

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

September 6, 2018

The Marlboro Township Council held its regularly scheduled Meeting on September 6, 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, Council Vice President Metzger and Council President Marder.
Councilwoman Mazzola and Councilman Scalia 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.

Councilman Cantor moved that the minutes of August 9, 2018 be adopted. This was seconded by Council President Marder and passed on a roll call vote of 2 - 0 with Council Vice President Metzger abstaining (Absent: Mazzola and Scalea).

The following Resolution #2018-262/Ordinance #2018-16 (Authorizing Acquisition of Easements - 4 McCue Road) was introduced by reference, offered by Council Vice President Metzger, seconded by Councilman Cantor and was passed on a roll call vote of 3- 0 in favor (Absent: Mazzola and Scalea).

RESOLUTION # 2018-262

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

ORDINANCE # 2018-16

AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT AND RIGHT-OF-WAY CONSISTING OF .031 ACRES AND A TEMPORARY CONSTRUCTION EASEMENT OF .022 ACRES OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 300, LOT 12 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, ALSO KNOWN AS 4 MCCUE ROAD, MORGANVILLE, NJ FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING STORMWATER INFRASTRUCTURE IN THE VICINITY OF CHURCH ROAD AND MCCUE ROAD IN THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on October 4, 2018 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2018-16

AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT AND RIGHT-OF-WAY CONSISTING OF .031 ACRES AND A TEMPORARY CONSTRUCTION EASEMENT OF .022 ACRES OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 300, LOT 12 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, ALSO KNOWN AS 4 MCCUE ROAD, MORGANVILLE, NJ FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING STORMWATER INFRASTRUCTURE IN THE VICINITY OF CHURCH ROAD AND MCCUE ROAD IN THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro ("Township") as part of its 2015 capital program (060-26) authorized public stormwater improvements in the vicinity of Church Road and McCue Road; and

WHEREAS, in order to complete the necessary public stormwater improvements, the Township requires certain permanent and temporary property easements; and

WHEREAS, the Township desires to acquire a .031 acre easement on Block 300, Lot 12 as described in the attached legal description dated July 20, 2018; and

WHEREAS, the Township desires to acquire a temporary easement consisting of a .022 acre portion of Block 300, Lot 12 as described in the attached legal description dated July 20, 2018; and

WHEREAS, the Township requires the permanent and temporary easements described in the aforementioned legal descriptions ("Property") for the public purposes of constructing stormwater infrastructure in the vicinity of Church Road and McCue Road and has entered into negotiations with the Owner to acquire the easements; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Marlboro is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Marlboro has the power to acquire any real property for a public purpose; and

WHEREAS, the Township Council of the Township of Marlboro has determined that it would serve a public purpose and be to the benefit of the health and welfare of the Township's citizens for the Township to acquire the Property in order to use the same for constructing and maintaining stormwater infrastructure in the vicinity of Church Road and McCue Road

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. The Township is hereby authorized to acquire an easement consisting of .031 acres and a temporary construction easement consisting of .022 acres located on the parcel of real Property known and designated as Block 300, Lot 12 on the Official Tax Map of the Township of Marlboro, Monmouth County, New Jersey, also known as 4 McCue Road, Morganville, NJ 07751, by agreement or by eminent domain, for the public purposes of constructing and maintaining stormwater infrastructure, for fair market value.

2. The Mayor and Township Clerk are hereby authorized and directed to execute and witness, any documents which may be required to effectuate the purchase and conveyance of the Property.

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.

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

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

The following Resolution #2018-263/Ordinance #2018-17 (Authorizing Acquisition of Easements - 6 McCue Road) was introduced by reference, offered by Council Vice President Metzger, seconded by Councilman Cantor and was passed on a roll call vote of 3 - 0 in favor (Absent: Mazzola and Scalea).

RESOLUTION # 2018-263

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

ORDINANCE # 2018-17

AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT AND RIGHT-OF-WAY CONSISTING OF .035 ACRES AND A TEMPORARY CONSTRUCTION EASEMENT OF .023 ACRES OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 300, LOT 13 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, ALSO KNOWN AS 6 MCCUE ROAD, MORGANVILLE, NJ FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING STORMWATER INFRASTRUCTURE IN THE VICINITY OF CHURCH ROAD AND MCCUE ROAD IN THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on October 4, 2018 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at

which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2018-17

AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT AND RIGHT-OF-WAY CONSISTING OF .035 ACRES AND A TEMPORARY CONSTRUCTION EASEMENT OF .023 ACRES OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 300, LOT 13 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, ALSO KNOWN AS 6 MCCUE ROAD, MORGANVILLE, NJ FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING STORMWATER INFRASTRUCTURE IN THE VICINITY OF CHURCH ROAD AND MCCUE ROAD IN THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro ("Township") as part of its 2015 capital program (060-26) authorized public stormwater improvements in the vicinity of Church Road and McCue Road; and

WHEREAS, in order to complete the necessary public stormwater improvements, the Township requires certain permanent and temporary property easements; and

WHEREAS, the Township desires to acquire a .035 acre easement on BLOCK 300, LOT 13 as described in the attached legal description dated July 20, 2018; and

WHEREAS, the Township desires to acquire a temporary easement consisting of a .023 acre portion of BLOCK 300, LOT 13 as described in the attached legal description dated July 20, 2018; and

WHEREAS, the Township requires the permanent and temporary easements described in the aforementioned legal descriptions ("Property") for the public purposes of constructing stormwater infrastructure in the vicinity of Church Road and McCue Road, and has entered into negotiations with the Owner to acquire the easements; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Marlboro is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Marlboro has the power to acquire any real property for a public purpose; and

WHEREAS, the Township Council of the Township of Marlboro has determined that it would serve a public purpose and be to the benefit of the health and welfare of the Township's citizens for the Township to acquire the Property in order to use the same for constructing and maintaining stormwater infrastructure in the vicinity of Church Road and McCue Road.

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. The Township is hereby authorized to acquire an easement consisting of .035 acres and a temporary construction easement consisting of .023 acres located on the parcel of real Property known and designated as Block 300, Lot 13 on the Official Tax Map of the Township of Marlboro, Monmouth County, New Jersey, also known as 6 McCue Road, Morganville, NJ 07751, by agreement or by eminent domain, for the public purposes of constructing and maintaining stormwater infrastructure, for fair market value.

2. The Mayor and Township Clerk are hereby authorized and directed to execute and witness, any documents which may be required to effectuate the purchase and conveyance of the Property.

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.

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

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

The following Resolution #2018-264/Ordinance #2018-18 (Authorizing Acquisition of Water Utility Easements - 51 Lloyd Road) was introduced by reference, offered by Council Vice President Metzger, seconded by Councilman Cantor and was passed on a roll call vote of 3 - 0 in favor (Absent: Mazzola and Scalea).

RESOLUTION # 2018-264

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

ORDINANCE # 2018-18

AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT AND RIGHT-OF-WAY CONSISTING OF .012 ACRES AND A TEMPORARY CONSTRUCTION EASEMENT OF .006 ACRES OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 118, LOT 24 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, ALSO KNOWN AS 51 LLOYD ROAD, MORGANVILLE, NJ 07751 FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING PUBLIC WATER INFRASTRUCTURE IN THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on October 4, 2018 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2018-18

AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT AND RIGHT-OF-WAY CONSISTING OF .012 ACRES AND A TEMPORARY CONSTRUCTION EASEMENT OF .006 ACRES OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 118, LOT 24 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, ALSO KNOWN AS 51 LLOYD ROAD, MORGANVILLE, NJ 07751 FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING PUBLIC WATER INFRASTRUCTURE IN THE TOWNSHIP OF MARLBORO

WHEREAS, on June 14, 2016, the Township of Marlboro Water Utility ("Utility") experienced a water main break under a streambed in the area of 51 Lloyd Road ; and

WHEREAS, temporary repairs were made at the time in order to restore water service to customers; and

WHEREAS, due to numerous factors, restoration of the original line under the streambed was determined not to be feasible; and

WHEREAS, in order to make the necessary permanent repairs, the Utility requires certain permanent and temporary property easements; and

WHEREAS, the Water Utility desires to acquire a .012 acre easement on BLOCK 118, LOT 24 as described in the attached legal description dated March 22, 2017; and

WHEREAS, the Water Utility desires to acquire a temporary easement consisting of a .006 acre portion of BLOCK 118, LOT 24 as described in the attached legal description dated March 22, 2017; and

WHEREAS, the Utility requires the permanent and temporary easements described in the legal description dated March 22, 2017 ("Property") for the public purposes of constructing and maintaining water utility infrastructure, and has entered into negotiations with the Owner to acquire the easements; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Marlboro is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Marlboro has the power to acquire any real property for a public purpose through negotiated agreement; and

WHEREAS, the Township Council of the Township of Marlboro has determined that it would serve a public purpose and be to the benefit of the health and welfare of the Township's citizens for the Township to acquire the Property in order to use the same for constructing and maintaining water utility infrastructure.

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. The Township is hereby authorized to acquire an easement consisting of .012 acres and a temporary construction easement consisting of .006 acres located on the parcel of real Property known and designated as Block 118, Lot 24 on the

Official Tax Map of the Township of Marlboro, Monmouth County, New Jersey, also known as 51 Lloyd Road, Morganville, New Jersey, for the public purposes of constructing and maintaining water utility infrastructure for a purchase price of Thirteen Thousand Dollars and 00/100 (\$13,000.00); and

2. The Mayor and Township Clerk are hereby authorized and directed to execute and witness, any documents which may be required to effectuate the purchase and conveyance of the Property; 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 hereby repealed to the extent of such conflict(s); and

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

The following Resolution #2018-265/Ordinance #2018-19 (Capital Ordinance - Acquisition of Water Utility Easements - 51 Lloyd Road) was introduced by reference, offered by Council Vice President Metzger, seconded by Councilman Cantor and was passed on a roll call vote of 3 - 0 in favor (Absent: Mazzola and Scalea).

RESOLUTION # 2018-265

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

ORDINANCE # 2018-19

AN ORDINANCE APPROPRIATING \$13,000.00 FROM WATER CAPITAL SURPLUS FOR ACQUISITION OF A TEMPORARY CONSTRUCTION AND PERMANENT WATER UTILITY EASEMENT ON BLOCK 118 LOT 24, ALSO KNOWN AS 51 LLOYD ROAD, MORGANVILLE, NEW JERSEY IN THE TOWNSHIP OF MARLBORO NEW JERSEY

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 October 4, 2018 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2018-19

AN ORDINANCE APPROPRIATING \$13,000.00 FROM WATER CAPITAL SURPLUS FOR ACQUISITION OF A TEMPORARY CONSTRUCTION AND PERMANENT WATER UTILITY EASEMENT ON BLOCK 118 LOT 24, ALSO KNOWN AS 51 LLOYD ROAD, MORGANVILLE, NEW JERSEY IN THE TOWNSHIP OF MARLBORO NEW JERSEY

WHEREAS, the Marlboro Water Utility requires both a permanent easement and temporary construction easement on part of Block 118, Lot 24, also known as 51 Lloyd Road, Morganville, NJ in order to complete a critical water utility capital project; and

WHEREAS, the required funds needed to provide for the acquisition are currently available in the Water Capital Surplus Account in the Water Capital Fund of the Township of Marlboro.

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 a sum of \$13,000.00 is hereby appropriated from the Township Water Capital Surplus account in order to provide for acquisition of water easements on part of Block 118, Lot 24.

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

As the Consent Agenda, the following resolutions were introduced by reference, offered by Council Vice President Metzger, seconded by Councilman Cantor, and was passed on a roll call vote of 3 - 0 in favor (Absent: Mazzola, Scalea): Res. #2018-266 (Authorizing Municipal Assistance/Shared Services Agreement with Monmouth County), Res. #2018-267 (Authorizing Participation in Monmouth County Commodity Resale System), Res. #2018-268 (Authorizing Participation in Monmouth County Commodity Resale System), Res. #2018-269 (Authorizing Application 2019 NJDOT Municipal Aid Program), Res. #2018-270 (Authorizing Cancellation

of Unexpended Water Capital Fund Balances), Res. #2018-271 (Authorizing Release of Performance Bond - Marlboro Medical Arts Building/SFC Enterprises LLC - B 213, L 8.01), Res. #2018-272 (Authorizing Professional Engineering Construction Management Services - 2018 Road Improvement Program), Res. #2018-273 (Authorizing State Contract & ESCNJ Co-op Purchase of Replacement Vehicles & Related Equipment for Fire Prevention & Uniform Construction Code) Res. #2018-274 (Authorizing Joint Purchase Agreement with Manalapan - Purchase of Material Conveyor (Capital 2018 120-3)), Res. #2018-275 (Authorizing Contract Renewal - Property Maintenance), Res. #2018-276 (Authorizing Contract Renewal - Curbside Bulk Pick-Up) Res. #2018-277 (Authorizing Contract Renewal - Farming Lease - McCarron Farm), Res. #2018-278 (Authorizing Contract Renewal - Farming Lease - DiMeo Farm), Res. #2018-279 (Award of Bid - Contract Snow Removal for Commuter Lots), Res. #2018-280 (Award of Bid - Preventative Gate Valve Maintenance), Res. #2018-281 (Authorizing Contract Renewal - E-Ticketing), Res. #2018-282 (Authorizing Transfer and Acceptance of Surplus Military Equipment for US Department of Defense (DOD) 1033 Program), Res. #2018-283 (Authorizing Shared Services Agreement with FRHSD for School Security Officers), Res. #2018-284 (Authorizing Acceptance of Donation from Whole Foods Market for Recreation Summer Concert Series), Res. #2018-285 (Tax Lien Redemption - Various), Res. #2018-286 (Tax Overpayment - Delia Garcia), Res. #2018-287 (Refund Overpayment - Joan Ann Paxton).

RESOLUTION # 2018-266

RESOLUTION AUTHORIZING A MUNICIPAL ASSISTANCE/
SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH

WHEREAS, the County of Monmouth, a local unit, has offered to provide municipal assistance/shared services to 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, the County of Monmouth and the Township of Marlboro are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the County of Monmouth and the Township of Marlboro

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.

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.

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

- a) County of Monmouth
- b) Township Business Administrator
- c) Director of Public Works
- d) Chief Financial Officer

RESOLUTION # 2018-267

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMODITY
RESALE AGREEMENT WITH THE COUNTY OF MONMOUTH

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 - MCCRS), for the period of October 1, 2018 through September 30, 2023; and

WHEREAS, it would be in the best interest of this Municipality to become or remain a member of the Monmouth County Commodity Resale System for that period.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Governing Body of the Township of Marlboro that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

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

- a) County of Monmouth
- b) Township Business Administrator
- c) Director of Public Works
- d) Chief Financial Officer

RESOLUTION # 2018-268

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO MGL PRINTING SOLUTIONS, CENTURION PRINTING, RIDGEWOOD PRESS, CRAFTMASTER PRINTING, INC., DOT DESIGNING LLC, CONCEPT PRINTING INC. AND URNER BARRY PUBLICATIONS, INC. FOR PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro authorized the acceptance of bids for PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO, and on November 30, 2017 (R.2017-334) authorized the award of contracts to the lowest responsible bidders as follows:

	Centurion Printing, Kenilworth, NJ	Craftmaster Printing, Inc., Neptune City, NJ	MGL Printing Solutions New Providence, NJ	Ridgewood Press, Ridgewood, NJ	Urner Barry Publications, Inc., Bayville, NJ	Dot Designing Monroe, NJ	Concept Printing Inc., Nyack, NY
SECTION A: ENVELOPES (excluding Items A17 & A22)	6,337.00	6,826.00	0.00	7,106.20	12,352.00	0.00	11,176.00
SECTION A: ENVELOPES - A17	0.00	180.00	0.00	144.00	200.00	0.00	190.00
SECTION A: ENVELOPES - A22	0.00	231.00	0.00	240.00	240.00	0.00	277.00
SECTION B: BUSINESS CARDS	3,020.00	2,514.00	0.00	0.00	4,690.00	0.00	1,696.50
SECTION C: LETTERHEAD	301.00	320.00	0.00	330.00	575.00	0.00	192.50
SECTION D: FORMS (Tax Collector D1-D6, Fire D23, Court D24-D33, & Water D36-D38)	14,679.00	7,173.50	8,521.00	7,047.00	3,500.00	0.00	9,590.50
SECTION D: FORMS (Police D7 & Zoning D8 & D21)	1,195.00	622.40	0.00	516.00	1,000.00	0.00	760.00
SECTION D: FORMS (Recreation D9-D11 & D22, Building D12-D20 & Engineering D34 & D35)	7,297.00	7,267.00	0.00	10,733.50	13,738.00	0.00	13,054.00

SECTION E: BOOKLETS/BROCHURES	8,000.00	12,086.0 0	0.00	6,160.00	8,485.00	0.00	5,375.00
SECTION F: POSTERS/SIGNS	0.00	1,534.00	0.00	40.00	0.00	0.00	1,700.00
SECTION G: STICKERS (BUILDING)	1,877.00	1,253.00	0.00	1,189.00	1,875.00	0.00	1,723.50
SECTION G: STICKERS (SWIM)	0.00	0.00	0.00	2,650.00	350.00	0.00	165.00
SECTION H: COPIES	1,860.00	3,880.00	0.00	0.00	0.00	0.00	1,527.50
SECTION I: MISCELLANEOUS (Tax Collector I2-I4, Engineering I6, Mayor I7 & I22, Clerk I15, Registrar I16, & Water I17)	7,650.00	2,205.00	785.00	2,321.50	2,100.00	0.00	3,736.25
SECTION I: MISCELLANEOUS (Recreation I8-I12 & I18-I20, & Swim I21)	2,195.50	425.00	0.00	385.00	6,475.00	2,008.00	3,583.30
SECTION I: MISCELLANEOUS (Police I1, & Recreation I5)	0.00	232.50	0.00	248.00	500.00	0.00	335.00
SECTION I: MISCELLANEOUS (Animal Control I13 & I14)	0.00	0.00	1,294.00	0.00	0.00	0.00	5,225.00
SECTION J: PRINT/MAILING (CLERK, POLICE, RECREATION, SWIM)	0.00	0.00	0.00	0.00	22,873.00	0.00	26,443.50
SET-UP FEE (ESTIMATE OF 7 QTY.)	45.00 x 7 = 315.00	0.00	0.00	0.00	0.00	0.00	0.00
Totals	6,652.00	9,264.50	1,294.00	1,849.00	22,873.00	2,008.00	22,283.25

; and

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

WHEREAS, the Department of Administration recommends that the Township approve a one (1) year extension the contracts; 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 contracts be extended to Centurion Printing in an amount not to exceed \$6,652.00,

Craftmaster Printing, Inc. in an amount not to exceed \$9,264.50, MGL Printing Solutions in an amount not to exceed \$1,294.00, Ridgewood Press in an amount not to exceed \$1,849.00, Dot Designing LLC in an amount not to exceed \$2,008.00, Concept Printing Inc. in an amount not to exceed \$22,283.25 and Urner Barry Publications, Inc. in an amount not to exceed \$22,873.00 for PRINTING-DIRECT MAILING SERVICES for the period January 1, 2019 through December 31, 2019 in accordance with terms and conditions specified in the bid proposals.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with Centurion Printing, Craftmaster Printing, Inc., MGL Printing Solutions, Ridgewood Press, Dot Designing LLC, Concept Printing Inc., and Urner Barry Publications, 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 funds will be certified by the Chief Financial Officer upon adoption of the 2019 budget.

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

- a) Centurion Printing
- b) Craftmaster Printing, Inc.
- c) MGL Printing Solutions
- d) Ridgewood Press
- e) Concept Printing Inc.
- f) Dot Designing LLC
- g) Urner Barry Publications, Inc.
- h) Township Business Administrator
- i) Chief Financial Officer

RESOLUTION # 2018-269

RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE "MARLBORO ROAD PROGRAM" PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Marlboro formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as

MA-2019-Marlboro Road Program-00125 to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Marlboro and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION # 2018-270

CANCELLING UNEXPENDED WATER UTILITY
CAPITAL FUND BALANCES

WHEREAS, certain capital ordinances within the Township of Marlboro Water Utility Capital Accounts have balances remaining for capital improvement authorizations previously authorized by the Township Council of the Township of Marlboro, Monmouth County, State of New Jersey, and

WHEREAS, certain projects for which remaining funding exists have been deemed as unnecessary or no longer needed, and

WHEREAS, the cancellation of these balances must be completed through resolution of this Governing Body,

NOW, THEREFORE, BE IT RESOLVED that the following capital ordinances be cancelled in the amounts depicted with the funded balances being cancelled into capital surplus and the unfunded balances being recorded to reduce debt authorization.

<u>WATER CAPITAL:</u>		
Ordinance Number	Funded	Unfunded
2011-12	13,000.00	
Total	\$ 13,000.00	\$ -

RESOLUTION # 2018-271

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR THE SOIL REMOVAL ACTIVITIES, AT THE SITE KNOWN AS MARLBORO MEDICAL ARTS BUILDING / SFC ENTERPRISES, LLC, BLOCK 213, LOT 8.01, LOCATED AT 479 ROUTE 520, 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. Doug Clelland of InSite Engineering, LLC, for release of the Township held Performance Guarantees in the form of a Cash Deposit for soil removal on the Site known as "Marlboro Medical Arts Building / SFC Enterprises, LLC" (the "Site"), property known as Block 213, Lot 8.01, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by SFC Enterprises Inc., (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated August 2, 2018, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the current Performance Guarantee in the form of a Cash Deposit, Check No. 160211, issued by Wells Fargo Bank in the amount of \$15,000.00 (excludes accrued interest) and being held by the Township, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release.

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the above-described Performance Guarantee in the form of a Cash Deposit, Check No. 160211, issued by Wells Fargo Bank in the amount of \$15,000.00 (excludes accrued interest) and being held by the Township, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release; and

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

- a) SFC Enterprises Inc.
- b) Wells Fargo Bank
- c) Township Business Administrator
- d) Chief Financial Officer
- e) Township Engineer
- f) Township Attorney
- g) Salvatore Alfieri, Esq.

RESOLUTION # 2018-272

A RESOLUTION AUTHORIZING AN AMENDMENT TO A
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL
ENGINEERING CONSTRUCTION MANAGEMENT SERVICES IN
CONNECTION WITH ROAD AND DRAINAGE IMPROVEMENTS

WHEREAS, the Township of Marlboro authorized various road and drainage improvements (17-060-03, 18-060-01, 06, 19.1 and 19.2) under its 2017 and 2018 capital programs ("Project"); and

WHEREAS, on April 12, 2018, the Township Council adopted Resolution 2018-147 authorizing an amendment to the professional services contract with CME Associates to include professional engineering, design and bid services in connection with the Project; and

WHEREAS, on August 9, 2019, the Township Council authorized the award a contract to Lucas Brothers, the lowest responsible bidder, for 2018 road improvements; and

WHEREAS, the Township is in need of professional engineering and construction management services in connection with the Project ("Professional Services"); and

WHEREAS, CME Associates has provided a proposal dated August 14, 2018 (the "Proposal") for the required professional services; 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 by way of its Township Engineers at a fee not to exceed \$142,000.00 for such Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

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

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$142,000.00 are available in Capital Account 04-215-18-01C-060288 for this purpose; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with CME Associates to provide the required additional Professional Services for the Project in accordance with the Proposal; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include professional engineering construction management services in connection with the 2018 road improvement program by way of its Township Engineers, at a fee not to exceed \$142,000.00 for such Professional Services, as further described and set forth in CME's Proposal dated August 14, 2018, 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 \$142,000.00 for such additional Professional Services for the Project as described in the Proposal; and

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

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

- a) CME Associates, 1460 Route 9 South, Howell, NJ 07731
- b) Township Business Administrator
- c) Township Chief Financial Officer

RESOLUTION # 2018-273

RESOLUTION AUTHORIZING THE AWARD OF STATE CONTRACTS
AND THE ESCNJ COOPERATIVE CONTRACT TO VARIOUS VENDORS
FOR THE PURCHASE OF VEHICLES AND RELATED EQUIPMENT FOR
THE TOWNSHIP OF MARLBORO FIRE PREVENTION BUREAU AND
THE UNIFORM CONSTRUCTION CODE DIVISION

WHEREAS, the Township of Marlboro as part of its annual six (6) year capital program plans for the replacement of fleet vehicles on a staggered basis; and

WHEREAS, a percentage of the police vehicle fleet is replaced on an annual basis based upon an estimated 3-5 year life cycle; and

WHEREAS, historically, high mileage police vehicles are turned over to the civilian fleet for use by various inspection staff; and

WHEREAS, in light of the new School Security initiative which requires hiring approximately ten (10) special law enforcement officers, surplus police vehicles are needed by the Division of Police for transportation to and from the schools; and

WHEREAS, as a result of the School Security initiative the Township needs to accelerate the purchase of replacement fleet vehicles; and

WHEREAS, the Fire Prevention Bureau and the Uniform Construction Code Division maintain dedicated Trust Funds which may be used for the purchase of capital equipment for use by those Divisions; and

WHEREAS, sufficient trust fund balances are currently available for the acquisition of replacement vehicles; 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 Fire Prevention Bureau has requested that the Township purchase a vehicle and related equipment under various State contracts as follows:

Item Description	SC#	Vendor	Cost	Dept.
Light Bar for 2019 Ford Explorer	81330	General Sales Admin Inc.	\$1,865.00	Fire
Mic Clip, EM Lights, Center Console & Installation	81334	Kaldor	\$2,336.14	Fire
Antenna & Related Equipment	83900	PMC Assoc.	\$323.80	Fire
Radio & Related Equipment	83932	PMC Assoc.	\$2,749.60	Fire
2019 Ford Explorer	88728	Winner Ford	\$26,671.60	Fire
Total			\$33,946.14	

; and

WHEREAS, a small number of items required to outfit the vehicle are not available on the above mentioned State Contracts; and

WHEREAS, the requests have been reviewed and it is recommended that the Township purchase the below vehicle equipment based upon price quotes:

Item Description	Vendor	Cost	Dept.
Knox Box for Key Security	Knox Company	\$636.00	Fire
Vinyl Lettering for Ford Explorer	Bry Pat Adv.	\$450.00	Fire

Total	\$1,086.00
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; and

WHEREAS, the Township is also authorized to purchase vehicles and related equipment from bids obtained from a cooperative pricing system such as the Educational Services Commission of NJ (ESCNJ) pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Uniform Construction Division has requested that the Township purchase vehicles and related equipment under the ESCNJ Cooperative Contract #ESCNJ 17/18-21; and

WHEREAS, Beyer Ford was awarded the ESCNJ Cooperative Contract #ESCNJ 17/18-21 for two (2) 2018 Ford Explorer Base 4WD Units and related equipment at a total price of \$58,265.16; 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 and related equipment to be utilized by the Fire Prevention Bureau and the Uniform Construction Code Division; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$35,032.14 from the Fire Prevention Trust account 12-228-55-051 and \$58,265.16 from the Uniform Construction Code Trust account 16-201-56-850-297850; and

WHEREAS, the Township Council desires to approve the purchase of the replacement vehicles and related 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 replacement vehicles and related equipment for the Marlboro Township Fire Prevention Bureau and the Uniform Construction Code Division as identified above in an amount not to exceed \$93,297.30.

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

- a) Business Administrator
- b) Fire Prevention Bureau
- c) Uniform Construction Code Division
- d) Chief Financial Officer
- e) Insurance

RESOLUTION # 2018-274

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF MARLBORO AND THE TOWNSHIP OF MANALAPAN TO PROVIDE FOR THE JOINT ACQUISITION OF A MATERIAL CONVEYOR

WHEREAS, the Township of Marlboro as part of its 2018 capital program (120-3) authorized the purchase of a MATERIAL CONVEYOR ("Equipment") for the Department of Public Works; and

WHEREAS, a material conveyor provides for a safer and more efficient way to load delivered material into the "salt" barns constructed for such purpose, allowing for the maximization of the available space in the barns and reducing the potential for material shortages during extreme winters; and

WHEREAS, the material conveyor is not needed on a regular on-going basis; and

WHEREAS, the Townships of Marlboro ("Marlboro") and Township of Manalapan ("Manalapan") have identified an opportunity to share the cost of the equipment at a substantial savings to both municipalities; and

WHEREAS, Marlboro and Manalapan are interested in entering into an Agreement whereby the Townships of Marlboro ("Marlboro") and Manalapan ("Manalapan") jointly acquire a material conveyor; and

WHEREAS, the joint acquisition of the equipment will be beneficial to and result in substantial savings for the taxpayers of both municipalities; and

WHEREAS, Manalapan and Marlboro have memorialized the agreed upon operational and financial terms concerning the acquisition of the equipment in a Memorandum of Understanding ("EXHIBIT A"), and desire to enter into an agreement at this time.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Marlboro that the Mayor and Township Clerk are hereby authorized to execute a Memorandum of Understanding in a form approved by the Township Attorney and substantially similar to EXHIBIT A concerning the joint acquisition of a Material Conveyor.

RESOLUTION # 2018-275

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO ON SITE LANDSCAPE MANAGEMENT FOR THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on August 19, 2017 (R.2017-310) the Township Council of the Township of Marlboro awarded a contract to ON SITE LANDSCAPE MANAGEMENT FOR THE PROVISION OF TOWNSHIP PROPERTY MAINTENANCE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, on April 12, 2018 (R.2018-148) the Township Council of the Township of Marlboro authorized an amendment to the contract to incorporate additional Township owned properties; and

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

WHEREAS, in a memo dated August 22, 2018, the Director of Public Works has recommended that the Township approve a one (1) year extension of the contract including the additional Township owned properties incorporated by the amendment; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to ON SITE LANDSCAPE MANAGEMENT, whose address is P.O. Box 294, Millstone, NJ 08535 for a one-year period beginning on January 1, 2019, for an amount not to exceed \$192,084.49.

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

BE IT FURTHER RESOLVED funds in the amount of \$192,084.49 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) On Site Landscape Management

- b) Township Business Administrator
- c) Director of Public Works
- d) Chief Financial Officer

RESOLUTION # 2018-276

A RESOLUTION AUTHORIZING YEAR 5 OF CONTRACT TO
CENTRAL JERSEY WASTE & RECYCLING, INC. FOR COMMUNITY
SPRING BULK PICK-UP FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS

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

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

WHEREAS, on November 12, 2015 (R.2015-346) the Township Council approved the first one year extension of the contract to CENTRAL JERSEY WASTE & RECYCLING, INC. for calendar year 2016; and

WHEREAS, on December 1, 2016 (R.2016-353) the Township Council approved the second one year extension of the contract to CENTRAL JERSEY WASTE & RECYCLING, INC. for calendar year 2017; and

WHEREAS, on November 2, 2017 (R.2017-318) the Township Council approved the third one year extension of the contract to CENTRAL JERSEY WASTE & RECYCLING, INC. for calendar year 2018; and

WHEREAS, in a memo dated August 24, 2018, the Director of Public Works has recommended that the Township approve the fourth 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 be awarded to CENTRAL JERSEY WASTE & RECYCLING, INC. whose address is 432 Stokes Avenue, Ewing, NJ 08638 for a period of one year commencing on January 1, 2019 and expiring on December 31, 2019, in a total amount not to exceed \$213,000.00.

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

BE IT FURTHER RESOLVED that funds in the amount of \$213,000.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2019 budget.

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

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

RESOLUTION # 2018-277

A RESOLUTION APPROVING RENEWAL OF CONTRACT (YEAR 3) WITH MATTHEW ZELEZNIK FOR THE LEASE OF FARMING RIGHTS ON THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "MCCARRON PROPERTY" LOCATED ON PLEASANT VALLEY ROAD AND DESIGNATED AS BLOCK 155, LOT 13.03 ON THE OFFICAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, on August 10, 2017 (R.2017-262) the Township Council of the Township of Marlboro awarded a contract to MATTHEW ZELEZNIK FOR THE LEASE OF FARMING RIGHTS ON THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "MCCARRON PROPERTY" LOCATED ON PLEASANT VALLEY ROAD AND DESIGNATED AS BLOCK 155, LOT 13.03 ON THE OFFICAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY; 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, on November 30, 2017 (R.2017-345) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated August 29, 2018, 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 MATTHEW ZELEZNIK whose address is 8 Hudson Street, Marlboro, NJ 07746 be extended for an additional year commencing on January 1, 2019 and expiring on December 31, 2019, in a total amount not to exceed \$200.00 in accordance with terms and conditions specified in the bid proposal.

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

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

RESOLUTION # 2018-278

A RESOLUTION APPROVING RENEWAL OF CONTRACT (YEAR 3) WITH MATTHEW ZELEZNIK FOR THE LEASE OF FARMING RIGHTS ON THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "DIMEO PROPERTY" LOCATED ON CONOVER ROAD AND DESIGNATED AS BLOCK 159, LOT 1 ON THE OFFICAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, on August 10, 2017 (R.2017-261) the Council of the Township of Marlboro awarded a contract to MATTHEW ZELEZNIK FOR THE LEASE OF FARMING RIGHTS ON THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "DIMEO PROPERTY" LOCATED ON CONOVER ROAD AND DESIGNATED AS BLOCK 159, LOT 1 ON THE OFFICAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY; 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, on November 30, 2017 (R.2017-346) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated August 29, 2018, 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 MATTHEW ZELEZNIK whose address is 8 Hudson Street, Marlboro, NJ 07746 be extended for an additional year commencing on January 1, 2019 and expiring on December 31, 2019, in a total amount not to exceed \$200.00 in accordance with terms and conditions specified in the bid proposal.

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

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

RESOLUTION # 2018-279

A RESOLUTION AWARDING CONTRACT TO GARDEN IRRIGATION FOR THE PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on July 25, 2018, bids were opened for the PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, a material error in the bid specifications was identified which necessitated a revision of the bid specifications; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(d), a contracting unit may reject all bids to substantially revise the specification for the goods or services; and

WHEREAS, by the Township Council of the Township of Marlboro, on August 9, 2018 (R2018-245) all bids received for the project titled PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS were rejected pursuant to N.J.S.A. 40A:11-13.2(d); and

WHEREAS, the Township of Marlboro re-advertised for the acceptance of bids for the PROVISION OF PARKING LOT SNOW REMOVAL

SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS,
and on August 29, 2018, received two (2) bids, as follows:

#	ROUTE 9 & TEXAS ROAD	Royal Irrigation 8 Timber Lane Marlboro, NJ 07746	Garden Irrigation 316 Tennent Road Morganville, NJ 07751
		BID AMOUNT	BID AMOUNT
A.	2018/2019 Season - up to 2"	\$ 1,500.00	\$ 1,200.00
B.	2018/2019 Season - 2.1" to 4"	\$ 2,500.00	\$ 2,300.00
C.	2018/2019 Season - 4.1" to 6"	\$ 3,600.00	\$ 3,400.00
D.	2018/2019 Season - 6.1" to 9"	\$ 5,500.00	\$ 5,400.00
E.	2018/2019 Season - 9.1" to 12"	\$ 7,700.00	\$ 7,600.00
F.	TOTAL BID AMOUNT (Items A through E)	\$ 20,800.00	\$ 19,900.00

VEHICLES/EQUIPMENT	NO. OF VEHICLES	UNIT PRICE PER HOUR	NO. OF VEHICLES	UNIT PRICE PER HOUR
Class II	1	\$ 300.00	1	\$ 300.00
Class III	1	\$ 300.00	1	\$ 300.00
Loader	1	\$ 350.00	1	\$ 350.00
Loader/Backhoe	1	\$ 350.00	1	\$ 350.00

Clearing Sidewalks	UNIT PRICE PER HOUR	\$ 350.00	UNIT PRICE PER HOUR	\$ 350.00
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#	ALTERNATE NO. 1 UNION HILL ROAD	BID AMOUNT	BID AMOUNT
1A.	2018/2019 Season - up to 2"	\$ 2,600.00	\$ 2,200.00
1B.	2018/2019 Season - 2.1" to 4"	\$ 4,500.00	\$ 4,200.00
1C.	2018/2019 Season - 4.1" to 6"	\$ 7,500.00	\$ 7,200.00
1D.	2018/2019 Season - 6.1" to 9"	\$ 9,500.00	\$ 9,200.00
1E.	2018/2019 Season - 9.1" to 12"	\$ 10,200.00	\$ 10,200.00
1F.	TOTAL BID AMOUNT (Items 1A through 1E)	\$ 34,300.00	\$ 33,000.00

VEHICLES/EQUIPMENT	NO. OF VEHICLES	UNIT PRICE PER HOUR	NO. OF VEHICLES	UNIT PRICE PER HOUR
Class II	1	\$ 300.00	1	\$ 300.00
Class III	1	\$ 300.00	1	\$ 300.00
Loader	1	\$ 350.00	1	\$ 350.00
Loader/Backhoe	1	\$ 350.00	1	\$ 350.00

; and

WHEREAS, the bid submission of the apparent low bidder, for the base bid and Alternate No. 1, Garden Irrigation, has been determined to be responsive as detailed in an August 30, 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 Garden Irrigation, whose address is 316 Tennent Road, Morganville, NJ 07751 in an amount not to exceed \$52,900.00 for the PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS for the one year period of October 1, 2018 - September 30, 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 Garden Irrigation 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 funds in the amount of \$13,225.00 for the aforesaid contract in Current Account #01-201-26-119-288310.

BE IT FURTHER RESOLVED funds in the amount of \$39,675.00 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) Garden Irrigation
- b) Business Administrator
- c) Director of Public Works
- d) Chief Financial Officer

RESOLUTION # 2018-280

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO J.F. KIELY CONSTRUCTION CO. 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 2018 capital program (500-24) authorized PREVENTATIVE GATE VALVE MAINTENANCE FOR THE TOWNSHIP OF MARLBORO WATER UTILITY DIVISION; and

WHEREAS, additional valve repair and replacement is required beneath a roadway scheduled for drainage and resurfacing work under the 2018 road improvement program; and

WHEREAS, staging water infrastructure improvements in concert with road resurfacing work represents the best use of resources for both taxpayers and water ratepayers; and

WHEREAS, funding for the additional valve repair and replacement is available from unexpended balances of prior year water capital improvement authorizations; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the PROVISION OF PREVENTATIVE GATE VALVE MAINTENANCE, and on August 29, 2018, received one (1) bid, as follows:

	J.F. Kiely Construction Co. 1 Radar Way Tinton Falls, NJ 07724	
Item Description	Bid Price	
Whittier	Unit Price	Total
A. 4 EA. - 6" Hydrant Lateral Valve	\$3,025.00	\$12,100.00
B. 7 EA. - 6" Line Valve	\$3,025.00	\$21,175.00
C. 7 EA. - 8" Line Valve	\$3,100.00	\$21,700.00
	Total	\$54,975.00

; and

WHEREAS, in a memo dated August 30, 2018, the Director of Public Works has reported that J.F. Kiely Construction Co., the sole bidder, is responsive and has recommended that the contract for the PROVISION OF PREVENTATIVE GATE VALVE MAINTENANCE be awarded to J.F. Kiely Construction Co., whose address is 1 Radar Way, Tinton Falls, NJ 07724, for an amount not to exceed \$54,975.00; 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

J.F. Kiely Construction Co., whose address is 1 Radar Way, Tinton Falls, NJ 07724 in an amount not to exceed \$54,975.00 for the PROVISION OF PREVENTATIVE GATE VALVE MAINTENANCE.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, Contracts with J.F. Kiely Construction 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 \$54,975.00 are available for the aforesaid contract in various Water Capital Accounts.

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

- a) J.F. Kiely Construction Co.,
- b) Business Administrator
- c) Director of Public Works
- d) Township Chief Financial Officer

RESOLUTION # 2018-281

A RESOLUTION APPROVING RENEWAL OF CONTRACT (YEAR 7) WITH GOLD TYPE BUSINESS MACHINES INC. ("GTBM, INC.") FOR THE PROVISION OF E-TICKETING FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, on December 6, 2012 (R.2012-401) the Township Council of the Township of Marlboro awarded a five (5) year contract, pursuant to NJSA 40A11-15(5), to GOLD TYPE BUSINESS MACHINES INC. ("GTBM, INC.") FOR THE PROVISION OF E-TICKETING 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, on October 5, 2017 (R.2017-297) the Township Council approved the first one-year extension of the contract; and

WHEREAS, in a memo dated August 30, 2018, the Chief of Police 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 GOLD TYPE BUSINESS MACHINES INC. ("GTBM, INC.") whose address is 351 Paterson Avenue, East Rutherford, NJ 07073 be extended for an additional year commencing on January 1, 2019 and expiring on December 31, 2019, in a total amount not to exceed \$2,500.00 in accordance with terms and conditions specified in the bid proposal.

BE IT FURTHER RESOLVED funds in the amount of \$2,500.00 will be made available and certified in 2019 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) Gold Type Business Machines, Inc. ("GTBM, INC.")
- b) Business Administrator
- c) Chief of Police
- d) Chief Financial Officer

RESOLUTION # 2018-282

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 # 2018-283

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT WITH FREEHOLD REGIONAL HIGH SCHOOL DISTRICT ("FRHSD") TO PROVIDE FOR SCHOOL SECURITY OFFICERS(SSOs) IN MARLBORO HIGH SCHOOL

WHEREAS, the Township of Marlboro ("Township") and Freehold Regional High School District ("FRHSD") are committed to providing for the safety of Marlboro's youth while they attend school; and

WHEREAS, a Law was enacted during the 2014-15 session of the New Jersey State Legislature establishing a new class of Special Law Enforcement Officers (Class III) specifically to provide for security in schools under the direction of the local police agency (NJS C.40A:14-146.8 et seq.); and

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

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

WHEREAS, the Township and the FRHSD have negotiated the key terms of a Shared Services Agreement, included in draft form as EXHIBIT A and incorporated into this resolution as if set forth at length herein to provide for Class III Special Law Enforcement Officers in the Marlboro High School; and

WHEREAS, the Township Council of the Township of Marlboro supports the SSO program in the Marlboro High School and endorses this partnership between the Township and the FRHSD.

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

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

RESOLUTION # 2018-284

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 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 \$1,294.00; and

WHEREAS, Whole Foods is donating a Visa Gift Card to the Recreation Department to use to purchase ice in the amount of \$25.00; and

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

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

BE IT FURTHER RESOLVED that the 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 Business Administrator
- b) Chief Financial Officer
- c) Director of Recreation

RESOLUTION # 2018-285

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$92,906.07 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 \$92,906.07 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>
2017-008	119.03/15	US Bank Cust PC7 Firsttrust 50 South 16 th Street, Suite 2050 Philadelphia, PA 19102 Assessed Owner: Straus, Lloyd	2,906.01
2017-033	180/83.44	US Bank Cust PC7 Firsttrust 50 South 16 th Street, Suite 2050 Philadelphia, PA 19102 Assessed Owner: Alankar, Sudhir & Anitha	4,431.21
2016-042	176/101	Fig Capital Investments NJ13 PO Box 54472	3,629.30

New Orleans, LA 70154
Assessed Owner:
Ulikowski, Deborah E.

11-76	331/4	Ace Plus, LLC 1416 Ave L Brooklyn, NY 11230 Assessed Owner: Ruisi, Vito & Nicole	81,939.55
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RESOLUTION # 2018-286

WHEREAS, the attached list in the amount of \$4,316.07 known as Schedule "A", is comprised of amounts representing overpayments for 2018 taxes,

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

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>2018 REFUND</u>
420/2		Garcia, Delia c/o New Jersey Tax Appeals 998 Holmdel Road Holmdel, NJ 07733	4,316.07

Total: \$ 4,316.07

RESOLUTION # 2018-287

WHEREAS, a 2012 Homestead Benefit credit was applied to Block: 113 Lot: 1, located at 7 West Court for Ronald & Joan Ann Paxton on April 30, 2015 in the amount of \$529.38 in May, 2015 and,

WHEREAS, the home was sold in August, 2013 and the property has since been classified as Tax Exempt and,

WHEREAS, there is an overpayment of the property taxes in the amount of \$529.38

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to refund the amount of \$529.38 to Paxton, Joan Ann.

At 9:00 PM, Council Vice President Metzger moved that the meeting be adjourned. This was seconded by Council President Marder, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Mazzola, Scalea).

MINUTES APPROVED: OCTOBER 4, 2018

OFFERED BY:	CANTOR	AYES:	2
SECONDED BY:	MARDER	NAYS:	0
		ABSTAIN:	MAZZOLA, SCALEA
		ABSENT:	METZGER

ALIDA MANCO,
MUNICIPAL CLERK

RANDI MARDER,
COUNCIL PRESIDENT