereby authorized to execute the Shared Services Agreement.

4. A copy of the finalized Shared Services agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.

RESOLUTION # 2017-227

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AMENDING THE SHARED SERVICES AGREEMENT WITH THE MARLBORO BOARD OF EDUCATION TO PROVIDE FOR SCHOOL RESOURCE OFFICERS (SROs) IN MARLBORO TOWNSHIP K-8 SCHOOLS

WHEREAS, there are police officers specifically trained in educating, counseling, and protecting the public in an educational setting within the Township of Marlboro Division of Police known as School Resource Officers (SROs); and

WHEREAS, the Township of Marlboro ("Township") and Marlboro Township Board of Education ("MTBOE") are partners in providing for School Resource Officers (SROs), and acknowledge that these officers have been a constructive and valuable presence in the schools; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Township of Marlboro and Marlboro Board of Education are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, on December 3, 2015 (R.2015-371) the Township Council authorized an amendment to the Shared Services Agreement to be executed with the Marlboro Board of Education extending the existing agreement to provide for School Resource Officers (SROs) for the 2016/2017 school year; and

WHEREAS, the Township and the MTBOE wish to extend the agreement to include the 2017/2018 school year; and

WHEREAS, the Township Council of the Township of Marlboro supports the SRO program in the K-8 schools and endorses this partnership between the Township and the MTBOE.

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

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.
3. The Mayor and Township Clerk are hereby authorized to execute the Shared Services Agreement.
4. A copy of the finalized Shared Services agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.

RESOLUTION # 2017-228

A RESOLUTION AUTHORIZING SUPPORT OF THE PROPOSED ROAD IMPROVEMENTS BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) TO ROUTE 34 NORTHBOUND AND SOUTHBOUND BETWEEN COUNTY ROUTE 537 AND STATE HIGHWAY ROUTE 9 IN MONMOUTH AND MIDDLESEX COUNTIES

WHEREAS, the State of New Jersey, Department of Transportation (NJDOT) has begun the concept phase for improvements to Route 34 northbound and southbound, from County Route 537 to State Highway Route 9 in Monmouth and Middlesex Counties; and

WHEREAS, the primary purpose of the project is to reconstruct the pavement in the project area due to the pavement condition; and

WHEREAS, the original pavement was constructed between 1928 and 1930, and over the years the roadway has been widened and the concrete overlaid with asphalt; and

WHEREAS, the secondary goals associated with the project include upgrading traffic signals, repairing bridges and drainage structures, and performing curb and sidewalk work; and

WHEREAS, a section of Route 34 traverses Marlboro Township from Deer Path Road (Holmdel Roadway) to Woodcliff Boulevard, and the Township border is also adjacent to the existing traffic signal at the intersection of County Route 520 and Route 34; and

WHEREAS, NJDOT has projected a schedule providing for concept design, engineering and bidding from 2017-2019 and construction activities to begin the Fall of 2020, based on funding availability; and

WHEREAS, NJDOT has conducted public meetings in both April 2017 and May 2017 and has requested a resolution of support from all of the affected municipalities; and

WHEREAS, the Township Engineer in consultation with the Division of Police has reported that the NJDOT improvements as proposed in concept serve the best interests, safety, and welfare of the citizens of Marlboro Township and Monmouth County;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro accepts and supports the improvements proposed in concept by the NJDOT for improvements to Route 34 northbound and southbound, from County Route 537 to State Highway Route 9 in Monmouth and Middlesex Counties.

RESOLUTION # 2017-229

A RESOLUTION AUTHORIZING THE EMERGENCY CLEANING OF A SEPTIC TANK FOR A PROPERTY DISCHARGING RAW SEWERAGE FROM PRIVATE SEPTIC SYSTEM INTO STORM SEWER AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 701 MOHICAN TRAIL (BLOCK 155, LOT 20.08) MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of discharge of raw sewerage into the storm sewer on the property known as 701 Mohican Trail, (Block 155, Lot 20.08); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 701 Mohican Trail, (Block 155, Lot 20.08) at a total cost of \$1,063.33; and

WHEREAS, it is recommended that the amount of \$1,063.33 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 701 Mohican Trail (Block 155, Lot 20.08) in the amount of \$1,063.33 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2017-230

SUPPORTING THE DRIVE SOBER OR GET PULLED OVER
2017 STATEWIDE LABOR DAY CRACKDOWN GRANT

WHEREAS, approximately one-third of all fatal traffic crashes in the United States involve drunk drivers; and

WHEREAS, impaired driving crashes cost the United States almost \$50 Billion a year; and

WHEREAS, 29% of motor vehicle fatalities in New Jersey in 2014 (the last year for which complete data is available) were alcohol-related; and

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

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which 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 *Drive Sober or Get Pulled Over 2017 Statewide Labor Day Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from August 18, 2017 through September 4, 2017; and

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

NOW, THEREFORE, BE IT RESOLVED that Marlboro Township declares its support for the *Drive Sober or Get Pulled Over 2017*

Statewide Labor Day Crackdown from August 18, 2017 through September 4, 2017 and pledges to increase awareness of the dangers of drinking and driving.

RESOLUTION # 2017-231

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR LEASE OF FARMING RIGHTS TO THE PARCELS OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "DIMEO PROPERTY" (BLOCK 159/LOT 1) LOCATED ON CONOVER ROAD AND THE "MCCARRON PROPERTY" (BLOCK 155/LOT 13.03) LOCATED ON PLEASANT VALLEY ROAD

WHEREAS, on May 24, 2017, bids were opened for the LEASE OF FARMING RIGHTS TO THE PARCELS OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "DIMEO PROPERTY" (BLOCK 159/LOT 1) LOCATED ON CONOVER ROAD AND THE "MCCARRON PROPERTY" (BLOCK 155/LOT 13.03) LOCATED ON PLEASANT VALLEY ROAD; and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.2(c), failure to submit a statement of corporate ownership at the time specified by the contracting unit for the receipt of bids shall be deemed a fatal defect that shall render the bid proposal unresponsive; and

WHEREAS, the sole proposal received from Matthew Zeleznik contained various incomplete forms including an incomplete statement of corporate ownership making it unresponsive.

WHEREAS, bids were advertised for again and on June 28, 2017 the Township received one (1) bid; and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.2(c), failure to submit a statement of corporate ownership at the time specified by the contracting unit for the receipt of bids shall be deemed a fatal defect that shall render the bid proposal unresponsive; and

WHEREAS, the sole proposal received from Matthew Zeleznik contained various incomplete forms including an incomplete statement of corporate ownership making it unresponsive.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that all bids heretofore received for LEASE OF FARMING RIGHTS TO THE PARCELS OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "DIMEO PROPERTY" (BLOCK 159/LOT 1) LOCATED ON CONOVER ROAD AND THE "MCCARRON PROPERTY" (BLOCK 155/LOT 13.03) LOCATED ON PLEASANT VALLEY ROAD are hereby rejected pursuant to N.J.S.A. 40A:11-23.2(c).

BE IT FURTHER RESOLVED, that the Business Administrator is authorized to engage in negotiations of contracts FOR LEASE OF FARMING RIGHTS TO THE PARCELS OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "DIMEO PROPERTY" (BLOCK 159/LOT 1) LOCATED ON CONOVER ROAD AND THE "MCCARRON PROPERTY" (BLOCK 155/LOT 13.03) LOCATED ON PLEASANT VALLEY ROAD.

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 # 2017-232

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

WHEREAS, on May 24, 2017, bids were opened for the provision of Dump Truck Rental with Snow Removal Equipment Rental for the Department of Public Works; and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.2(b), failure to submit a certificate from a surety company at the time specified by the contracting unit for the receipt of bids shall be deemed a fatal defect that shall render the bid proposal unresponsive; and

WHEREAS, the sole proposal received from Herc Rentals, Inc., did not contain the requested certificate from a surety company making it unresponsive.

WHEREAS, bids were advertised for again and on June 28, 2017 the Township received one (1) bid; and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.2(b), failure to submit a certificate from a surety company at the time specified by the contracting unit for the receipt of bids shall be deemed a fatal defect that shall render the bid proposal unresponsive; and

WHEREAS, the sole proposal received from Herc Rentals, Inc., did not contain the requested certificate from a surety company making it unresponsive.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that all bids heretofore received for the provision of DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT

OF PUBLIC WORKS (DPW) are hereby rejected pursuant to N.J.S.A. 40A:11-23.2(b).

BE IT FURTHER RESOLVED, that the Business Administrator is authorized to engage in negotiations for contracts for the provision of DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW).

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 # 2017-233

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO KOWALSKI ROOFING CORP., INC. FOR SALT DOME ROOF REPLACEMENT FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, the Township of Marlboro as part of its 2015 capital program (122-29) authorized the replacement of the salt dome roof; and

WHEREAS, the Township of Marlboro advertised for the acceptance of bids for SALT DOME ROOF REPLACEMENT, and on July 6, 2017, received three (3) bids, as follows:

Bidder	Bidder Address	Base Bid	Option 1	Total of Base Bid & Opt. #1
Kowalski Roofing Corp.	381 Lake Shore Dr. Brick, NJ 08723	\$123,600.00	\$15,000.00	\$138,600.00
Dome Corporation of North America	5450 East St Saginaw, MI 48601	\$138,940.00	\$12,100.00	\$151,040.00
Roof Management Inc.	P.O. Box 933 Neptune, NJ 07753	\$143,000.00	\$60,000.00	\$203,000.00

WHEREAS, it has been determined that the submission of the lowest bidder, KOWALSKI ROOFING CORP., is responsive as detailed in a July 7, 2017 memo recommending the award of the Base Bid to the low bidder, KOWALSKI ROOFING CORP. submitted by the Department of Public Works; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Department of Public Works as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract for the Base Bid be awarded to KOWALSKI ROOFING CORP., whose address is 381 Lake Shore Drive, Brick, NJ 08723 FOR PROVISION OF SALT DOME ROOF REPLACEMENT FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW), for a contract amount not to exceed \$123,600.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with KOWALSKI ROOFING CORP., 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 \$123,600.00 have been certified in Capital Account #04-215-15-02K-122288 by the Chief Financial Officer; and

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

- a. Kowalski Roofing Corp.
- b. Township Business Administrator
- c. Township Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2017-234

A RESOLUTION AWARDING CONTRACTS TO L.J. PESCE, LLC AND PREMIUM GROWERS, INC. FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro has advertised for the acceptance of bids for the PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS ("services"), and on July 6, 2017, received three (3) bids therefore; and

WHEREAS, the three (3) bids received are summarized as follows:

Bidder	Bidder Address	Class 1 - \$275.00 Per Vehicle Per Hour	Class 3 - \$199 Per Vehicle Per Hour	Alt Bid - Class 1 - One Time Set Up Fee of \$2,500.00 + \$240.00 Per Vehicle Per Hour

A&J Construction Co.	5026 Industrial Road, Farmingdale, NJ 07727	# of Vehicles	1	# of Vehicles	2	# of Vehicles	1
L.J. Pesce LLC	100 Igoe Road, Morganville, NJ 07751	# of Vehicles	0	# of Vehicles	2	# of Vehicles	0
Premium Growers Inc	178 State Rt. 34, Holmdel, NJ 07733	# of Vehicles	4	# of Vehicles	6	# of Vehicles	4

WHEREAS, the Township Administration and the Department of Public Works have reviewed the said bids received and have recommended that L.J. Pesce, LLC be awarded the contract for the following items as the lowest responsible bidder for same:

Vehicle Type	Hours	Rate	# of Vehicles	Set up	Total
Class III	80	199.00	2	0.00	31,840.00
					31,840.00

WHEREAS, the Township Administration and the Department of Public Works have reviewed the said bids received and have recommended that Premium Growers, Inc. be awarded the contract for the following items as the lowest responsible bidder for same:

Vehicle Type	Hours	Rate	# of Vehicles	Set up	Total
Class I	80	275.00	4	0.00	88,000.00
Class III	80	199.00	3	0.00	47,760.00
					135,760.00

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$41,900.00, representing 25% of the total estimated contract amount of \$167,600.00 are available in Account No. 01-201-26-119-288105 for the services estimated for 2017, with the balance to be provided for in the 2018 budget; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that contracts be awarded for 2017-2018 contract snow plowing services for a term of one (1) year plus two (2) single option years at the Township's sole discretion:

Vendor Name	Address	City	St	Zip	Total
L.J. Pesce, LLC	100 Igoe Road	Morganville	NJ	07751	31,840.00
Premium Growers, Inc.	178 Highway 34	Holmdel	NJ	07733	135,760.00
				Total	167,600.00
				2017	41,900.00
				2018	125,700.00

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with L.J. Pesce, LLC and Premium Growers, 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 a certified copy of this Resolution shall be provided to each of the following:

- a. L.J. Pesce, LLC
- b. Premium Growers, Inc.
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Director of Public Works

RESOLUTION # 2017-235

RESOLUTION CONFIRMING SALE OF SOLAR
RENEWABLE ENERGY CREDITS (SRECS)
THROUGH INTERNET-BASED AUCTIONS

WHEREAS, on January 29, 2015 (R. 2015-072) the Township Council authorized the participation of Marlboro Township in the New Jersey *E-Procurement Pilot Program* pursuant to the provision of the *Local Unit Electronic Technology Pilot Program and Study Act* (P.L. 2001, C. 30) and approved for the sale of Solar Renewable Energy Credits utilizing on-line competitive bidding services and, in particular, an internet-based auction platform of up to the remaining 50% of future S-RECS generated between June 1, 2015 and May 31, 2017, estimated at approximately 800 S-RECS, provided the bid accepted offers a per S-REC price equal to or higher than \$200.00; and

WHEREAS, the Township Council authorized an agreement with Marex Spectron, with corporate offices located at 360 Madison Avenue, Third Floor, New York, NY 10017, as the on-line purchasing agent, to conduct competitive auctions utilizing an internet-based platform in conjunction with the Township's sale of SRECS at a fee of \$3.00 per SREC; and

WHEREAS, on February 12, 2015 (R. 2015-107) the Township Council confirmed the sale of 800 S-RECS (400 for EY 2016 and 400 for EY 2017) to NRG Power Marketing LLC, 211 Carnegie Center, Princeton, NJ 08540 at a price of \$220.00 per SREC; and

WHEREAS, the Township has generated an additional 98 SRECs for the EY2017 period; and

WHEREAS, Township's Broker, Marex Spectron confirmed a price of \$242.50 per SREC for the additional 98 SRECs (EY 2017); and

WHEREAS, pursuant to R. 2015-072, the Township accepted the offer of \$242.50 per SREC for 98 SRECs (EY 2017) by Spectron Energy, 360 Madison Avenue, Third Floor, New York, NY 10017.

NOW THEREFORE BE IT RESOLVED that the Township Council hereby confirms the acceptance of the offer by Spectron Energy, 360 Madison Avenue, Third Floor, New York, NY 10017 to purchase 98 SRECS (EY 2017) at a price of \$242.50 per SREC.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the necessary documents in a form approved by the Township Attorney to effectuate the transaction.

RESOLUTION # 2017-236

RESOLUTION AUTHORIZING A CONTRACT FOR DISASTER RECOVERY SERVICES AT THE MUNICIPAL COMPLEX THROUGH BIDS OBTAINED BY THE MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION (MRESC)

WHEREAS, on May 15, 2017 the Department of Public Works reported elevated mold spore levels in the area occupied by the Construction Code Division in the municipal complex, designated as Emergency #1714; and

WHEREAS, the Township notified the Township's insurer and authorized the preparation of a remediation work plan; and

WHEREAS, the Township is authorized to purchase DISASTER RECOVERY SERVICES from bids obtained from a cooperative pricing system such as the MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION (MRESC) pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the MIDDLESEX REGIONAL EDUCATION SERVICES COMMISSION (MRESC) conducted a public bidding process and awarded a contract to allRisk, Inc., 501 Kennedy Boulevard, Somerdale, NJ 08083, for the provision of DISASTER RECOVERY SERVICES; and

WHEREAS, the Township contacted the MRESC's current contract vendor, allRisk, Inc. to review the remediation work plan and provide a quote for the DISASTER RECOVERY SERVICES required; and

WHEREAS, allRisk provided a quote to perform the services required by the remediation work plan totaling \$136,780.91; and

WHEREAS, allRisk provided a quote to perform the services required under the remediation work plan totaling \$136,780.91; and

WHEREAS, at this time, the Public Works Department, based upon the scope of work that has been identified and quantified as of this date, has recommended the award of contract for DISASTER RECOVERY SERVICES for a total amount not to exceed \$136,780.91; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to procure DISASTER RECOVERY SERVICES through the MRESC; and

WHEREAS, funds have been certified by the Chief Financial Officer from Capital Account # 04-215-12-08B-122288, 04-215-14-03G-122288 and the Reserve for Insurance Account #01-286-55-004 for this purpose; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of DISASTER RECOVERY SERVICES from allRisk, Inc., at pricing pursuant to the bid obtained by the MRESC, for a total amount not to exceed \$136,780.91.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that authorization is hereby granted to contract for DISASTER RECOVERY SERVICES with allRisk, Inc., 501 Kennedy Boulevard, Somerdale, NJ 08083 through the MRESC in an amount not to exceed \$136,780.91; and

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

- a. All Risk, Inc., Somerdale, NJ
- b. Township Business Administrator
- c. Township Public Works Superintendent
- d. Township Chief Financial Officer

RESOLUTION # 2017-237

A RESOLUTION AUTHORIZING COLLEEN DOLAN, TAX COLLECTOR,
TO COMPLETE APPLICATION TO PARTICIPATE IN
ELECTRONIC TAX SALE PROCESS

WHEREAS, N.J.S.A 54:5-19, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

WHEREAS, Chief Financial Officer Lori A. Russo has advised that an electronic tax sale is innovative and provides a greater pool of potential lien buyer, thus creating the environment for a more complete tax sale process; and

WHEREAS, Mrs. Russo has recommended that Colleen Dolan be authorized to complete the necessary application for the Township of Marlboro to participate in the electronic tax sale; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Township of Marlboro wishes to participate in the pilot program for an electronic tax sale; and BE IT FURTHER RESOLVED that Colleen Dolan, Tax Collector shall and hereby is authorized to complete an application to participate in the electronic tax sale program and submit the same to the Director of Local Government Services.

RESOLUTION # 2017-238

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$130,659.91 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 \$130,659.91 be refunded to the certificate holders as per Schedule "A",

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>SCHEDULE "A"</u> <u>LIENHOLDER</u>	<u>AMOUNT</u>
2014-075	300.01/1	MTAG Custodian for Fig Capital Investments 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Gillani, Nadir	3,504.02
2016-062	213/29	Tom Tiehua Cao 19 Edendale Street Lereda Ranch, CA 92694 Assessed Owner: Lobdell, David & Brooke	1,357.45
2016-057	195/6	Tom Tiehua Cao 19 Edendale Street Lereda Ranch, CA 92694 Assessed Owner: NS0152RE1, LLC	8,902.88
2016-093	299/167	US Bank Cust BV002 Trst & Crdtrs 50 South 16 th , Suite 2050 Philadelphia, PA 19102 Assessed Owner: Connelly, Anne	8,885.75
2015-060	208/1	Christiana Trust as Custodian GSRAN-Z, LLC Deposit Account PO Box 71276 Philadelphia, PA 19176 Assessed Owner: Lydick, Debra S.	63,434.38
2016-105	332/12.14	Actlien Holding, Inc. 50 South 16 th , Suite 2050 Philadelphia, PA 19102 Assessed Owner: US Bank NA as Trustee	2,424.27
2016-132	412/110	TWR as CST for Ebury Fund 2 PO Box 54908 New Orleans, LA 70154 Assessed Owner: Bayview Loan Servicing	3,385.80

2016-040	176/7/C1005	MTAG Custodian for Fig Capital Investments 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Long, Tara (Estate)	2,879.20
2015-018	146/13	Comian Investment Group 700 Route 130, Suite 101 Cinnaminson, NJ 08077 Assessed Owner: Woods, James & Ethel	11,005.00
2016-107	337/222	MTAG Custodian for Fig Capital Investments 8323 Ramona Blvd West Suite 2 Jacksonville, FL 32221 Assessed Owner: Koopman, Peter & Deacon, Kimberlee	2,345.67
2015-112	396/1/C0252	TTLBL, LLC 4747 Executive Drive, Suite 510 San Diego, CA 92121 Assessed Owner: Rozov, Moshe & Amit	2,717.22
2014-096	396/1/C0252	US Bank Cust for PC5 & Crdtrs 50 South 16 th , Suite 2050 Philadelphia, PA 19102 Assessed Owner: Rozov, Moshe & Amit	2,348.32
2016-092	288/29/C0465	Daxuan Wang 11 Walnut Street Livingston, NJ 07039 Assessed Owner: Damato, Linda	17,469.95

At 7:30 PM, Councilman Metzger moved that the meeting enter into executive session for discussion of contract negotiations - PBA Local 196). This was seconded by Councilwoman Mazzola and the resolution was passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-239

EXECUTIVE SESSION

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 13th day of July, 2017 to enter into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely contract negotiations - contract negotiations (PBA Local 196).

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 10 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 7:40 PM, Councilman Metzger offered a motion to return to regular business, which was seconded by Councilwoman Mazzola and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

The following Resolution #2017-240 (Authorizing a Memorandum of Agreement Between the Township of Marlboro and PBA Local 196) was introduced by reference, offered by Councilwoman Mazzola, seconded by Council Vice President Marder, and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

RESOLUTION # 2017-240

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT
BETWEEN THE TOWNSHIP OF MARLBORO AND PBA LOCAL 196

WHEREAS, the Township and PBA Local 196 ("PBA") are parties to a collective bargaining agreement that expired on December 31, 2016; and

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

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

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous

collective bargaining agreement that expired on December 31, 2016, for an extended term of January 1, 2017 through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and PBA, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that expired on December 31, 2016; and

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

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

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

- a. PBA Local 196
- b. Mayor Jonathan L. Hornik
- c. Township Administrator
- d. Chief Financial Officer
- e. Township Attorney

At 7:45 PM, Councilwoman Mazzola moved that the meeting be adjourned. This was seconded by Council Vice President Marder, and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Scalea).

MINUTES APPROVED:

OFFERED BY: MARDER

AYES: 3

SECONDED BY: METZGER

NAYS: 0

ABSTAIN: CANTOR

ABSENT: SCALEA

ALIDA MANCO,
MUNICIPAL CLERK

RANDI MARDER,
COUNCIL VICE PRESIDENT