

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

August 10, 2017

The Marlboro Township Council held its regularly scheduled Meeting on August 10, 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 and Council President Cantor. Councilman Scalea was absent.

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

Council Vice President Marder moved that the minutes of July 13, 2017 be approved. This was seconded by Councilman Metzger, and passed on a roll call vote of 3 - 0 with Council President Cantor abstaining (Absent: Scalea).

The following Resolution #2017-241/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. Council President Cantor opened the Public Hearing on Ordinance #2017-8. As there was no one who wished to speak, the public hearing was closed and the resolution/ordinance was passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2017-241

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.

which was introduced on July 13, 2017, public hearing held on August 10, 2017, be adopted on second and final reading this 10th day of August, 2017.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

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 #2017-242/Ordinance #2017-9 (Authorizing Execution of Easement and Right-of-Way Agreement to JCP&L - Electrical Service Harbor Road Treatment Plant) was introduced by reference, offered by Council Vice President Marder and seconded by Councilman Metzger and was passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2017-242

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

ORDINANCE # 2017-9

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AND RIGHT-OF-WAY AGREEMENT FROM THE TOWNSHIP OF MARLBORO AS SUCCESSOR-IN-INTEREST TO THE MARLBORO TOWNSHIP MUNICIPAL UTILITIES AUTHORITY TO JERSEY CENTRAL POWER & LIGHT FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF ELECTRICAL SERVICE

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 September 7, 2017 at 7:00 p.m. at the Marlboro Greens Clubhouse, 1 Ivy Hill Drive, Englishtown, NJ 07726, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2017-9

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AND RIGHT-OF-WAY AGREEMENT FROM THE TOWNSHIP OF MARLBORO AS SUCCESSOR-IN-INTEREST TO THE MARLBORO TOWNSHIP MUNICIPAL UTILITIES AUTHORITY TO JERSEY CENTRAL POWER & LIGHT FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF ELECTRICAL SERVICE

WHEREAS, the Township of Marlboro ("Township") is successor to the Marlboro Township Municipal Utilities Authority ("MTMUA"); and

WHEREAS, the Township, as successor-in-interest to the MTMUA, is the owner of properties known as: Block 171, Lot 71, on the Official Tax Map of the Township of Marlboro, and

commonly known as the Harbor Road Treatment Plant ("The Property") located on Harbor Road; and

WHEREAS, Jersey Central Power & Light ("JCPL"), a public utility regulated by the New Jersey Board of Public Utilities, requires an easement and right of way over, under and through a portion of the Property for the purpose of providing electric service and

WHEREAS, Pursuant to the Local Land and Buildings Law, NJSA 40A: 12-1 et seq., the Township of Marlboro has the power to convey an easement upon any real property; and

WHEREAS, the Township Council of the Township of Marlboro finds that it would be in the best interest of the Township of Marlboro to convey the necessary easement and right of way to JCP&L.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

(1) an Easement and Right-of-Way to JCP&L over, under and through a portion of the property known as Block 171, Lot 71 on the Official Tax Map of the Township of Marlboro, and commonly known as the Marlboro Municipal Complex located at 14 Harbor Road for the purpose of the installation of natural gas service pursuant to the recommendation of the Township Engineer as further described on the Easement and Right Of Way Agreement attached hereto and made a part hereof as Exhibit "A", for nominal consideration, be and is hereby authorized and approved; and

(2) the Mayor and Township Clerk are hereby authorized to execute and witness an Easement and Right-of-Way Agreement, the form of which shall be subject to the review and approval of the Township Attorney, conveying the afore described Easement and Right-of-Way over a portion of the Property from the Township of Marlboro to JCP&L; and

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

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

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

The following Resolution #2017-243 (Determining Form and Other Details - Refunding Bonds) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Metzger, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2017-243

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$11,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017, OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, OR SUCH OTHER AMOUNT AS DETERMINED BY THE CHIEF FINANCIAL OFFICER TO ACCOMPLISH THE REFUNDING ON THE TERMS REQUIRED BY THE LOCAL FINANCE BOARD PURSUANT TO N.J.A.C. 5:30-2.5 AND CONSISTENT WITH THE REFUNDING PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986 AND PROVIDING FOR THE SALE AND DELIVERY OF SUCH BONDS TO RBC CAPITAL MARKETS, LLC.

BE IT RESOLVED 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. An amount not to exceed \$11,000,000 of General Obligation Refunding Bonds of the Township of Marlboro, in the County of Monmouth, New Jersey (the "*Township*"), in specific amounts to be determined as provided herein and as more fully described in a refunding bond ordinance finally adopted by the Township pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq. on August 10, 2017, and entitled, "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", shall be issued as "General Obligation Refunding Bonds, Series 2017" (the "*Bonds*"), consisting of "General Improvement Refunding Bonds", "Water Utility Refunding Bonds" and "Open Space Refunding Bonds".

Section 2. The Bonds are hereby authorized to be sold to RBC Capital Markets, LLC (the "*Underwriter*") at a purchase price determined by the parameters set forth below and otherwise consistent with the parameters set by the Local Finance Board in the Division of Local Government Services, Department of Community Affairs, pursuant to N.J.A.C. 5:30-2.5 (the "*LFB Refunding Parameters*"):

- (a) the principal amount of the Bonds does not exceed \$11,000,000;
- (b) the net present value savings is at least three percent of the par amount of the Refunded Bonds (as defined herein);
- (c) the debt service on the Bonds shall be structured such that no annual debt service payment is more than the annual debt service payment on the Refunded Bonds in the same year;
- (d) the final year of maturity of the Bonds does not exceed the final year of maturity of the Refunded Bonds;
- (e) the debt service savings are substantially level in each year across the life of the refunding;
- (f) the true interest cost of the Bonds does not exceed an interest rate that would enable the Township to complete the refunding within the LFB Refunding Parameters; and
- (g) the Underwriter's discount does not exceed \$5.50 per \$1,000 of Bonds issued.

Section 3. The Mayor and/or the Chief Financial Officer (each, an "*Authorized Officer*") are each hereby authorized and directed, without further authorization, to enter into and execute a bond purchase contract (the "*Purchase Contract*") on behalf of the Township with the Underwriter in the form satisfactory to Bond Counsel (as defined herein) and upon terms consistent with the LFB Refunding Parameters. Upon execution of the Purchase Contract, the signature of such Authorized Officer shall be conclusively presumed to evidence any necessary approvals for the sale of the Bonds. If the Chief Financial Officer, after consultation with the Underwriter, determines that the LFB Refunding Parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale

on different terms is otherwise approved by resolution of this Township Council.

Section 4. (a) The Bonds shall be issued in the par amounts consistent with the LFB Refunding Parameters and determined by the Chief Financial Officer to be necessary to pay the costs of issuance of the Bonds and to provide an escrow fund that, when invested, will be sufficient to provide for the timely payment of the redemption price of and interest on the \$9,995,000 outstanding principal amount of the Township's General Obligation Bonds, Series 2010, consisting of \$8,474,000 outstanding principal amount of General Improvement Bonds, \$480,000 outstanding principal amount of Water Utility Bonds and \$1,041,000 outstanding principal amount of Open Space Bonds, originally issued in the aggregate principal amount of \$19,000,000 and dated October 14, 2010, which amount matures on October 1 in each of the years 2021 to 2025, inclusive (the "*Refunded Bonds*").

(b) The Bonds shall be dated and shall bear interest at the rates per annum as the Chief Financial Officer shall determine.

(c) The Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Township as determined in the Purchase Contract.

(d) The Bonds shall mature in each of the years 2021 to 2025, inclusive, or in such other years and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

e) The Bonds may be subject to redemption prior to their stated maturities on terms approved by the Chief Financial Officer.

(f) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of the Bonds of each series maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee for The

Depository Trust Company, New York, New York, which will act as securities depository (the "*Securities Depository*"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and records of the Securities Depository and its participants.

(g) The principal of and interest on the Bonds will be paid to the Securities Depository by the Township on the respective principal and interest payment dates and will be credited on the respective principal and interest payment dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of the 15th day of the month immediately preceding such principal and interest payment dates (the "*Record Dates*" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal of the Township (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 5. The Mayor and/or the Chief Financial Officer are each hereby authorized and directed to pay all costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Mayor and/or the Chief Financial Officer to be executed upon delivery of the Bonds, each such cost in an amount not to exceed the amount set forth in Exhibit A attached hereto or, if in any greater amount, only upon the prior approval of the Township in accordance with the customary procedure for approval and payment of bills.

Section 6. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to market the Bonds:

[FORM OF BOND]

REGISTERED

REGISTERED

NUMBER GOR- _____

\$ _____

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

COUNTY OF MONMOUTH

TOWNSHIP OF MARLBORO

[GENERAL IMPROVEMENT] [WATER UTILITY] [OPEN SPACE]

REFUNDING BOND, SERIES 2017

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

INTEREST PAYMENT DATES:

INITIAL INTEREST PAYMENT
DATE:

RATE OF INTEREST PER ANNUM:

CUSIP NUMBER:

TOWNSHIP OF MARLBORO, in the County of Monmouth, New Jersey (the "*Township*"), hereby acknowledges itself indebted and for value received promises to pay to Cede & Co., as nominee for The Depository Trust Company, which will act as Securities Depository, on the MATURITY DATE, the PRINCIPAL AMOUNT and to pay interest on such sum from the DATED DATE of this bond until the MATURITY DATE at the RATE OF INTEREST PER ANNUM semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Interest on this bond will be paid to the Securities Depository by the Township and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the 15th day of the month immediately preceding each INTEREST PAYMENT DATE (the "*Record Dates*" for such payments). Principal of this bond, upon presentation and surrender to the Township, will be paid to the Securities Depository by the Township and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest. The participants are responsible for maintaining the records regarding the beneficial ownership interest in the bonds on behalf of the individual purchasers except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants.

[The
Bonds are
not
subject
to
redemptio
n prior
to their
stated
maturity.
]

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, a refunding bond ordinance of the Township finally adopted on August 10, 2017, and entitled, "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", and a resolution of the Township duly adopted on August 10, 2017.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue

Section 9. The Bonds are being issued to refund the Refunded Bonds. The Chief Financial Officer shall take all steps necessary to redeem the Refunded Bonds on the first available redemption date at the applicable redemption price, deposit the proceeds of the Bonds with a bank for the purpose of defeasing the Refunded Bonds, invest the proceeds of the Bonds for this purpose and assist with the redemption of the Refunded Bonds. The Chief Financial Officer is hereby authorized to enter into an escrow deposit agreement with a bank to effectuate the purpose of this Section 9.

Section 10. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code.

Section 11. The Township hereby approves the preparation and distribution of the Official Statement on behalf of the Township in the form approved or to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Mayor or the Chief Financial Officer. The Official Statement shall be prepared in final form in connection with the issuance of the Bonds and the Authorized Officers are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Underwriter of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the Underwriter's confirmations that request payment for the Bonds.

Section 12. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository, as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

Section 13. In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor securities depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "*Registered Bonds*") in denominations of \$5,000. The beneficial owner under the book-entry system, upon registration of the Bonds held in such beneficial owner's name, will become the registered owner of such Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 14. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "*Rule*"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(i) on or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31 of the year in which the Bonds are issued, to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Dataport (the "*MSRB*"), annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (i) Township and overlapping indebtedness, including a schedule of outstanding debt issued by the Township, (ii) property valuation information and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting practices as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the MSRB;

(ii) in a timely manner not in excess of ten business days after the occurrence of the event, to the MSRB notice of any of the following events with respect to the Bonds:

(1) Principal and interest payment delinquencies;

(2) Non-payment related defaults, if material;

(3) Unscheduled draws on debt service reserves reflecting financial difficulties;

(4) Unscheduled draws on credit enhancements reflecting financial difficulties;

(5) Substitution of credit or liquidity providers or their failure to perform;

(6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) Modifications to the rights of holders of the Bonds, if material;

(8) Bond calls, if material, and tender offers;

(9) Defeasances;

(10) Release, substitution or sale of property securing repayment of the Bonds, if material;

(11) Rating changes;

(12) Bankruptcy, insolvency, receivership or similar event of the Township;

(13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the

ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Township in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Township, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Township; and

(iii) in a timely manner, to the MSRB notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution.

(b) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(c) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. The Chief Financial Officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution; *provided*, such amendment is, in the

opinion of nationally recognized bond counsel, in compliance with the Rule.

(d) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

(e) The undertaking may be amended by the Township from time to time, without the consent of the holders or beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or a change in law, which in the opinion of nationally recognized bond counsel complies with the Rule.

(f) There can be no assurance that there will be a secondary market for the sale or purchase of the Bonds. Such factors as prevailing market conditions, financial condition or market position of firms who may make the secondary market and the financial condition of the Township may affect the future liquidity of the Bonds.

Section 15. The Mayor, the Township Administrator, the Chief Financial Officer, the Township Clerk and other appropriate representatives of the Township are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Township, satisfying in full the requirements of notice of redemption of the Refunded Bonds and taking all steps necessary or desirable to implement this resolution and such agreements and documents as may be necessary and appropriate for the transactions contemplated hereby and thereby.

Section 16. This resolution shall take effect immediately.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor: Absent: Scalea Res. #2017-244 (Authorizing One Year Renewal - Disposal of Asphalt Millings), Res. #2017-245

(Authorizing One Year Renewal - Emergency Water Main Repairs), Res. #2017-246 (Authorizing One Year Renewal - Water Meters), Res. #2017-247 (Authorizing One Year Renewal - Chemicals), Res. #2017-248 (Award of Bid - Refueling/Pump System - Phase II), Res. #2017-249 (Accepting Donation from Whole Foods - Recreation), Res. #2017-250 (Authorizing Transfer of Tax Sale Cert Premiums from Trust Account to Current Account, Res. #2017-251 (Establishing New Petty Cash Fund for Police), Res. #2017-252 (Authorizing Award of State Contract to SHI Intl Corp for Spatial Data Logic Enterprise Licenses), Res. #2017-253 (Authorizing Contract Renewal - Uniforms - Year 2), Res. #2017-254 (Requesting Approval of Items of Revenue), Res. #2017-255 (Authorizing Transfer and Acceptance of Surplus Military Equipment from US Department of Defense 1033 Program), Res. #2017-256 (Authorizing State Contract Purchase of Replacement Class 2 Pick Up Trucks), Res. #2017-257 (Authorizing Contract Renewal - Type 13 Bulk Waste Disposal - Year 3), #2017-258 (Authorizing Contract Renewal - Snow Removal Parking Lots - Year 3), Res. #2017-259 (Award of Bid - Replacement Leaf Machine), Res. #2017-260 (Award of Bid - Electrical Repair Services), Res. #2017-261 (Authorizing Award of Contract - Lease of Farming Rights - B 159, L 1 - Dimeo), Res. #2017-262 (Authorizing Award of Contract - Lease of Farming Rights - B 155, L 13.03 - McCarron), Res. #2017-263 (Authorizing Award of Contract - Dump Truck and Snow Removal Equipment Rental), Res. #2017-264 (Authorizing Renewal of Shared Service Agreement WMUA for Provision of Snow Plow Operators), Res. #2017-265 (Award of Bid - Water Valve Replacement), Res. #2017-266 (Confirming Emergency electrical Repairs - Tennent Road Pump Station), Res. #2017-267 (Redemption Tax Sale Certs - Various), Res. #2017-268 (Disabled Veteran Exemption - 4 Caitlin Place), Res. #2017-269 (Disabled Veteran Exemption - 61 Coventry Terrace), Res. #2017-270 (Disabled Veteran Exemption - 214 Knightsbridge Lane).

RESOLUTION # 2017-244

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL
ENGINEERING SERVICES ASSOCIATED WITH DESIGN AND
CONSTRUCTION OF STAND-BY WELL # 5A AT
THE TENNENT ROAD TREATMENT PLANT

WHEREAS, the Township of Marlboro constructed a new water treatment plant at Tennent Road which draws water from the Middlesex Water Interconnection and an underground well also known as Well # 5; and

WHEREAS, as part of its long term capital program (500-07), the Water Utility identified the need for additional redundancy at the new Tennent Road WTP facility, and called for the construction of a "stand-by" well; and

WHEREAS, the Water Utility has received approval from the NJDEP to construct a stand-by well which can supply water when Well #5 is not operational for any reason, ensuring the continuity of the 'homegrown' water supply and further reducing the reliance on outside supplies("Well #5A" or "Project"); and

WHEREAS, the Project scope also includes the construction of permanent winterized structures for Well #5 and Well #5A to further enhance the Utility's ability to pump water in extreme temperatures, and modifications to the Middlesex Water Company interconnect (meter chamber) at Tennent Road; 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 27, 2017 (the "Proposal") for the design and construction 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 \$124,200.00 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 \$124,200.00 are available for this purpose from Water Capital Account #06-215-12-26A-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 DESIGN AND CONSTRUCTION OF STAND-BY WELL # 5A AT THE TENNENT ROAD TREATMENT PLANT by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$124,200.00 for such Professional Services, as further described and set forth in CME's Proposal dated April 27, 2017, 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 \$124,200.00 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
- d. Township Director of Public Works

RESOLUTION # 2017-245

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A TURF ATHLETIC FIELD AT THE MARLBORO MUNICIPAL COMPLEX H&L FIELDS

WHEREAS, the Township of Marlboro is looking to improve and expand recreational opportunities for its residents; and

WHEREAS, there are more than 2,000 participants in the Marlboro soccer program; and

WHEREAS, the Township's capital program as well as the 2009 Report of the Master Recreation Plan Committee call for the upgrade of athletic fields and facilities; and

WHEREAS, due to water allocation restrictions imposed by the New Jersey Department of Environmental Protection (NJDEP), the Township is unable to pursue the irrigation of the grass fields at the Marlboro Municipal Complex H&L Fields; and

WHEREAS, in light of the restrictions on irrigation, in order to provide for adequate playing fields at the H&L Field location, the Township desires to construct an additional turf field ("Project"); and

WHEREAS, the Township has a 25% reimbursement grant from New Jersey Green Acres totaling \$194,477.02 specific to the construction of soccer facilities at the H&L location; and

WHEREAS, the Township has received a commitment of a donation of \$200,000.00 from the Marlboro Soccer Boosters; and

WHEREAS, the Township has existing capital authorizations and funding in place for the balance of the athletic field improvements at the Municipal Complex; and

WHEREAS, in order to take advantage of the available funding and embark on this project, the Township requires survey, design, bid phase and construction management services; and

WHEREAS, CME Associates has provided a proposal dated June 27, 2017 (the "Proposal") for such Professional Services 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 Project at a fee not to exceed \$109,000.00 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 Capital Accounts #04-215-06-19I-145288 and #04-215-12-08E-145288; 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 Proposals; 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 IN CONNECTION WITH THE CONSTRUCTION OF A TURF ATHLETIC FIELD AT THE TOWNSHIP OF MARLBORO MUNICIPAL COMPLEX H&L FIELDS by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$109,000.00 for such Professional Services, as further described and set forth in CME's Proposal dated June 27, 2017, 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 \$109,000.00 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 # 2017-246

RESOLUTION AUTHORIZING AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT WITH WISS & COMPANY, LLP AS INDEPENDENT AUDITOR FOR ADDITIONAL SERVICES IN CONNECTION WITH THE ISSUANCE OF REFUNDING BONDS AND BOND ANTICIPATION NOTES

WHEREAS, ON January 5, 2017, the Township Council adopted Resolution 2017-022 authorizing a contract with WISS & COMPANY, LLP to provide the services of an INDEPENDENT AUDITOR for the period of January 1, 2017 through December 31, 2017; and

WHEREAS, the Township is in need of additional services from the Township Auditor in connection with the issuance of refunding bonds and bond anticipation notes, for a fee in an amount not to exceed \$5,000.00 for each engagement; and

WHEREAS, the Township of Marlboro and WISS & COMPANY, LLP 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 \$10,000.00 for such Professional Services; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from various Capital Accounts; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with WISS & COMPANY, LLP to provide the required additional Professional Services ; 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, WISS & COMPANY, LLP 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 WISS & COMPANY, LLP and the Township of Marlboro, to expand the current scope to include additional services IN CONNECTION WITH THE ISSUANCE OF REFUNDING BONDS AND BOND ANTICIPATION NOTES by way of its Township Auditors ("Professional Services"), at a fee not to exceed \$10,000.00 for such Professional Services, be and is hereby authorized.

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.

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 \$10,000.00 for such additional Professional Services for the Projects as described in this resolution.

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.

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. Wiss & Company, LLP
- b. Township Business Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2017-247

A RESOLUTION AUTHORIZING AN AMENDMENT TO A
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL
ENGINEERING AND PLANNING SERVICES ASSOCIATED WITH THE
SURVEY OF TOWNSHIP ASH TREES

WHEREAS, the New Jersey Department of Agriculture has reported a presence of the Emerald Ash Borer (EAB), a non-native insect pest that infects and kills all species of Ash Trees in North America; and

WHEREAS, the EAB has killed tens of millions of Ash Trees in Michigan alone, as well as hundreds of millions of additional trees in the other infested states and providences; and

WHEREAS, 24.7 million ash trees, primarily located in the northern areas of the State make up approximately 9% of New Jersey forests; and

WHEREAS, in light of the recent presence and potential detrimental effects of the EAB, the Township of Marlboro is proactively seeking services to address a potential EAB infestation; and

WHEREAS, the proposed scope of work will include a survey of roadways to locate and quantify the number of ash trees and the preparation of a map, as well as the provision of support to Township representatives in addressing public concerns and evaluating policy options("Project"); and

WHEREAS, the Township is in need of professional engineering and planning services for the surveying, mapping, and management activities associated with the Project; and

WHEREAS, CME Associates has provided a proposal dated August 3, 2017 (the "Proposal") for 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 \$7,500.00 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 \$7,500.00 are available for this purpose from Trust 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 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 AND PLANNING SERVICES ASSOCIATED WITH THE SURVEY OF TOWNSHIP ASH TREES by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$7,500.00 for such Professional Services, as further described and set forth in CME's Proposal dated August 3, 2017, be and is hereby authorized.

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.

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 \$7,500.00 for such additional Professional Services for the Projects as described in the Proposal.

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.

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
- d. Shade Tree Committee Chairman

RESOLUTION # 2017-248

RESOLUTION AUTHORIZING MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM

WHEREAS, the Township of Marlboro desires to become a member of the Educational Services Commission of New Jersey Cooperative Pricing System, #65-MCESCCPS, effective immediately, and that such membership shall be for the period ending May 21, 2022, and each renewal thereafter of the system, unless the Township of Marlboro elects to formally withdraw from the system;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor and Clerk are hereby authorized to execute the attached agreement for such membership.

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

- a. Educational Services Commission of New Jersey
- b. Township Administration
- c. Township Chief Financial Officer

RESOLUTION # 2017-249

A RESOLUTION AUTHORIZING ACCEPTANCE OF PROCEEDS
FROM WHOLE FOODS MARKET'S FOOD CONCESSION DURING
MARLBORO RECREATION'S SUMMER CONCERT SERIES

WHEREAS, Whole Foods opened in Marlboro on 05/21/2014; and

WHEREAS, Whole Foods Market Marlboro approached the Recreation Department to supply the food and staff for the food concessions for Marlboro's Summer Concert Series; and

WHEREAS, Whole Foods is donating all proceeds and revenues received from the food concession to the Recreation Department in the amount of \$1,702.00; and

WHEREAS, there has been no promise of future employment, services, goods or other thing of value exchanged in return for said donation.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the proceeds from Whole Market Foods as described above is hereby accepted.

BE IT FURTHER RESOLVED that the Township Council of the Township of Marlboro hereby extends it thanks and appreciation to Whole Foods management and staff for the store's support of the Marlboro community.

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 Financial Officer
- c. Township Recreation Director
- d.

RESOLUTION # 2017-250

AUTHORIZING THE TRANSFER OF TAX SALE CERTIFICATE
PREMIUMS FROM TRUST ACCOUNT TO CURRENT ACCOUNT

WHEREAS, pursuant to N.J.S.A. 54:5-33, premiums paid by purchasers of Tax Sale Certificates are escheated by the Municipality if a period of five (5) years passes without the Tax Sale Certificate being redeemed; and

WHEREAS, the Tax Collector's office has identified five (5) Tax Sale Certificates not redeemed after five (5) years, for which premiums have been paid.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, the following premiums shall be transferred from the Trust Account and placed into the Current Account:

Certificate	Date Purchased	Amount	Lien Holder	Block	Lot
2006-006	04/06/06	\$ 1,500.00	Philip Brodtkin	146	6
2008-024	04/10/08	\$ 800.00	Mary Tawadros	327	55
2011-062	04/06/11	\$ 100.00	Income One	172	8
2011-069	04/06/11	\$30,000.00	BC Pam L.P. c/o Ignatius Debella	153	39.02
2011-076	04/06/11	\$ 7,100.00	OTS Ace Plus, LLC	331	4

RESOLUTION # 2017-251

RESOLUTION ESTABLISHING A NEW PETTY CASH FUND

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution, and

WHEREAS, it is the desire of the Township of Marlboro, County of Monmouth to establish such a fund for the Division of Police in the amount of \$200.00, and

WHEREAS, the custodian for this fund is Captain Peter Pezzullo, who is bonded for the amount of \$50,000.00 by virtue of the Township's Public Employee Dishonesty blanket crime policy; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures.

NOW, THEREFORE, BE IT RESOLVED that the Township of Marlboro, County of Monmouth hereby authorizes such action and two copies of the resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

RESOLUTION # 2017-252

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #89851
TO SHI INTERNATIONAL CORP. FOR SPATIAL DATA LOGIC
ENTERPRISE LICENSE AND PORTAL FOR
THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro currently utilizes Spatial Data Logic software extensively throughout the Township for permitting and complaint tracking in several municipal departments; and

WHEREAS, the Township wishes to continue to utilize the software by renewing the Enterprise License of Spatial Data Logic; and

WHEREAS, the Marlboro Township Information Technology Division has recommended that the Township renew the Spatial Data Logic Enterprise License from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under State Contract #89851 in an amount not to exceed \$49,955.00; 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 to obtain the Spatial Data Logic Enterprise License; and

WHEREAS, funds in the amount of \$49,955.00 have been certified by the Chief Financial Officer in current fund account #01-201-20-033-281; and

WHEREAS, the Township Council desires to approve the renewal of said software license;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to renew the Spatial Data Logic Enterprise License from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under State Contract #89851 in an amount not to exceed \$49,955.00; and

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

- a. SHI INTERNATIONAL CORP.
- b. Township Administrator
- c. Township Division of Information Technology
- d. Township Chief Financial Officer

RESOLUTION # 2017-253

A RESOLUTION APPROVING RENEWAL OF CONTRACT (YEAR 2) WITH RED THE UNIFORM TAILOR FOR THE PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, on August 11, 2016 (R.2016-258) the Township Council of the Township of Marlboro awarded a contract to RED THE UNIFORM TAILOR FOR THE PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT ; and

WHEREAS, the bid specifications included the option to renew said contract for an additional one (1) two-year period or two (2) one-year periods based on the same terms and conditions as specified in the bid proposal at the exclusive option of the Township; and

WHEREAS, in a memo dated July 14, 2017, the Chief of Police has recommended that the Township approve a one (1) year extension 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 with RED THE UNIFORM TAILOR whose address is 475 Oberlin Avenue South, Lakewood, NJ 08701 be extended for an additional year commencing on September 1, 2017 and expiring on August 31, 2018, in a total amount not to exceed \$50,000.00 in accordance with terms and conditions specified in the bid proposal.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$16,666.67 are available for the aforesaid contract in 2017 Budget Accounts #01-201-25-212-266212 and 01-201-25-106-266.

BE IT FURTHER RESOLVED funds in the amount of \$33,333.33 will be made available and certified in 2018 upon the adoption of the budget.

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

- a. RED THE UNIFORM TAILOR, INC.
- b. Township Business Administrator
- c. Township Chief of Police
- d. Township Chief Financial Officer

RESOLUTION # 2017-254

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 \$5,500.00, which items are now available as a revenue from the New Jersey Department of Law and Public Safety as the "Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant".

Section 2

BE IT FURTHER RESOLVED that the amount of \$5,500.00 be hereby appropriated under the caption "Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant".

RESOLUTION # 2017-255

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 # 2017-256

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #88727
TO BEYER FORD FOR THE PURCHASE OF REPLACEMENT VEHICLES
AND RELATED EQUIPMENT FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2017 capital program (120-1) authorized the purchase of replacement pick-up trucks with snow plows for the Department of Public Works; 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, Beyer Ford was awarded State Contract #88727 for two 2017 Ford Super Duty F-250 SRW XL 4WD Regular Cab 8' Box Pickup Trucks equipped with all options for a price of \$29,296.50 per truck, with the exception of trailer plug install, plow deflector, spray-in bedliner, back up alarm, vehicle undercoating, back rack, (2) UB LED scene/work lights mounted to back rack and (4) corner amber LEDs totaling \$3,535.00 per truck; and

WHEREAS, while impractical to purchase the above-listed vehicle options separately from the vehicles themselves, the Township attempted to solicit pricing on those options not covered under the State Contract, and determined that the price quoted by Beyer Ford was the lowest and most advantageous; 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 replacement vehicles to be utilized by the Department of Public Works; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$65,663.00 from various Capital Accounts, and

WHEREAS, the Township Council desires to approve the purchase of the replacement vehicles.

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 replacement vehicles and related equipment from Beyer Ford, under State Contract #88727 in an amount not to exceed \$65,663.00.

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

- a. Township Administrator
- b. Township Director of Public Works

RESOLUTION # 2017-257

A RESOLUTION APPROVING RENEWAL OF CONTRACT (YEAR 3) WITH FREEHOLD CARTAGE, INC. FOR THE DISPOSAL OF TYPE 13 BULKY WASTE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) RECYCLING BUREAU

WHEREAS, on June 18, 2015 (R.2015-229) the Township Council of the Township of Marlboro awarded a contract to FREEHOLD CARTAGE, INC. for the DISPOSAL OF TYPE 13 BULKY WASTE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) RECYCLING BUREAU; 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 as specified in the bid proposal at the exclusive option of the Township; and

WHEREAS, on August 8, 2016 (R.2016-260) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated July 26, 2017, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension 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 the contract with FREEHOLD CARTAGE, INC. whose address is 825 Highway 33,

Freehold, NJ 07728 be extended for an additional year commencing on September 1, 2017 and expiring on August 31, 2018, in a total amount not to exceed \$53,200.00 in accordance with the terms and conditions as specified in the bid proposal; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds in the amount of \$17,733.33 are available for the aforesaid contract in the 2017 Budget Account 01-201-32-170-233112; and

BE IT FURTHER RESOLVED, that funds in the amount of \$35,466.67 will be made available and certified in 2018 upon adoption of the budget.

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

- a. FREEHOLD CARTAGE, INC.
- b. Township Business Administrator
- c. Department of Public Works
- d. Chief Financial Officer

RESOLUTION # 2017-258

A RESOLUTION APPROVING RENEWAL OF CONTRACT (YEAR 3)
WITH GARDEN IRRIGATION FOR THE PROVISION OF EQUIPMENT
RENTAL AND OPERATOR SERVICE FOR THE TOWNSHIP
OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on October 8, 2015 (R.2015-312) the Township Council of the Township of Marlboro awarded a contract to GARDEN IRRIGATION FOR THE PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; 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 as specified in the bid proposal at the exclusive option of the Township; and

WHEREAS, on September 15, 2016 (R.2016-282) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated July 28, 2017, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension 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 with GARDEN IRRIGATION whose address is 316 Tennent Road, Morganville, NJ 07751 be extended for an additional year commencing on October 1, 2017 and expiring on September 30, 2018, in a total amount not to exceed \$58,800.00 in accordance with the terms and conditions specified in the bid proposal; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$11,760.00 are available for the aforesaid contract in 2017 Budget Account #01-201-26-119-288310.

BE IT FURTHER RESOLVED funds in the amount of \$47,040.00 will be made available and certified in 2018 upon adoption of the budget.

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

- a. Garden Irrigation
- b. Township Business Administrator
- c. Department of Public Works
- d. Chief Financial Officer

RESOLUTION # 2017-259

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO OLD DOMINION BRUSH CO. FOR THE PROVISION OF ONE (1) NEW AND UNUSED MODEL YEAR 2017 OR NEWER SELF CONTAINED LEAF VACUUM MACHINE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2017 capital program (120-19) authorized the purchase of a ONE (1) NEW AND UNUSED MODEL YEAR 2017 OR NEWER SELF CONTAINED LEAF VACUUM MACHINE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for ONE (1) NEW AND UNUSED MODEL YEAR 2017 OR NEWER SELF CONTAINED LEAF VACUUM MACHINE, and on August 1, 2017, received one (1) bid, as follows:

Old Dominion
Brush Co.

5118 Glen Alden
Dr.

Richmond VA
23231

BASE BID

Item A	One (1) 2017 or Newer Self Contained Leaf Machine	\$62,539.00
Grand Total		62,539.00

; and

WHEREAS, in a memo dated August 1, 2017, the Director of Public Works has reported that OLD DOMINION BRUSH CO., the sole bidder, is responsive and has recommended that the contract for ONE (1) NEW AND UNUSED MODEL YEAR 2017 OR NEWER SELF CONTAINED LEAF VACUUM MACHINE be awarded to OLD DOMINION BRUSH CO., 5118 Glen Alden Drive, Richmond, VA 23231; and

WHEREAS, the Director of Public Works has recommended that the contract be awarded to OLD DOMINION BRUSH CO. for the base bid for an amount not to exceed \$62,539.00; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to OLD DOMINION BRUSH CO., whose address is 5118 Glen Alden Drive, Richmond, VA 23231, in an amount not to exceed \$62,539.00 for the purchase of ONE (1) NEW AND UNUSED MODEL YEAR 2017 OR NEWER SELF CONTAINED LEAF VACUUM MACHINE; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, Contracts with OLD DOMINION BRUSH CO., in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$62,539.00 are available for the aforesaid contract in Capital Account 04-215-17-02H-120297; and

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

- a. Old Dominion Brush CO.
- b. Township Administrator
- c. Director of Public Works
- d. Township Chief Financial Officer

RESOLUTION # 2017-260

A RESOLUTION AWARDED CONTRACT TO MUNICIPAL MAINTENANCE CO. FOR THE PROVISION OF ELECTRICAL REPAIR WORK ON ALL TOWNSHIP-OWNED BUILDINGS, PARKS, STADIUMS AND OTHER FACILITIES INCLUDING WATER UTILITY PLANTS, PUMP STATIONS AND OTHER RELATED FACILITIES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the PROVISION OF ELECTRICAL REPAIR WORK FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS, and on August 1, 2017, received two (2) bids therefor; and

WHEREAS, the two (2) bids received were as follows:

#	Bidder	Bidder Address	Contract 1A				Grand Total
			Category	Hours	Unit Price	Total	
1	Longo Electrical-Mechanical Inc.	1 Harry Shupe Blvd. P.O. Box 511 Wharton, NJ 07885	Foreman	90	\$134.00	\$12,060.00	\$20,260.00
			Journeyman	50	\$134.00	\$6,700.00	
			3 Yr Apprentice	50	\$30.00	\$1,500.00	
			Category	Hours	Unit Price	Total	
2	Municipal Maintenance Co.	1352 Taylors Lane Cinnaminson, NJ 08077	Foreman	90	\$125.00	\$11,250.00	\$19,750.00
			Journeyman	50	\$115.00	\$5,750.00	
			3 Yr Apprentice	50	\$55.00	\$2,750.00	
			Category	Hours	Unit Price	Total	
#	Bidder	Bidder Address	Contract 1B				Grand Total
			Category	Hours	Unit Price	Total	
1	Longo Electrical-Mechanical Inc.	1 Harry Shupe Blvd. P.O. Box 511 Wharton, NJ 07885	Foreman	90	\$134.00	\$12,060.00	\$20,260.00
			Journeyman	50	\$134.00	\$6,700.00	
			3 Yr Apprentice	50	\$30.00	\$1,500.00	
			Category	Hours	Unit Price	Total	
2	Municipal Maintenance Co.	1352 Taylors Lane Cinnaminson, NJ 08077	Foreman	90	\$125.00	\$11,250.00	\$19,250.00
			Journeyman	50	\$115.00	\$5,750.00	
			3 Yr Apprentice	50	\$45.00	\$2,250.00	
			Category	Hours	Unit Price	Total	
#	Bidder	Bidder Address	Contract CC 1A/1B				Grand Total
			Category	Hours	Unit Price	Total	
1	Longo Electrical-Mechanical Inc.	1 Harry Shupe Blvd. P.O. Box 511 Wharton, NJ 07885	Foreman	180	\$134.00	\$24,120.00	\$40,520.00
			Journeyman	100	\$134.00	\$13,400.00	
			3 Yr Apprentice	100	\$30.00	\$3,000.00	
			Category	Hours	Unit Price	Total	
2	Municipal Maintenance Co.	1352 Taylors Lane Cinnaminson, NJ 08077	Foreman	180	\$125.00	\$22,500.00	\$39,500.00
			Journeyman	100	\$115.00	\$11,500.00	
			3 Yr Apprentice	100	\$55.00	\$5,500.00	
			Category	Hours	Unit Price	Total	

(Note: Parts, as per the bid specifications, are to be billed at the rate of ten percent (10%) above contractor's price.)

WHEREAS, the bid was comprised of Contract 1A for Township-owned buildings, parks, stadiums and other facilities excluding water utility plants, water pump stations and other water-related facilities, Contract 1B for water utility plants, water pump stations and other water-related facilities, and Combined Contract CC 1A/1B consisting of all work included in Contracts 1A and 1B; and

WHEREAS, in a memo dated August 1, 2017, the Director of Public Works has reported that MUNICIPAL MAINTENANCE CO., the lowest bidder, is responsive and has recommended that the contract for the PROVISION OF ELECTRICAL REPAIR WORK ON ALL TOWNSHIP-OWNED BUILDINGS, PARKS, STADIUMS AND OTHER FACILITIES INCLUDING WATER UTILITY PLANTS, PUMP STATIONS AND OTHER RELATED FACILITIES be awarded to MUNICIPAL MAINTENANCE CO., 1352 Taylors Lane, Cinnaminson, NJ 08077; and

WHEREAS, the Director of Public Works has recommended that the contract be awarded to MUNICIPAL MAINTENANCE CO. for the Contract CC 1A/1B, for an amount not to exceed \$39,500.00 for a term of one (1) year beginning on September 1, 2017 with an option to renew for an additional one (1) two-year period or two (2) one-year periods on the same terms and conditions as specified in the bid; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to MUNICIPAL MAINTENANCE CO. whose address is 1352 Taylors Lane, Cinnaminson, NJ 08077 for the PROVISION OF ELECTRICAL REPAIR WORK ON ALL TOWNSHIP-OWNED BUILDINGS, PARKS, STADIUMS AND OTHER FACILITIES INCLUDING WATER UTILITY PLANTS, PUMP STATIONS AND OTHER RELATED FACILITIES at the unit prices specified in the bid proposal for an amount not to exceed \$39,500.00 (labor only--parts are to be billed separately at the rate of ten percent (10%) above contractor's price).

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

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$13,166.67 are available for the aforesaid contract in the 2017 Budget, accounts 01-201-26-122-288126 and 05-201-55-500-288020.

BE IT FURTHER RESOLVED, that funds in the amount of \$26,333.33 will be made available and certified in 2018 upon adoption of the budget.

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

- a. Municipal Maintenance Co.
- b. Township Business Administrator
- c. Township Director of Public Works

RESOLUTION # 2017-261

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR THE 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

WHEREAS, the Township of Marlboro advertised for the receipt of bids for 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 from Matthew Zeleznik, 8 Hudson Street, Marlboro, NJ 07746, opened on May 24, 2017 (R.2017-192) was rejected as the bid submitted contained various incomplete forms including an incomplete statement of corporate ownership making it unresponsive; and

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

WHEREAS, the sole proposal from Matthew Zeleznik, 8 Hudson Street, Marlboro, NJ 07746, opened on June 28, 2017 (R.2017-231) was rejected as the bid submitted contained various incomplete

forms including an incomplete statement of corporate ownership making it unresponsive; and

WHEREAS, N.J.S.A. 40A:11-5(3)(a) provides that bids have been advertised pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4) on two occasion and no bids have been received on both occasions in response to the advertisement, a contract may then be negotiated and may be awarded; and

WHEREAS, in accordance with Local Public Contracts Law, the Township proceeded to negotiate contracts for the 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 with Matthew Zeleznik; and

WHEREAS, Matthew Zeleznik provided a Best and Final Offer dated August 4, 2017, and supplied the Township with all of the documents required in the original bid specifications; and

WHEREAS, upon review of the Best and Final Offer the Department of Public Works have recommended that Matthew Zeleznik be awarded the contract as follows:

Lessee's Name	Lessee's Address	Item Description	Yearly Rate
Matthew Zeleznik	8 Hudson Street Marlboro, NJ	Leasing of DiMeo Property Farming	\$200.00

; 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 an agreement be executed with Matthew Zeleznik whose address is 8 Hudson Street, Marlboro, NJ 07746 for the 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, for an amount not to exceed \$200.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, an agreement with Matthew Zeleznik, in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

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

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

RESOLUTION # 2017-262

A RESOLUTION AUTHORIZING THE AWARD OF EXECUTION OF AN AGREEMENT FOR THE FARMING RIGHTS TO THE PARCELS OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "MCCARRON PROPERTY" (BLOCK 155/LOT 13.03) LOCATED ON PLEASANT VALLEY ROAD

WHEREAS, the Township of Marlboro advertised for the receipt of bids for 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 from Matthew Zeleznik, 8 Hudson Street, Marlboro, NJ 07746 opened on May 24, 2017 (R.2017-192) was rejected as the bid submitted contained various incomplete forms including an incomplete statement of corporate ownership making it unresponsive; and

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

WHEREAS, the sole proposal from Matthew Zeleznik, 8 Hudson Street, Marlboro, NJ 07746 opened on June 28, 2017 (R.2017-231) was rejected as the bid submitted contained various incomplete forms including an incomplete statement of corporate ownership making it unresponsive; and

WHEREAS, N.J.S.A. 40A:11-5(3)(a) provides that bids have been advertised pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4) on two occasion and no bids have been received on

both occasions in response to the advertisement, a contract may then be negotiated and may be awarded; and

WHEREAS, in accordance with Local Public Contracts Law, the Township proceeded to negotiate contracts for the FARMING RIGHTS TO THE PARCELS OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "MCCARRON PROPERTY" (BLOCK 155/LOT 13.03) LOCATED ON PLEASANT VALLEY ROAD with Matthew Zeleznik ; and

WHEREAS, Matthew Zeleznik provided a Best and Final Offer dated August 4, 2017, and supplied the Township with all of the documents required in the original bid specifications; and

WHEREAS, upon review of the Best and Final Offer the Department of Public Works have recommended that Matthew Zeleznik be awarded the contract as follows:

Lessee's Name	Lessee's Address	Item Description	Yearly Rate
Matthew Zeleznik	8 Hudson Street Marlboro, NJ	Leasing of McCarron Property Farming	\$200.00

; 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 an agreement be executed with Matthew Zeleznik whose address is 8 Hudson Street, Marlboro, NJ 07746 for the FARMING RIGHTS TO THE PARCELS OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "MCCARRON PROPERTY" (BLOCK 155/LOT 13.03) LOCATED ON PLEASANT VALLEY ROAD, for an amount not to exceed \$200.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, an agreement with Matthew Zeleznik, in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

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

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

RESOLUTION # 2016-263

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

WHEREAS, the Township of Marlboro advertised for the receipt of bids for the PROVISION OF DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); 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 from HERC RENTALS, INC., 2700 Riverview Center Blvd., Bonita Springs, FL 34134, received on May 24, 2017 (R.2017-196) was rejected as the bid submitted did not contain the requested certificate from a surety company making it unresponsive; and

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

WHEREAS, the sole proposal from HERC RENTALS, INC. received on June 28, 2017 (R.2017-232) was rejected as the bid submitted did not contain the requested certificate from a surety company making it unresponsive; and

WHEREAS, N.J.S.A. 40A:11-5(3)(a) provides that bids have been advertised pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4) on two occasion and no bids have been received on both occasions in response to the advertisement, a contract may then be negotiated and may be awarded; and

WHEREAS, in accordance with Local Public Contracts Law, the Township proceeded to negotiate a contract for the PROVISION OF DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP

OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) with HERC RETNALS, INC.; and

WHEREAS, HERC provided a Best and Final Offer dated August 4, 2017, and supplied the Township with all of the documents required in the original bid specifications; and

WHEREAS, after review of the Best and Final Offer, the Director of the Department of Public Works has recommended that HERC RENTALS, INC. be awarded the contract as follows:

Vendor Name	Vendor Address	Vehicle/Item Description	Qty	Weekly Rate	Monthly Rate
Herc Rentals Inc	2700 Riverview Center Blvd Bonita Springs, FL 34134	5/7 Yard Dump Trucks with Plow	4	\$1,127.00	\$3,275.00

; 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 be awarded to HERC RENTALS, INC. whose address is 2700 Riverview Center Blvd., Bonita Springs, FL 34134 for the PROVISION OF DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW), for a contract amount not to exceed \$52,400.00.

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

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$13,100.00 are available in Current Account No. 01-201-26-119-215105 for the services estimated for 2017.

BE IT FURTHER RESOLVED, funds for the 2018 portion of the contract totaling \$39,300.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2018 municipal budget.

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

- a. Herc Rentals, Inc.
- b. Township Business Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2017-264

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE WESTERN MONMOUTH UTILITIES AUTHORITY TO PROVIDE FOR SNOWPLOW OPERATOR CONTRACT SERVICES

WHEREAS, the Western Monmouth Utilities Authority ("WMUA") employs licensed commercial truck drivers with experience in snow removal activities; and

WHEREAS, the Township of Marlboro ("Township") has requested that the WMUA provide snow removal contract 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, the Western Monmouth Utilities Authority ("WMUA") and the Township of Marlboro ("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, the WMUA has the personnel to provide the specified services; and

WHEREAS, the WMUA and the Township have negotiated a Shared Services Agreement, a copy of which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

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 annexed hereto as EXHIBIT A.

RESOLUTION # 2017-265

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO LUCAS CONSTRUCTION GROUP FOR THE PROVISION OF PREVENTATIVE GATE VALVE MAINTENANCE FOR THE TOWNSHIP OF MARLBORO WATER UTILITY DIVISION

WHEREAS, the Township of Marlboro as part of its 2017 capital program (500-24) authorized the purchase of a PREVENTATIVE GATE VALVE MAINTENANCE FOR THE TOWNSHIP OF MARLBORO WATER UTILITY DIVISION; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the PROVISION OF PREVENTATIVE GATE VALVE MAINTENANCE, and on August 1, 2017, received three (3) bids, as follows:

		John Garcia Construction Co., Inc. 1863 Friar Lane Clifton, NJ 07013	A & J Construction Co. 5026 Industrial Road Farmingdale, NJ 07727	Lucas Construction Group P.O. Box 8939 Red Bank, NJ 07701
#	Item Description	Bid Price	Bid Price	Bid Price
Item A	13 (thirteen) 6" Gate Valve, each	\$4,150.00	\$6,645.00	\$1,940.00
	Total Item A	\$53,950.00	\$86,385.00 *	\$25,220.00

Item B	13 (Thirteen) 8" Gate Valve, each	\$4,400.00	\$6,695.00	\$2,070.00
	Total Item B	\$57,200.00	\$87,035.00 *	\$26,910.00
Item C	8 (Eight) 12" Gate Valve, each	\$4,800.00	\$6,745.00	\$2,700.00
	Total Item C	\$38,400.00	\$53,960.00 *	\$21,600.00
	Grand Total	\$149,550.00	\$227,110.00	\$73,730.00

* Calculated
Amount Due to
Blank Bid Form
Response

; and

WHEREAS, in a memo dated August 1, 2017, the Director of Public Works has reported that LUCAS CONSTRUCTION GROUP, the lowest bidder, is responsive and has recommended that the contract for the PROVISION OF PREVENTATIVE GATE VALVE MAINTENANCE be awarded to LUCAS CONSTRUCTION GROUP, P.O. Box 8939, Red Bank, NJ 07701; and

WHEREAS, the Director of Public Works has recommended that the contract be awarded to LUCAS CONSTRUCTION GROUP for the base bid, items A, B, & C, for an amount not to exceed \$73,730.00; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to LUCAS CONSTRUCTION GROUP, whose address is P.O. Box 8939, Red Bank, NJ 07701 in an amount not to exceed \$73,730.00 for the PROVISION OF PREVENTATIVE GATE VALVE MAINTENANCE; and

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

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$73,730.00 are available for the aforesaid contract in Capital Account 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. Lucas Construction Group
- b. Township Administrator
- c. Director of Public Works
- d. Township Chief Financial Officer

RESOLUTION # 2017-266

RESOLUTION CONFIRMING EMERGENCY CONTRACT WITH LONGO ELECTRICAL MECHANICAL, INC. FOR ELECTRICAL REPAIR SERVICES and FOLEY, INC. FOR THE SUPPLY OF EMERGENCY GENERATOR EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS, WATER UTILITY DIVISION

WHEREAS, on July 18, 2017 the Department of Public Works reported a "low voltage" condition at the Tennent Road water location, requiring the pump station and treatment facility to operate utilizing backup generator power, designated as Emergency #1724; and

WHEREAS, the low voltage condition ultimately resulted in damage to the transformer, requiring emergency electrical repair services and the rental of backup generator equipment; and

WHEREAS, the Township has a contract with LONGO ELECTRICAL MECHANICAL, INC. for ELECTRICAL REPAIR SERVICES, awarded as a result of a public bid (R.2014-307 & R.2015-267) process, and contacted LONGO ELECTRIC to inspect the site and provide an estimate of the emergency repairs required; and

WHEREAS, LONGO provided a series of quotes to perform the services required electrical repair services, estimated at an amount not to exceed \$112,300.00; and

WHEREAS, the Township has a contract with FOLEY, INC. for EMERGENCY GENERATOR RENTAL, awarded as a result of a public bid (R.2014-359, R.2015-326 & R.2016-284) process, and contacted FOLEY to provide the required emergency backup generation equipment, estimated at an amount not to exceed \$9,281.25, for a stand-by 30 day (1 month) rental; and

WHEREAS, the Township notified the Township's insurer and authorized LONGO ELECTRICAL MECHANICAL, INC. to perform the required emergency repairs and FOLEY, INC. to supply the required emergency generator equipment pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the electric repair services and supply of backup generator equipment are essential in order to ensure an uninterrupted supply of potable water to the customers of the Marlboro Water Utility; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized an emergency contract with LONGO ELECTRICAL MECHANICAL, INC. to provide the required contract electric repair services, and FOLEY INC. for the supply of emergency generator equipment; and

WHEREAS, N.J.S.A. 40A:11-6 states that "Any contract may be ... awarded for a contracting unit without public advertising for bids and bidding therefor ... when an emergency affecting the public health, safety or welfare requires the immediate ... performance of services"; and

WHEREAS, N.J.S.A. 40A:11-6(b) states that "Upon the furnishing of such goods or services ... the contractor furnishing such goods or services shall be entitled to be paid therefor and the contracting unit shall be obligated for said payment ..."; and

WHEREAS, funds have been certified by the Chief Financial Officer in an amount not to exceed \$121,581.25 from account number 06-215-12-26A-500288.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that an emergency contract award pursuant to N.J.S.A. 40A:11-6 with LONGO ELECTRICAL MECHANICAL, INC. be confirmed for the provision of contract electric services and with FOLEY INC. for emergency generator rental.

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

- a. Township Business Administrator
- b. Township Public Works Superintendent
- c. Township Chief Financial Officer
- d. CME Associates

RESOLUTION # 2017-267

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$ 580,151.32 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 \$ 580,151.32 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>
2015-122	412/307/C0048	US Bank Cust for PC6 & Crdtrs 50 South 16 th , Suite 2050 Philadelphia, PA 19102 Assessed Owner: Siragusa, Joseph & Brenda	1,851.07
2015-033	176/7/C0673	US Bank Cust for PC6 50 South 16 th St, Suite 2050 Philadelphia, PA 19102 Assessed Owner: Gold, Scott	3,525.35
2016-118	360.01/2	Defined Capital, LLC PO Box 653 Montvale, NJ 07645 Assessed Owner: Johnson, Angelina	221,555.54
2015-100	355/17	MTAG Custodian for Fig Capital Investments 1000 Riverside Ave, Suite 400 Jacksonville, FL 32221 Assessed Owner: Century Vision Assoc., LLC	28,567.78
2015-050	184/80	TTLBL, LLC 4747 Executive Drive, Suite 510 San Diego, CA 92121 Assessed Owner: Coffy, Emmanuel & Suzie	27,525.86

2013-091	270/41	BULWARK SYSTEMS, LLC 22 Emily Road Manalapan, NJ 07726 Assessed Owner: Buelow, Ellen	85,266.70
2014-036	173/7/C0386	MTAG Custodian for Fig Capital Investments 1000 Riverside Ave, Suite 400 Jacksonville, FL 32221 Assessed Owner: Tuttle, Jason	5,478.43
2014-074	295/13	MTAG Custodian for Fig Capital Investments 1000 Riverside Ave, Suite 400 Jacksonville, FL 32221 Assessed Owner: Girone, Rodolfo	5,457.88
2016-119	363.02/10	US Bank Cust for BV002 50 South 16 th , Suite 2050 Philadelphia, PA 19102 Assessed Owner: Shaak, Leonard & Cynthia	200,922.71

RESOLUTION # 2017-268

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Welgos, John Block 360 Lot 27.04, located at 4 Caitlin Drive,

WHEREAS, taxes were billed for 2017 in the amount of \$21,915.05, and

WHEREAS, this exemption became effective October 1, 2016 and

WHEREAS, taxes for 2017 need to be cancelled in the amount of \$21,915.05 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel the 2017 taxes of \$21,915.05.

RESOLUTION # 2017-269

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Orlando, Mark, Block: 378, Lot: 2, located at 61 Coventry Terrace,

WHEREAS, taxes were billed for 2017 in the amount of \$7,119.31, and

WHEREAS, this exemption became effective July 1, 2017 and

WHEREAS, pro-rated taxes for 2017 need to be cancelled in the amount of \$3,574.61 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel the 2017 third and fourth quarter taxes of \$3,574.61.

RESOLUTION # 2017-270

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Haerle, Kenneth Block: 132.12, Lot: 14, Qualifier: C0214, located at 214 Knightsbridge Lane,

WHEREAS, taxes were billed for 2017 in the amount of \$4,580.18, and

WHEREAS, this exemption became effective June 1, 2017 and

WHEREAS, pro-rated taxes for 2017 need to be cancelled in the amount of \$2,679.88 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel the one-third of the 2017 second quarter taxes and the 2017 third and fourth quarter taxes of \$2,679.88.

At 7:40 PM, Council Vice President Marder moved that the meeting enter into Executive session for the purpose of discussing affordable housing litigation. This was seconded by Councilman Metzger and the Resolution was passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

RESOLUTION # 2017-271

EXECUTIVE SESSION

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 10th day of August, 2017 to enter into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely litigation - Affordable Housing.

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 fifteen 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 7:55 PM, Council Vice President Marder offered a motion to return to regular business, which was seconded by Councilman Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

The following Resolution #2017-272 (Authorizing Marlboro Planning Board to Undertake a Preliminary Investigation for Determination of an Area in Need of Redevelopment) was introduced by reference, offered by Council Vice President Marder, seconded by Councilwoman Mazzola, and passed on a roll call vote of 4-0 in favor (Absent: Scalea).

RESOLUTION # 2017-272

A RESOLUTION AUTHORIZING THE TOWNSHIP OF MARLBORO PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION FOR DETERMINATION OF AN AREA IN NEED OF REDEVELOPMENT OF A CERTAIN AREA WITHIN THE TOWNSHIP OF MARLBORO IDENTIFIED WITH MORE PARTICULARITY AND DESCRIBED BY ADDRESS AND LOT AND BLOCK ON SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF

WHEREAS, the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1et seq. provides a mechanism to empower and assist local government in efforts to promote programs of redevelopment; and

WHEREAS, the Local Redevelopment and Housing Law sets forth a specific procedure for establishing an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12-A-6, prior to the governing body making a determination as to whether a particular study area qualifies as an area in need of redevelopment, the governing body must authorize the Township Planning Board, by Resolution, to undertake a preliminary investigation to determine whether the area meets the criteria of an area in need of redevelopment as set forth in N.J.S.A. 40A:12-5; and

WHEREAS, the Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expanded clarify various provisions of same; and

WHEREAS, as a provision of the amendment to N.J.S.A. 40A:12-6, the Legislature has directed that the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain ("Non-Condernation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain ("Condernation Redevelopment Area"); and

WHEREAS, the redevelopment area determination shall authorize the Township of Marlboro to use all of the powers provided by the Legislature for use in a redevelopment area including the use of eminent domain, thus designating it a Condernation Redevelopment Area; and

WHEREAS, the Township of Marlboro wishes to direct the Planning Board to undertake a preliminary investigation to determine whether the proposed study area within the Township of Marlboro and identified with more particularly as described by address, lot and block and zone district on Schedule "A" attached hereto and made apart hereof (the "Study Area") qualifies as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Planning Board is hereby directed to conduct he necessary investigation, including the holding of a public hearing, to determine whether the Study Area is or is not an area in need of redevelopment under the criteria set forth in N.J.S.A. 40A:12A-1 et seq.

BE IT FURTHER RESOLVED, that the Planning Board shall submit its findings and recommendations to the Township Council in the form of a Resolution with supporting documentation.

SCHEDULE A

Block	Lot	Property Address
103	1	
111	10	230 Texas
111	11	Texas Road

111	12	Texas Road
111	13	Texas Road
146	28	426 Texas
146	30	426 Texas
146	31	426 Texas
146	32	6 Tylers Lane
146	33	Tylers Lane
146	38	456 Texas
147	34	158 Tennent
170	2	147 Tennent
170	3	153 Tennent
172	13	249 Spring
268	79	77 Route 520

At 8:00 PM, Councilman Metzger moved that the meeting be adjourned. This was seconded by Councilwoman Mazzola, and passed on a roll call vote of 4 - 0 in favor (Absent: Scalea).

MINUTES APPROVED: SEPTEMBER 7, 2017

OFFERED BY: MARDER AYES: 4

SECONDED BY: METZGER NAYS: 0

ABSTAIN: SCALEA

ALIDA MANCO,
MUNICIPAL CLERK

JEFF CANTOR,
COUNCIL PRESIDENT