

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

JULY 12, 2018

The Marlboro Township Council held its regularly scheduled Meeting on July 12, 2018 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Marder opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 24, 2018; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

The Clerk called the Roll.

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

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

Councilwoman Mazzola moved that the minutes of June 14, 2018 be adopted. This was seconded by Council President Marder and passed on a roll call vote of 2 - 0 in favor with Councilman Cantor abstaining (Absent: Metzger, Scalea).

Council President Marder opened the Public Hearing on the CDBG Grant Application FY2019 for roadway improvements in the Greenbriar Development. As there was no one who wished to speak, the Public Hearing was closed.

The following Resolution #2018-223/Ordinance #2018-15 (Amending Chapter 212 - Junkyards and Junk Dealers) was introduced by reference, offered by Councilwoman Mazzola and seconded by Councilman Cantor. Council President Marder opened the Public Hearing on Ordinance #2018-15. 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 3 - 0 in favor (Absent: Metzger, Scalea).

RESOLUTION # 2018-223

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

ORDINANCE # 2018-15

AN ORDINANCE AMENDING CHAPTER 212 OF THE CODE OF THE TOWNSHIP OF ENTITLED JUNKYARDS AND JUNK DEALERS

which was introduced on June 14, 2018, public hearing held on July 12, 2018, be adopted on second and final reading this 12th day of July, 2018.

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

The following Resolution #2018-224 (Acceptance of 2017 Municipal Audit.) was introduced by reference, offered by Councilman Cantor, seconded by Councilwoman Mazzola and was passed on a roll call vote of 3 - 0 in favor (Absent: Metzger, Scalea).

RESOLUTION # 2018-224

ACCEPTANCE OF 2017 MUNICIPAL AUDIT

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

WHEREAS, the annual report of audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

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

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

WHEREAS, the members of the governing body have personally

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

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

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

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

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

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

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Cantor, and was passed on a roll call vote of 3 - 0 in favor (Absent: Metzger, Scalea): Res. #2018-225 (Reappointment of Daphne Mishkin and Francine ROBBY to Marlboro Free Public Library Board), Res. #2018-226 (Bond Reduction Site Improvements Oak Hill at Marlboro, LLC - B 143, L 11.03-11.20), Res. #2018-227 (Bond Reduction Water Utility Improvements Oak Hill at Marlboro, LLC - B 143, L 11.03-11.20), Res. #2018-228 (Authorizing Extension of Farmland Use & Occupancy Agreement Stattel Farm (stand) - Block 206, L 25), Res. #2018-229 (Authorizing Renewal of Participation in Somerset County

Cooperative Pricing System (#2-SOCCP)), Res. #2018-230 (Award of Bid - Type 13 Bulk Waste), Res. #2018-231 (Award of Bid - Provision of a 2018 or Newer Dump Truck), Res. #2018-232 (Authorizing Change Order Contract - Uniform Year 2), Res. #2018-233 (Authorizing Transfer and Acceptance of Surplus Military Equipment from US DoD 1033 Program), Res. #2018-234 (Authorizing State Contract for Purchase of Police Vehicle Equipment), Res. #2018-235 (Amending Contract with DRS, Inc. for Purchase of Document Image Scanning Services through Union County Pricing System), Res. #2018-236 (Authorizing Recreation Fireworks Display Permit), Res. #2018-237 (Authorizing Shared Services Agreement with Manalapan for Tax Assessment Inspection Services), Res. #2018-238 (Authorizing Budget Amendment Chapter 159 - FY 2019 Municipal Alliance Grant), Res. #2018-239 (Redemption Tax Sale Certs - Various), Res. #2018-240 (Refund for Overpayment - B 234, L 5).

RESOLUTION # 2018-225

RESOLUTION REAPPOINTING DAPHNE R. MISHKIN AND
FRANCINE ROBBY AS MEMBERS OF THE BOARD OF TRUSTEES
OF THE MARLBORO FREE PUBLIC LIBRARY

WHEREAS, pursuant to NJSA 40:54-9 et. seq. and Section 4-93 of the Marlboro Code, the Mayor, subject to the advice and consent of the Township Council desires to reappoint DAPHNE R. MISHKIN and FRANCINE ROBBY to the Board of Trustees of the Marlboro Free Public Library, for five year terms, such terms to expire August 10, 2023.

WHEREAS, the Township Council of the Township of Marlboro does hereby give its advice and consent to the reappointments of DAPHNE R. MISHKIN and FRANCINE ROBBY.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the reappointments of DAPHNE R. MISHKIN and FRANCINE ROBBY as members of the Board of Trustees of the Marlboro Free Public Library without compensation for terms expiring on August 10, 2023 are hereby confirmed.

BE AND IT IS FURTHER RESOLVED, that these appointments are made pursuant to NJSA 40:54-9 et. seq. and Section 4-93 of the Marlboro Code.

RESOLUTION # 2018-226

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES
FOR THE SITE IMPROVEMENTS, AT THE SITE KNOWN AS OAK HILL
AT MARLBORO, LLC, BLOCK 143, LOTS 11.01, LOCATED AT THE
INTERSECTION OF NOLAN ROAD AND CAPTIVA LANE,
TOWNSHIP OF MARLBORO, NEW JERSEY 07746

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Mr. Don Gwinnell, for a reduction in the Township held Performance Guarantees in the form of a Performance Bond and Cash Deposit for the site improvements ("Public Improvements") on the Site known as "Oak Hill at Marlboro, LLC" (the "Site"), property known as Block 143, Lot 11.01, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Captiva Holdings, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated June 11, 2018, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a reduction be made in the current Performance Bond and Cash Deposit amount being held by the Township; and

WHEREAS, the Township Council desires to reduce the Performance Bond and Cash Deposit amount in accordance with the recommendation of the Township Engineer's report dated June 11, 2018.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Performance Bond and Cash Deposit posted by the Developer, Captiva Holdings, LLC, for the site known as Oak Hill at Marlboro, LLC, located on property known as Block 143, Lot 11.01, Township of Marlboro, New Jersey, shall be reduced as follows:

1. Performance Bond (The Service Insurance Company, Inc., Bond No. 39304) in the original and present amount of \$1,164,263.76, shall be reduced by \$725,668.91, so that the remaining amount shall be \$438,594.85.
2. The Cash Deposit (Sun National Bank, Check No. 1067), in the original amount of

\$129,362.64 (excludes accrued interest)
shall be reduced by \$80,629.88, so that the
amount to remain shall be \$48,732.76; and

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

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

- a. Captiva Holdings, LLC
- b. The Service Insurance Company, Inc.
- c. Sun National Bank
- d. Township Business Administrator
- e. Township Chief Financial Officer
- f. Township Engineer
- g. Louis N. Rainone, Esq.
- h. Gerald N. Sonnenblick Esq.

RESOLUTION # 2018-227

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR THE WATER UTILITY IMPROVEMENTS, AT THE SITE KNOWN AS OAK HILL AT MARLBORO, LLC, BLOCK 143, LOTS 11.03 - 11.20, LOCATED AT THE INTERSECTION OF NOLAN ROAD AND CAPTIVA LANE, TOWNSHIP OF MARLBORO, NEW JERSEY 07746

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Mr. Don Gwinnell, for a reduction in the Township held Performance Guarantees in the form of a Performance Bond for the water utility improvements ("Public Improvements") on the Site known as "Oak Hill at Marlboro, LLC" (the "Site"), property known as Block 143, Lots 11.03 - 11.20, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Captiva Holdings, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated June 11, 2018, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a reduction be made in the current Performance Bond amount being held by the Township; and

WHEREAS, the Township Council desires to reduce the Performance Bond amount in accordance with the recommendation of the Township Engineer's report dated June 11, 2018.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Performance Bond posted by the Developer, Captiva Holdings, LLC, for the site known as Oak Hill at Marlboro, LLC, located on property known as Block 143, Lots 11.03 - 11.20, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Performance Bond (The Service Insurance Company Inc., Bond No. 39303), in the original and present amount of \$193,371.36, shall be reduced by \$135,359.95, so that the remaining amount shall be \$58,011.41.

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

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

- a. Captiva Holdings, LLC
- b. The Service Insurance Company, Inc.
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Louis N. Rainone, Esq.
- g. Gerald N. Sonnenblick, Esq.

RESOLUTION # 2018-228

A RESOLUTION AUTHORIZING THE EXTENSION OF A TEMPORARY
USE AND OCCUPANCY AGREEMENT FOR THE PARCEL OF LAND
OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE
"STATTEL FARM (STAND)" (BLOCK 206/LOT 25) LOCATED
AT COUNTY ROUTE 520 and STATE HIGHWAY 79

WHEREAS, the Township of Marlboro acquired the Stattel Farm(stand) (Block 206/Lot 25) ("parcel") located at County Route 520 and State Highway 79 in February, 2017 from the Stattel Family; and

WHEREAS, the Stattel Family farmed the parcel continuously up until the time of sale, and harvested the season's crops

under a Use & Occupancy Agreement with the Township which expired on June 30, 2017; and

WHEREAS, October 5, 2017 (R.2017-287) the Township Council of the Township of Marlboro authorized a Use and Occupancy agreement with the Stattel Family for the continued farming of the parcel which expires on July 31, 2018; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14.1, "Whenever a county or municipality acquires real property that, immediately prior to acquisition, was leased from the prior owner by a private person for agricultural or horticultural use, and the county or municipality determines that, until such time as the real property is needed for public use, the temporary continuance of the private agricultural or horticultural use would not compromise that public use, it may lease the real property to the prior lessee for agricultural or horticultural use for such period, consideration, and other terms and conditions as shall be mutually agreed upon; and

WHEREAS, the Township is in the process of working with both the State Agricultural Development Committee and New Jersey Green Acres on the permanent preservation of the parcel; and

WHEREAS, it is in the interest of the Township for crops to be planted during the fall season and to have the parcel continuously farmed during the preservation process; and

WHEREAS, the Township and Stattel Family have agreed to renew the Use and Occupancy agreement under the same terms for the farming of the parcel in the 2018-19 season.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that an agreement be executed with Stattel Family, PO BOX 122, Marlboro, NJ 07746 for the TEMPORARY USE AND OCCUPANCY OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "STATTEL FARM(STAND)" (BLOCK 206/LOT 25) LOCATED AT COUNTY ROUTE 520 AND STATE HIGHWAY 79, for a term beginning August 1, 2018 and ending on July 31, 2019, in the amount of \$700.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, an agreement with the Stattel Family, in accordance with this resolution, 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. Stattel Family
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Township Director of Public Works

RESOLUTION # 2018-229

RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN
THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, on July 18, 2013 (R.2013-241) the Township Council of the Township of Marlboro authorized an agreement to become a member of the Somerset County Cooperative Pricing System, #2-SOCCP, for a period not to exceed five years; and

WHEREAS, the renewal of membership to the Somerset County Cooperative Pricing System is advantageous to the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, the Township of Marlboro hereby renews its membership in the Somerset County Cooperative Pricing System, #2-SOCCP, effective immediately, and that such membership shall be for the period of five years, ending December 31, 2023, unless the Township of Marlboro elects to formally withdraw from the system.

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

- a. Somerset County
- b. Township Administration
- c. Township Chief Financial Officer

RESOLUTION # 2018-230

A RESOLUTION AWARDED CONTRACT TO FREEHOLD CARTAGE, INC.
FOR DISPOSAL OF TYPE 13 BULKY WASTE FOR THE DEPARTMENT
OF PUBLIC WORKS (DPW) RECYCLING BUREAU

WHEREAS, the Marlboro Township Department of Public Works maintains a Recycling Center where "bulky waste" can be deposited by residents; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) defines "Type 13 - Bulky waste" as including "Large items of waste material, such as appliances and furniture"; and

WHEREAS, maintaining the bulky waste facility at the

Township Recycling Center requires that the Township contract for the disposal of Type 13 - Bulky Waste; and

Item Description	Freehold Cartage Inc. 825 Highway 33 Freehold, NJ 07728	Mazza Recycling Services, LTD 3230 Shafto Road Tinton Falls, NJ 07753	Republic Services of NJ LLC d/b/a Marpal Disposal 1861 Wayside Road Tinton Falls, NJ 07724
Price Per Ton with \$3.00 Per Ton Mandated Disposal Tax	\$82.75	\$86.00	\$85.00
Price for Estimated 700 Tons Including \$3.00 Tax Per Ton	\$57,925.00	\$60,200.00	\$59,500.00

WHEREAS, the Township of Marlboro authorized the acceptance of bids for DISPOSAL OF TYPE 13 BULKY WASTE, and on June 27, 2018, received three (3) bids, as follows:

; and

WHEREAS, the bid submission of the apparent low bidder, FREEHOLD CARTAGE, INC. has been determined to be responsive as detailed in a June 28, 2018 memo transmitted by the Director of Public Works; 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 FREEHOLD CARTAGE, INC. whose address is 825 Highway 33, Freehold, NJ 07728 in an amount not to exceed \$57,925.00 for DISPOSAL OF TYPE 13 BULKY WASTE FOR THE DEPARTMENT OF PUBLIC WORKS for the period September 1, 2018 - August 31, 2019, with an option to renew the contract based upon the same terms and conditions as specified in the bid proposal for an additional one (1) two-year period or two (2) one-year periods at the exclusive option of the Township.

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

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$14,481.25 representing 25% of the total contract are available in Current Account 01-201-32-170-233112.

BE IT FURTHER RESOLVED funds in the amount of \$43,443.75 will be made available and certified in 2019 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 Administration
- c. Township Chief Financial Officer
- d. Director of Public Works

RESOLUTION # 2018-231

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO HUNTER JERSEY PETERBILT FOR THE PROVISION OF ONE (1) NEW AND UNUSED 2018 OR NEWER TRI AXLE DUMP TRUCK WITH SNOWPLOW HITCH AND SNOWPLOW FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, the Township of Marlboro as part of its 2018 capital program (120-2) authorized the purchase of a DUMP TRUCK WITH RELATED SNOW REMOVAL EQUIPMENT for the Department of Public Works Road Division; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for ONE (1) NEW AND UNUSED 2018 OR NEWER TRI AXLE DUMP TRUCK WITH SNOWPLOW HITCH AND SNOWPLOW, and on June 27, 2018, received one (1) bid, as follows:

BASE BID		Hunter Jersey Peterbilt 524 Monmouth Road Clarksburg, NJ 08510
Item A	One (1) 2018 or Newer 80,000 GVWR Tri-Axel Dump Truck	224,937.00
Item B	One (1) Snowplow Hitch & Plow	14,500.00
	Base Bid Total	239,437.00
Opt. 1	Trade-in of 2007 International Single Axel Dump Truck	27,500.00
Grand Total (Base Bid Total - Option 1)		211,937.00

; and

WHEREAS, in a memo dated June 28, 2018, the Director of Public Works has reported that HUNTER JERSEY PETERBILT, the sole bidder, is responsive and has recommended that the contract for ONE (1) NEW AND UNUSED 2018 OR NEWER TRI AXLE DUMP TRUCK WITH SNOWPLOW HITCH AND SNOWPLOW be awarded to HUNTER JERSEY PETERBILT, 524 Monmouth Road, Clarksburg, NJ 08510; and

WHEREAS, the bid was comprised of a base bid, Item A, One (1) 80,000 GVWR Tri-Axel Dump Truck, and Item B One (1) Snowplow Hitch and Snowplow to fit item A, with the additional Option 1, a trade in of a 2007 International Single Axel Dump Truck, inventory ID #0719; and

WHEREAS, the Director of Public Works has recommended that the contract be awarded to HUNTER JERSEY PETERBILT for the base bid, Items A and B, minus Option 1 (Trade-In) for an amount not to exceed \$211,937.00; 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 HUNTER JERSEY PETERBILT, whose address is 524 Monmouth Road, Clarksburg, NJ 08510 in an amount not to exceed \$211,937.00 for the purchase of ONE (1) NEW AND UNUSED 2018 OR NEWER TRI AXLE DUMP TRUCK WITH SNOWPLOW HITCH AND SNOWPLOW.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with HUNTER JERSEY PETERBILT, whose address is 524 Monmouth Road, Clarksburg, NJ 08510 in an amount not to exceed \$211,937.00 for the purchase of ONE (1) NEW AND UNUSED 2018 OR NEWER TRI AXLE DUMP TRUCK WITH SNOWPLOW HITCH AND SNOWPLOW.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$211,937.00 are available for the aforesaid contract in Capital Account 04-215-18-01I-120297.

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

- a. Hunter Jersey Peterbilt
- b. Township Administrator
- c. Director of Public Works

- d. Township Chief Financial Officer
- e. Insurance

RESOLUTION # 2018-232

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT
WITH RED THE UNIFORM TAILOR FOR THE PROVISION OF UNIFORMS
FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, on August 10, 2017 (R.2017-253), the Township of Marlboro authorized a contract with RED THE UNIFORM TAILOR, the lowest responsible bidder, for the PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT for the period September 1, 2017 to August 31, 2018, in the amount of \$50,000.00; and

WHEREAS, the Chief of Police has advised that additional UNIFORMS will be required just prior to the expiration of the contract in an amount which will exceed the existing 2017-2018 authorization by 20% in the amount of \$10,000.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a change order to the contract with RED THE UNIFORM TAILOR whose address is 475 Oberlin Avenue South, Lakewood, NJ 08701 be authorized in a total amount not to exceed \$10,000.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$10,000.00 are available for the aforesaid change order in Current Account #01-201-25-106-266641.

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

- a. Red The Uniform Tailor
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Township Chief of Police
- e.

RESOLUTION 2018-233

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
- e. Chief of Police
- f. Director of DPW

RESOLUTION # 2018-234

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACTS
TO VARIOUS VENDORS FOR PURCHASE OF POLICE VEHICLE
EQUIPMENT FOR THE POLICE DIVISION
OF THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2017 capital program (106-1.1) and 2018 capital program (106-1.1, 106-2.1, 106-2.16, 106-3.1, 106-29) authorized the purchase of replacement police vehicle equipment for the Division of Police; and

WHEREAS, on March 2, 2017, the Township Council of the Township of Marlboro adopted Ordinance #2017-004 which authorized Township officials to secure financing for the purchase of 2017 patrol police vehicles; and

WHEREAS, on March 2, 2017, the Township Council of the Township of Marlboro adopted Ordinances #2017-002 which authorized Township officials to secure financing for the purchase of all other 2017 police vehicles and related

equipment; and

WHEREAS, on February 15, 2018, the Township Council of the Township of Marlboro adopted Ordinances #2018-003 which authorized Township officials to secure financing for the purchase of 2018 patrol police vehicles; and

WHEREAS, on February 15, 2018, the Township Council of the Township of Marlboro adopted Ordinances #2018-001 which authorized Township officials to secure financing for the purchase of all other 2018 police vehicles and related equipment; and

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

Equipment Description	SC#	Vendor	Cost	PO #	Dept.	Capital ID Year	Capital ID
Mobile Radio equipment, Antennas, and accessories	83900	PMC Associates	\$4,973.80	36962	Police Patrol / Patrol K9/ Detective	2018	106-1.1, 2.1, 2.16, & 3.1
Mobile Radio equipment, Antennas, and accessories	83932	PMC Associates	\$38,033.60	36963	Police Patrol / Patrol K9/ Detective	2017 2018	106-1.1, 2.1, 2.16, & 3.1
License Plate Reader	81318	Elsag North America	\$20,942.75	36964	Police Patrol	2018	106-29
Police Computers	89980	Wireless Communications	\$67,557.15	36965	Police - Patrol / Patrol K9 /Detective	2017 2018	106-1.1, 2.1, 2.16, & 3.1
Lightbars and Siren Controllers	81330	Major Police Supply T/A	\$11,136.00	36966	Police Patrol / Patrol K9	2018	106-1.1 & 2.16
Warning Lights and Emergency Equipment for Ford Interceptor	81334	Kaldor	\$4,557.88	36973	Police Patrol	2018	106-2.1
Warning Lights and Emergency Equipment for Dodge Chargers	81327	Emergency Accessories & Installation	\$11,040.00	36975	Police Patrol	2018	106-1.1
USB Extension Cables	81311	L-3 Communications	\$584.48	36977	Police Patrol / Patrol K9	2017 2018	106-1.1, 2.1, & 2.16

Emergency Equipment for Dodge Chargers	81038	Blue Line Emergency Lighting	\$2,395.26	36978	Police Patrol	2018	106-1.1
Cradlepoint 4G Multi-band Modems & Chard Guards	89980	GTBM Inc.	\$8,397.30	36981	Police Patrol / Patrol K9 / Detective	2018	106-1.1, 2.1, 2.16, & 3.1
Warning Lights and Emergency Equipment for Ford Interceptor (Explorer)	81344	Kaldor	\$6,446.24	36983	Police K9	2018	106-2.16
Warning Lights and Emergency Equipment for Ford Fusions	81334	Kaldor	\$4,695.72	36984	Police Detective	2018	106-3.1
Warning Lights and Emergency Equipment for Ford Fusions	81331	Kaldor	\$192.78	36985	Police Detective	2018	106-3.1
Warning Lights and Emergency Equipment for Dodge Chargers	81334	Kaldor	\$10,851.60	36988	Police Patrol	2018	106-1.1

;and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

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

Equipment Description	SC#	Vendor	Cost	PO #	Dept.	Capital ID Year	Capital ID
Various equipment for (5) Dodge Chargers	N/A	Kaldor	\$1,020.00	36974	Police Patrol	2018	106-1.1
Various equipment for Interceptor Utilities	N/A	Kaldor	\$6,248.48	36982	Police K9	2018	106-2.16

Various equipment for Interceptor Utilities	N/A	Kaldor	\$493.00	36987	Police Patrol	2018	106-2.1
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; 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 equipment for the fifteen (15) police vehicles to be utilized by the Police Division; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$199,566.04 from Capital Accounts #04-215-17-02G-106297 and #04-215-18-01H-106297; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the police vehicle equipment from the vendors and under the State Contracts identified above in an amount not to exceed \$199,566.04.

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

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

RESOLUTION # 2018-235

A RESOLUTION AUTHORIZING AMENDMENT TO THE CONTRACT WITH
DRS IMAGING SERVICES FOR THE PURCHASE OF SOFTWARE AND
DOCUMENT IMAGE SCANNING SERVICES THROUGH THE UNION COUNTY
COOPERATIVE PRICING SYSTEM (UCCP-28-2015) FOR
THE CONSTRUCTION CODE ENFORCEMENT DIVISION

WHEREAS, in 2017, the Township embarked on the establishment of a Township-wide Document Management System featuring cloud based storage with on-premise backup, initially in the Construction Code Division, with plans to expand to other areas including the Planning, Zoning and Engineering Divisions (the "project"); and

WHEREAS, on December 1, 2016 (R.2016-362), the Township of

Marlboro authorized a contract with DRS IMAGING SERVICES through the UNION COUNTY COOPERATIVE PRICING SYSTEM (UCCP-28-2015), pursuant to the authority provided by N.J.S.A. 40A:11-11(6), for the PURCHASE OF SOFTWARE AND DOCUMENT IMAGE SCANNING SERVICES for the CONSTRUCTION CODE ENFORCEMENT DIVISION; and

WHEREAS, the Chief Information Officer has advised in a memo dated July 5, 2018 that additional SOFTWARE AND DOCUMENT IMAGE SCANNING SERVICES are required in order to accommodate a larger than anticipated quantity of documents and related custom programming services which will exceed the existing authorization by an estimated amount not to exceed \$131,359.00; 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 necessary software and document image scanning services from DRS IMAGING SERVICES through the UNION COUNTY COOPERATIVE PRICING SYSTEM (UCCP-28-2015).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that an amendment to the contract with DRS IMAGING SERVICES whose address is 43 Fadem Road, Springfield, NJ 07081 be authorized in a total amount not to exceed \$131,359.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$131,359.00 are available for the aforesaid amendment in the Uniform Construction Code (UCC) Trust Account #16-201-56-850-288850.

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

- a. DRS Imaging Services of New Jersey
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Township Chief Information Officer

RESOLUTION # 2018-236

RESOLUTION AUTHORIZING THE ISSUANCE OF A FIREWORKS
DISPLAY PERMIT TO GARDEN STATE FIREWORKS, INC.

WHEREAS, N.J.S.A. 21:3-1, *et seq.* regulates the sale, exposure for sale, use, distribution or possession of fireworks or pyrotechnics in the State of New Jersey so as to advance the interests of public health, safety and welfare of the people of the State of New Jersey; and

WHEREAS, upon satisfaction of the conditions set forth in N.J.S.A. 21:3-1, *et seq.*, and more particularly those set forth in N.J.S.A. 21:3-3, the governing body of any municipality may, by resolution, approve the granting of a permit for said purposes to a qualified organization, when such display is to be handled by a competent operator in the manner approved by the Chief of the Police and the Fire Department of the municipality so as not to be hazardous to property or endanger any person or persons; and

WHEREAS, GARDEN STATE FIREWORKS, INC. has applied for a permit to conduct a fireworks display within the Township of Marlboro on July 15, 2018 (with a rain date of August 5, 2018) upon satisfaction of the conditions set forth in N.J.S.A. 21:3-1, *et seq.* and in accordance with all applicable New Jersey Administrative Code regulations promulgated in accordance therewith, as amended from time to time.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED that the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey does hereby grant approval to GARDEN STATE FIREWORKS, INC. to conduct a fireworks display on July 15, 2018 (with a rain date of August 5, 2018) within the Township of Marlboro pursuant to N.J.S.A. 21:3-1, *et seq.*, and more particularly N.J.S.A. 21:3-3, subject to:

1. Receipt of approval by the Chief of the Police and Fire Department in accordance with the above; and

2. The posting of adequate surety which may be cash, government bonds, personal bond, or other form of insurance in a sum of not less than Two Thousand Five Hundred Dollars (\$2,500.00), N.J.S.A. 21:3-5; and

3. The furnishing of the necessary Certificates of Insurance to the Township in a form acceptable to the Risk Manager and Township Attorney.

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to send copies of this resolution to the following:

- a. Garden State Fireworks, Inc.
- b. The Chief of the Police and Fire Department
- c. The Fire Prevention Bureau
- d. Township Business Administrator
- e.

RESOLUTION # 2018-237

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE TOWNSHIP OF MANALAPAN TO PROVIDE INSPECTION SERVICES OF NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro ("Marlboro") and the Township of Manalapan are interested in entering into an Agreement whereby the Township of Manalapan ("Manalapan") provides INSPECTION SERVICES OF NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS FOR THE TOWNSHIP OF MARLBORO; and

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

WHEREAS, this cooperative Agreement between municipalities would be beneficial to the taxpayers in both municipalities; and

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

WHEREAS, Manalapan has agreed to provide the INSPECTION SERVICES OF NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS FOR THE TOWNSHIP OF MARLBORO on an as-needed basis to Marlboro; and

WHEREAS, Manalapan and Marlboro desire to enter into a Shared Services Agreement to set forth the operational and financial terms concerning the work to be performed; 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 Mayor and Township Clerk are hereby authorized to execute a Shared Services Agreement for INSPECTION SERVICES OF NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS FOR THE TOWNSHIP OF MARLBORO.

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

RESOLUTION # 2018-238

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$53,578.00, which has been received by the municipality for the "FY2019 Municipal Alliance" Grant.

BE IT FURTHER RESOLVED that the amount of \$53,578.00 be hereby appropriated under the caption "FY2019 Municipal Alliance" Grant.

RESOLUTION # 2018-239

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$9,257.37 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 \$ 9,257.37 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>
2017-007	116/2	US Bank Cust for PC7 Firstrust 50 South 16 th Street, Suite 2050 Philadelphia, PA 19102 Assessed Owner: MTGLQ Investors, LP	4,194.42
2017-063	412/241	Trystone Capital Assets, LLC PO Box 1030 Brick, NJ 08723 Assessed Owner: Wilmington Savings Fund Society FSB	2,346.83
2017-023	176/7/C0603	US Bank Cust for PC7 Firstrust 50 South 16 th Street, Suite 2050 Philadelphia, PA 19102 Assessed Owner: Bukofsky, Marc R & Lynne L	2,716.12

RESOLUTION # 2018-240

WHEREAS, Eric & Cindy Salant, property owner(s) of Block 234 Lot 5, prepaid 2018 property taxes (billed and unbilled) on December 28, 2017 in the amount of \$8,800.00, and

WHEREAS, Wells Fargo Home Mortgage Company made a payment in the amount of \$2,243.61 on January 19, 2018, and

WHEREAS, Wells Fargo has submitted a request for their payment in the amount of \$2,243.61 be refunded

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$2,243.61 to Wells Fargo.

At 7:30 p.m., Councilwoman Mazzola moved that the meeting be adjourned. This was seconded by Councilman Cantor and as there was no objection, the Clerk was asked to cast one ballot (Absent: Metzger and Scalea).

MINUTES APPROVED: AUGUST 9, 2018

OFFERED BY: MAZZOLA AYES: 3

SECONDED BY: CANTOR NAYS: 0

ABSTAIN: SCALEA

ABSENT: METZGER

ALIDA MANCO,
MUNICIPAL CLERK

RANDI MARDER,
COUNCIL PRESIDENT