

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

OCTOBER 18, 2018

The Marlboro Township Council held its regularly scheduled Meeting on October 18, 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 October 4, 2018 be adopted. This was seconded by Councilman Cantor and was passed on a roll call vote of 3 - 0 in favor (Absent: Metzger and Scalea).

The following Resolution #2018-309/Ordinance #2018-20 (Authorizing Acquisition of Temporary Construction Easement for Stormwater Improvements - 54 Church Road) was introduced by reference, offered by Councilwoman Mazzola and seconded by Councilman Cantor. Council President Marder opened the Public Hearing on Ordinance #2018-20. 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 and Scalea).

RESOLUTION # 2018-309

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

ORDINANCE # 2018-20

AN ORDINANCE AUTHORIZING TEMPORARY CONSTRUCTION EASEMENT ON THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 300, LOT 10 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, ALSO KNOWN AS 54 CHURCH ROAD, MORGANVILLE, NJ FOR THE PURPOSES OF CONSTRUCTING STORMWATER INFRASTRUCTURE IN THE VICINITY OF CHURCH ROAD AND MCCUE ROAD IN THE TOWNSHIP OF MARLBORO

which was introduced on October 4, 2018, public hearing held on October 18, 2018, be adopted on second and final reading this 18th day of October, 2018.

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

The following Resolution #2018-310/Ordinance #2018-21 (Amending Section 138-35 "APPLICABILITY OF TITLE 39, SUBTITLE 1, TO CERTAIN PREMISES" to Revise Certain Language - Maple Tree Plaza) was 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 and Scalea).

RESOLUTION # 2018-310

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

ORDINANCE # 2018-21

AN ORDINANCE AMENDING CHAPTER 138, SECTION 35 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "APPLICABILITY OF TITLE 39, SUBTITLE 1, TO CERTAIN PREMISES"

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 November 29, 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 # 2018-21

AN ORDINANCE AMENDING CHAPTER 138, SECTION 35 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "APPLICABILITY OF TITLE 39, SUBTITLE 1, TO CERTAIN PREMISES"

BE IT ORDAINED by the Township Council of the Township of Marlboro that Chapter 138, Section 35 of the Code of the Township of Marlboro is hereby amended and supplemented as follows:

§ 138-35 Applicability of Title 39, Subtitle 1, to certain premises.

In accordance with N.J.S.A. 39:5A-1 et seq., written requests having been filed with the Township pursuant thereto, the provisions of Title 39, Subtitle 1, of the New Jersey Revised Statutes are hereby applied to the semipublic or private roads and parking areas of the following described premises:

~~N. Marlboro Movies Cinema & Shopping Center.~~ Marlboro Costco Shopping Center.

T. Maple Tree Plaza.

BE IT FURTHER ORDAINED that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

The following Resolution #2018-320 (Authorizing Honorary Street Designation in Honor of John J. Maziekien, Jr), was introduced by reference, offered by Councilman Cantor, seconded by Councilwoman Mazzola, and passed on a roll call vote of 3 - 0 in favor (Absent: Metzger, Scalea).

RESOLUTION # 2018-320

A RESOLUTION AUTHORIZING AN HONORARY STREET DESIGNATION IN HONOR OF JOHN J. MAZIEKIEN JR. IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, the Township of Marlboro desires to honor certain extraordinary citizens who have served in the United States

military by assigning an honorary name to streets within the Township, and marking the location with honorary signage; and

WHEREAS, John J. Maziekien Jr. was born on March 19, 1924 in Century, West Virginia, moving to Irvington, New Jersey as a child and graduating from Irvington High School in June 1942, and

WHEREAS, Maziekien enlisted in the United States Marine Corps in December 1942 and after basic training at Paris Island, South Carolina was deployed to the Pacific with the 3rd Marine Division; and

WHEREAS, Maziekien fought in the infamous Battle of Iwo Jima and returned home in 1945, shortly thereafter beginning a distinguished career of more than 30 years with the New Jersey State Police; and

WHEREAS, Maziekien was a member of the Marine Corps League, Corporal Phillip A. Reynolds, Detachment #203, the Military Order of the Devil Dogs (MODD) Pound 227 and VFW Post 4374, Freehold, New Jersey; and

WHEREAS, Maziekien was a long-time communicant and usher at Church of Saint Gabriel in Marlboro and proudly served as a Eucharistic Minister with Centra State Hospital in Freehold for over 30 years; and

WHEREAS, the Township wishes to recognize the dedicated service of John Maziekien to his country, State and local community; and

WHEREAS, there exists a street currently known as Hobart Street within the Township; and

WHEREAS, the Office of Emergency Management of the Township and Division of Engineering have reviewed the request to assign Hobart Street the honorary name of "Maziekien" Way, and has approved of an honorary street sign being posted at the corner of Hobart Street and Willis Street in Marlboro Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that, it hereby authorizes that the street currently known as Hobart Street shall hereafter receive the honorary designation of Maziekien Way, in honor of John Maziekien, a Marlboro resident with a long record of dedicated service to his country, state and local community.

BE IT FURTHER RESOLVED, that an honorary street sign designating Hobart Street as Maziekien Way shall be placed at the corner of Hobart Street and Willis Street in Marlboro Township.

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

- a. Department of Public Works
- b. Department of Public Safety
- c. Township Engineer
- d. The Maziekien Family

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Cantor, and passed on a roll call vote of 3 - 0 in favor (Absent: Metzger and Scalea): Res. #2018-311

(Authorizing Professional Environmental Consulting Services - Marlboro v. Yost et al - Block 171, Lot 51 - 56 Harbor Road), Res. #2018-312 (Authorizing Shared Services Agreement with WMUA - Confined Space Entry Team Services), Res. #2018-313 (Authorizing Award of State Contract #87725 to VOIP Networks for Purchase of IP Telephony Equipment (Capital 2018-033-08), Res. #2018-314 (Authorizing State Contract 2019 Wireless Devices and Services), Res. #2018-315 (Authorizing Award of Various State Contracts - Improvements to the Dispatch Center (2016 Cap ID #22-2.1), Res #2018-316 (Authorizing Senior Citizens Area Transportation (SCAT) Agreement with Monmouth County 2019), Res. #2018-317 (Authorizing Issuance of Fireworks Display Permit - Hindu American Temple and Cultural Center), Res. #2018-318 (Redemption Tax Sale Certs - Various), and. Res. #2013-319 (Refunds for Overpayments 2018 - Various).

RESOLUTION # 2018-311

A RESOLUTION AUTHORIZING AN AMENDMENT TO A
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL
ENVIRONMENTAL ENGINEERING AND CONSULTING SERVICES
IN CONNECTION WITH MARLBORO v. YOST, et al.
(56 HARBOR ROAD, BLOCK 171 LOT 51)

WHEREAS, the owner/operator of 56 Harbor Road, Block 171, Lot 51 has engaged in the unlawful importation of fill, culminating in the issuance of a consent order dated June 29, 2018 restraining the owner/operator from any further soil importation and requiring inspection and analysis of the property by Township officials within an expedited time frame ; and

WHEREAS, due to the strict timetable for reporting back to the Court, the Township authorized CME Associates in its

capacity as Township Engineer to perform the work necessary pursuant to a proposal dated July 26, 2018; and

WHEREAS, the Township now requires additional professional environmental engineering services relative to the assessment and oversight of remedial activities associated with the imported fill at 56 Harbor Road ("Project"); and

WHEREAS, CME has provided a supplementary proposal dated October 3, 2018 for the additional professional services 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 \$19,060.00 for such Professional Services, as further described and set forth in CME's Proposals, 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 \$19,060.00 are available in Grant Account 02-213-14-765-030000 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.

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 in connection with the unlawful importation of fill at 56 Harbor Road by way of its Township Engineers, at a fee not to exceed \$19,060.00 for such Professional Services, as further described and set forth in CME's Proposals dated July 26, 2018 and October 3, 2018, be and is hereby authorized.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally acceptable to the Township Attorney, the Professional Services Contract described herein; 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 \$19,060.00 for such additional Professional Services for the Project as described in the Proposal.

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

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

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

RESOLUTION # 2018-312

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY,
NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN
THE TOWNSHIP OF MARLBORO AND THE WESTERN MONMOUTH UTILITIES
AUTHORITY TO PROVIDE CONFINED SPACE RESCUE TEAM SERVICES

WHEREAS, the Western Monmouth Utilities Authority ("WMUA") employs and trains staff in confined space operations, tactics, equipment and rescue; and

WHEREAS, the Township of Marlboro Department of Public Works ("Township") has requested that the WMUA provide confined space rescue team services; and

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

WHEREAS, the Western Monmouth Utilities Authority ("WMUA") and the Township of Marlboro ("Marlboro") are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the WMUA has the personnel to provide the specified services; and

WHEREAS, the WMUA and the Township have negotiated a Shared Services Agreement, substantially similar in form to that 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 a Shared Services Agreement substantially similar in form to that which is annexed hereto as EXHIBIT A.
4. Funds in the amount of \$2,500.00 will be certified by the Chief Financial Officer upon adoption of the 2019 municipal budget.

RESOLUTION # 2018-313

RESOLUTION AUTHORIZING A CONTRACT TO VOIP NETWORKS
UNDER STATE CONTRACT #87725 FOR THE RENTAL AND
REPLACEMENT OF TELEPHONY EQUIPMENT

WHEREAS, the Township of Marlboro as part its 2018 capital program (033-08) authorized the first phase of the replacement and upgrade of the existing phone systems; and

WHEREAS, the current phone system was originally installed in 2005 for the Police Department and was later expanded to include all of the Departments in an effort to integrate the phone capabilities within the Township; and

WHEREAS, due to the age of the Township's phone system, neither the hardware or software is supported and an upgrade of both is required; and

WHEREAS, in a memo from the Chief Information Officer (CIO) dated October 8, 2018, it has been recommended that the acquisition of new phone handsets and rental of the hardware and software system to support them be procured at this time; and

WHEREAS, in an effort to provide the most efficient long term solution, the Division of Information Technology ("IT") has acquired proposals to purchase new phone handsets and rent the system to support them; and

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

WHEREAS, IT has recommended and requested in a memo dated October 8, 2018, that the necessary rental and replacement telephony equipment be purchased from VOIP Networks under State Contract #87725; 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 rental and replacement telephony equipment through the above mentioned State Contract; and

WHEREAS, funds in the total amount of \$42,891.70 have been certified by the Chief Financial Officer in Capital Account #04-215-18-01A-033297 and Current Account #01-201-31-162-276; and

WHEREAS, the Township Council desires to approve the purchase of the rental and replacement telephony equipment through State Contract #87725.

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 rental and replacement telephony equipment through State Contract #87725 for a total amount not to exceed \$42,891.70.

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 Information Officer
- c. Chief Financial Officer
- d. Insurance
- e. VOIP Networks

RESOLUTION # 2018-314

RESOLUTION AUTHORIZING THE PURCHASE OF WIRELESS SERVICES FROM CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR THE MARLBORO TOWNSHIP OF MARLBORO UNDER STATE CONTRACT #82583

WHEREAS, the Township of Marlboro is in need of wireless service for use by certain personnel including those who require wireless voice and/or mobile data for their operational functions; and

WHEREAS, the Township of Marlboro currently utilizes Verizon Wireless for cellular telephone service; 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, funds in the amount of \$71,000.00 will be certified to by the Chief Financial Officer in Current Account #01-201-31-162-232 at the time the 2019 budget is adopted; and

WHEREAS, the Township Council desires to approve the purchase of said wireless services.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase wireless services from CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, One Verizon Way, Basking Ridge, NJ 07920, under State Contract #82583 in an amount not to exceed \$71,000.00; and

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 Information Officer
- c. Chief Financial Officer

RESOLUTION # 2018-315

RESOLUTION AUTHORIZING VARIOUS CONTRACTS FOR THE
UPGRADE AND RELOCATION OF THE DISPATCH CENTER
FOR THE DEPARTMENT OF PUBLIC SAFETY

WHEREAS, the Township of Marlboro as part its 2016 capital program (212-2.1) authorized the upgrade and relocation of the Dispatch Center within the Department of Public Safety ("Project"); and

WHEREAS, the objectives to be addressed by the proposed project are as follows:

- Provide 24x7 customer service via the proposed location's existing customer service windows
- Provide a level of redundancy by creating a temporary dispatch area in the cell tower communications shelter with both phone and radio communications with access to the PD network
- Increase space available to the dispatch function by reconfiguring and absorbing the IT space and current hallway
- Increase efficiency for security system monitoring and supervisor radio access

; and

WHEREAS, the Divisions of Police and Information Technology ("Divisions") have formulated a plan to accomplish the project objectives through the completion of the following tasks:

- Communication and Network cabling to support the dispatch workstations and equipment
- Procurement and installation of new Dispatch furniture and moving/relocating existing equipment to the new space

- A complete HVAC system replacement, providing the new space with a standalone unit capable operating independently of the primary building HVAC system
 - Door Access panel wiring and system upgrade to accommodate the new dispatch location and to upgrade the software to current versions and operating systems
 - Fiber optic muxes to make copper phone lines available in the Communications shelter
 - Security Improvements to the exterior of the structure (bollards)
 - Physical renovations to the existing space
- ; and

WHEREAS, the improvements are proposed to be funded entirely from Law Enforcement Trust Funds at no expense to the general taxpayer; 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 Divisions have recommended and requested in a memo dated October 9, 2018, that the following items be procured under the following State Contracts in support of the Dispatch Center upgrade and relocation project:

Item	Vendor	Amount	State Contract	PO #
Furniture/Move Equipment	PMC	\$ 127,848.16	83900	36954
Supervisor Consoles	Zetron	\$ 9,210.00	83924	36877
School Connection - Hardware	Zetron	\$ 3,465.00	83924	39237
School Connection - Labor	PMC	\$ 1,575.00	83900	39238
Network Cables	NetQ	\$ 5,863.55	88739	39239
Wireless Access Points	L3 (Mobile Vision)	\$ 2,696.40	81311	39240
Bollards	Grainger	\$ 2,666.00	79875	39242
Construction Materials	Home Depot	\$ 8,000.00	43894	39241

; and

WHEREAS, a small number of items required to complete the Dispatch Center improvements are not available on the above mentioned State Contracts; and

WHEREAS, IT has reviewed the remaining items required for the Dispatch Center improvements and has recommended the following item be purchased based upon price quotes solicited:

Item	Vendor	Amount	PO #
Phone MUX	PMC	\$ 7,582.50	39243
Heating and Air	Dash	\$ 10,384.00	36870
Electrical -Lighting and Wiring	Caro	\$ 4,965.00	36871
Flooring Materials	West	\$ 2,165.80	36953
Door Access Security Upgrade	Deterrent	\$ 6,008.24	39245
Phones for Shelter	Home Depot	\$ 180.00	39244
Conveniences	Lowe's	\$ 561.00	39246

;and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase the required items for the Dispatch Center improvements through the above mentioned State Contracts and quotes; and

WHEREAS, funds in the total amount of \$185,170.65 have been certified by the Chief Financial Officer in the Law Enforcement Trust Account 23-228-55-057; and

WHEREAS, the Township Council desires to approve the purchase of the required items for the Dispatch Center improvements through the above mentioned State Contracts and quotes.

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 required items for the Dispatch Center improvements through the above mentioned State Contracts and quotes for a total amount not to exceed \$185,170.65.

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 Information Officer
- c. Chief Financial Officer

- d. Chief of Police
- e. Director of Public Works
- f. Insurance

RESOLUTION # 2018-316

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY
OF MONMOUTH, FOR SPECIAL CITIZENS AREA TRANSPORTATION
SYSTEM (SCAT) SERVICES TO ELIGIBLE PERSONS

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth (hereinafter, "the County") has established the Special Citizens Area Transportation System (hereinafter, "SCAT"); and

WHEREAS, the Township of Marlboro has requested that the County provide services to eligible residents and wishes to enter into a Shared Services Agreement with the County for the provision of transportation services to eligible residents of Marlboro Township for the year 2019; and

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

WHEREAS, the proposed shared services agreement for SCAT is on file in the Township Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-5(b).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the proposed shared services agreement in a form similar as that attached hereto for the provision of transportation services pursuant to the "Special Citizens Area Transportation System" ("SCAT") to eligible residents of Marlboro Township for the year 2019.

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

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

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

- a. Monmouth County
- b. Township Business Administrator
- c. Director of Recreation
- d. Chief Financial Officer

RESOLUTION # 2018-317

RESOLUTION AUTHORIZING THE ISSUANCE OF A
FIREWORKS DISPLAY PERMIT TO
THE HINDU AMERICAN TEMPLE AND CULTURAL CENTER

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, the HINDU AMERICAN TEMPLE AND CULTURAL CENTER ("Hindu Temple"), has applied for a permit to host a fireworks display as part of their annual carnival event on property owned by the HINDU TEMPLE within the Township of Marlboro on November 10, 2018, such fireworks display to be undertaken by the HINDU TEMPLE's operator, Serpico Pyrotechnics, LLC, 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 the HINDU AMERICAN TEMPLE AND CULTURAL CENTER to host a fireworks display on November 10, 2018 for its annual carnival on property owned by the HINDU TEMPLE within the Township of Marlboro, such fireworks display to be undertaken by the HINDU TEMPLE's operator, Serpico Pyrotechnics, LLC, pursuant to N.J.S.A. 21:3-1, et seq., and more particularly N.J.S.A. 21:3-3, subject to the following terms and conditions:

1. Receipt of approval by the Chief of the Police and Fire Official in accordance with the terms set forth hereinabove;

2. The furnishing of the necessary Certificates of Insurance to the Township in a form acceptable to the Township Attorney; and

3. The execution of a Hold Harmless Agreement in a form acceptable to the Township Attorney; and

4. The presentation of the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC's Fire Safety Certificate (Rules); and

5. The presentation of the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC's drivers' Safety Documents; and

6. Proof of issuance by the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC, of its FAA Notification Letter; and

7. Proof from the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC, of its Worker's Compensation and Employers Liability Policy; and

8. Receipt of a copy of the Fireworks Contract Agreement between the HINDU TEMPLE and Serpico Pyrotechnics, LLC; and

9. Receipt of the Plot/Site Plan for the fireworks' display.

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

- a. Hindu American Temple and Cultural Center
- b. Serpico Pyrotechnics, LLC
- c. The Chief of the Police and Fire Department.
- d. The Fire Prevention Bureau.
- e. Township Business Administrator.

RESOLUTION # 2018-318

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$426,502.84 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 \$ 426,502.84 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>
2017-070	421.02/13	US Bank Cust BV002 50 South 16 th Street, Suite 2050 Philadelphia, PA 19102 Assessed Owner: Durga, Gary & Maribel	151,073.65
2015-002	111/2	Christiana Trust as Cust. 2020 Howell Mill Road C-513 Atlanta, GA 30318 Assessed Owner: Conomos, Peter	110,887.46
2014-072	270.01/6	Christiana Trust as Cust. 2020 Howell Mill Road C-513 Atlanta, GA 30318 Assessed Owner: Levanti, Carmela	164,541.73

RESOLUTION # 2018-319

WHEREAS, the attached list in the amount of \$4,593.24 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>
132.12/14/C0214		Haerle, Kenneth & Patricia 214 Knightsbridge Road Morganville, NJ 07751	474.48
295/6		Johnson, James & Jeanne 36 Windham Way Englishtown, NJ 07726	780.74

378/2	Orlando, Mark & Angela 61 Coventry Terrace Marlboro, NJ 07746	787.00
120.02/35	Hudacsco, Gerald & Patricia 24 Wooleytown Road Morganville, NJ 07751	557.98
268.04/3	Cantave, Danielle c/o Corelogic Refunds Department 3001 Hackberry Drive Irving, TX 75063	1,993.04

At 7:25 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: NOVEMBER 29, 2018

OFFERED BY: MAZZOLA AYES: 3

SECONDED BY: CANTOR NAYS:

ABSTAIN: METZGER, SCALEA

ALIDA MANCO,
MUNICIPAL CLERK

RANDI MARDER,
COUNCIL PRESIDENT