

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL REORGANIZATION MEETING

January 3, 2019

The Marlboro Township Council held its reorganization meeting on January 3, 2019 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 reorganization meeting of the Township Council of the Township of Marlboro was sent to the Asbury Park Press, the Star Ledger, News Transcript and Board of Education Office on December 3, 2018; published in the Asbury Park Press on December 5, 2019; 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 Vice President Metzger, Councilman Scalea, and Council President Marder.

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

The following Resolution #2019-1 (Election of Council President) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-1

BE IT RESOLVED by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro, SCOTT METZGER shall serve as the Council President of the Marlboro Township Council.

The following Resolution #2019-2 (Election of Council Vice President)was introduced by reference, offered by Councilwoman Marder, seconded by Council President Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-2

BE IT RESOLVED by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro, CAROL MAZZOLA shall serve as the Council Vice President of the Marlboro Township Council.

Council President Scott Metzger and Council Vice President Carol Mazzola were sworn in by Mayor Jonathan Hornik.

The following Resolution #2019-3 (Confirmation of Reappointments of Municipal Officials) was introduced by reference, offered by Councilman Cantor, seconded by Council Vice President Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-3

RESOLUTION CONFIRMING APPOINTMENTS OF MUNICIPAL OFFICIALS FOR THE TOWNSHIP OF MARLBORO

WHEREAS, Mayor Jonathan Hornik has reappointed James Newman, Esq. as Municipal Court Judge for the Township of Marlboro for a three-year term ending on December 31, 2021; and

WHEREAS, Mayor Jonathan Hornik has reappointed Pasquale (Pat) Menna, Esq. as Township Prosecutor for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Michael Dupont, Esq. as Public Defender for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Raymond Raya, Esq. as Public Defender for the Township of Marlboro for a term ending on December 31, 2019; and

WHEREAS, Mayor Jonathan Hornik has reappointed Adrienne Spota as Deputy Registrar of Vital Statistics for the Township of Marlboro for a three-year term ending on December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that it hereby confirms the reappointments, by Mayor Jonathan Hornik, of:

1. James Newman, Esq. as Municipal Court Judge, for a three-year term ending December 31, 2021.
2. Pasquale (Pat) Menna, Esq. as Municipal Prosecutor, for a term ending December 31, 2019;
3. Michael Dupont, Esq. as Public Defender, for a term ending December 31, 2019; and
4. Raymond Raya, Esq. as Public Defender, for a term ending December 31, 2019; and
5. Adrienne Spota as Deputy Registrar of Vital Statistics, for a three-year term ending December 31, 2021.

The following Resolution #2019-4 (Appointment Class III member to Planning Board) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-4

RESOLUTION APPOINTING CLASS III
PLANNING BOARD MEMBER

BE IT RESOLVED by the Township Council of the Township of Marlboro that pursuant to Section 220-9 of the Code of the Township of Marlboro, CAROL MAZZOLA be and is hereby appointed to the Planning Board, as a Class III member.

The following Resolution #2019-5 (Appointments to Zoning Board of Adjustment) was introduced by reference, offered by Councilman Scalea, seconded by Council Vice President Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-5

RESOLUTION APPOINTING ZONING BOARD
OF ADJUSTMENT MEMBER

WHEREAS, Section 4-90 of the Code of the Township of Marlboro created the Marlboro Township Zoning Board of Adjustment pursuant to the authority granted by N.J.S.A. 40:55D-69; and

WHEREAS, Section 220-8 of the Code of the Township of Marlboro provides that the Township Council shall appoint members of the Zoning Board of Adjustment; and

WHEREAS, the Township Council wishes to reappoint MARTIN POWERS to serve as Alternate #1, for a two (2) year term.

NOW, THEREFORE BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro as follows:

That it hereby appoints MARTIN POWERS to serve as a member of the Marlboro Township Zoning Board of Adjustment in the position specified above, and for the term indicated above.

The following Resolution #2019-6 (Confirming Appointment Agricultural Advisory Committee) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Cantor and passed on a roll call vote of 5- 0 in favor.

RESOLUTION # 2019-6

A RESOLUTION REAPPOINTING ELMER GERAN TO SERVE ON THE TOWNSHIP OF MARLBORO AGRICULTURAL ADVISORY COMMITTEE AND DESIGNATING A CHAIRPERSON OF SAID COMMITTEE

WHEREAS, pursuant to Chapter 30 "Farmland, Open Space and Historic Sites" of the Code of the Township of Marlboro, specifically Sections 30-12 through 30-17, the Township of Marlboro created an Agricultural Advisory Committee; and

WHEREAS, pursuant to Section 30-13, the Mayor shall appoint three (3) citizens to the Agricultural Advisory Committee with the consent of the Township Council and the Mayor shall designate a Chairperson; and

WHEREAS, the Mayor wishes to reappoint ELMER GERAN to the Agriculture Advisory Committee for a term of two (2) years; and

WHEREAS, the Mayor has indicated that HEIDI RAJAN shall be the Chairperson of said Committee for a term of one (1) year; and

WHEREAS, the Township Council now desires to consent to said reappointments.

NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED, that the Township Council of the Township of Marlboro consents to the reappointment of ELMER GERAN to the Agricultural Advisory Committee for a term of two (2) years and also consents to the designation of HEIDI RAJAN as the Chairperson of the Agricultural Advisory Committee for a term of one (1) year.

The following Resolution #2019-7 (Appointment of Council Liaisons) was introduced by reference, offered by Councilman Cantor, seconded by Councilman Scalea and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-7

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following are hereby appointed as Council Liaisons, to serve at the discretion of the Township Council:

Open Space Committee	- Randi Marder
Recreation & Swim Advisory Committee	- Randi Marder and Michael Scalea
W.M.U.A.	- Joseph Pernice
Senior Advisory Committee	- Terry Lau
Freehold Regional Board of Education	- Michael Messinger
Environmental Commission	- Rohit Gupta
Youth Exchange Advisory Committee	- Michael Scalea
Economic Development Committee	- Carol Mazzola
Veterans & Volunteers Committee	- Jeff Cantor
Teen Advisory Committee	- Scott Metzger
Marlboro Drug Alliance	- Randi Marder
Affordable Housing	- Carol Mazzola
Shade Tree Committee	- Randi Marder
Local Emergency Planning Committee	- Jeff Cantor
Ethics Board	- Carol Mazzola and Michael Scalea
Police Department	- Jeff Cantor
Department of Public Works	- Jeff Cantor

The following Resolution #2019-8 (Appointments to Youth Exchange Advisory Committee) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-8

A RESOLUTION APPOINTING A MEMBER OF THE

YOUTH EXCHANGE ADVISORY COMMITTEE AND
DESIGNATING A CHAIRPERSON OF SAID COMMITTEE

WHEREAS, pursuant to Section 4-100 of the Code of the Township of Marlboro, the Township Council established the Youth Exchange Advisory Committee as a special committee of the Township Council to undertake the administration, management and planning of the Youth Exchange Program between the Township of Marlboro and the Nanto City, Toyama Prefecture, Japan, Wujiang, China and other cities or regions designated by the Mayor and Township Council; and

WHEREAS, pursuant to Section 4-100(C) (1) of the Code, the Youth Exchange Advisory Committee shall consist of up to but not more than 14 members appointed by the Township Council; and

WHEREAS, pursuant to Section 4-100(C) (4) of the Code, the Township Council shall designate one of the members to serve as Chair and presiding officer of the Youth Exchange Advisory Committee for a term of one (1) year; and

WHEREAS, the Township Council wishes to reappoint HUIMIN SHEN and appoint WAI LING YUEN for terms of three (3) years expiring December 31, 2021.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, that the Township Council designates CONNIE MO as Chairperson of the Youth Exchange Advisory Committee for a term of one (1) year expiring December 31, 2019.

BE IT FURTHER RESOLVED by the Township Council of the Township of Marlboro that HUIMIN SHEN and WAI LING YUEN be appointed to the Youth Exchange Advisory Committee for three-year terms expiring December 31, 2021.

The following Resolution #2019-9 (Reappointment Joseph Pernice - WMUA - 5 year term) was introduced by reference, offered by Councilman Scalea, seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-9

RESOLUTION REAPPOINTING JOSEPH PERNICE AS A MEMBER OF THE
WESTERN MONMOUTH UTILITIES AUTHORITY FOR A TERM OF FIVE YEARS
EXPIRING JANUARY 31, 2024

WHEREAS, Sections 60-5 through 60-13 of the "Code of the Township of Marlboro" establish the Western Monmouth Utilities

Authority, which was created pursuant to N.J.S.A. 40:14B-1, et seq.; and

WHEREAS, the Township Council of the Township of Marlboro desires to reappoint JOSEPH PERNICE for a term of five (5) years, commencing February 1, 2019 and ending January 31, 2024 to the Western Monmouth Utilities Authority; and

WHEREAS, N.J.S.A. 40:14B-5 provides that the members of joint authorities composed of two or more municipalities shall be appointed by the governing bodies of the participating municipalities; and

WHEREAS, Section 60-7 of the Township Code further provides for the appointment of members of the Western Monmouth Utilities Authority from Marlboro Township by a majority vote of the Township Council of the Township of Marlboro; and

WHEREAS, Section 60-8 of the Code of the Township of Marlboro provides that compensation for such services shall be paid to members of the Authority in an amount not to exceed \$4,000.00 per year.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that JOSEPH PERNICE be and hereby is appointed as a member of the Western Monmouth Utilities Authority for a term of five years commencing February 1, 2019 and ending on January 31, 2024, with compensation for said services to be determined by a resolution of the Western Monmouth Utilities Authority in an amount not to exceed \$4,000.00 per year pursuant to Section 60-8 of the Code of the Township of Marlboro.

The following Resolution #2019-10 (Meeting Dates - 2019) was introduced by reference, offered by Councilman Cantor, seconded by Council Vice President Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-10

BE IT RESOLVED by the Township Council of the Township of Marlboro that it hereby adopts the following dates for its regularly scheduled meetings in 2019. Notice of these dates shall be mailed to the Asbury Park Press and the Star Ledger in accordance with the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-18. Notice of any other meetings of the

Township Council shall be provided in accordance with the Open Public Meetings Act. All meetings shall be held at 7:00 PM at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

January 17, 2019

February 7, 2019

February 21, 2019

March 7, 2019

March 21, 2019

April 11, 2019

May 2, 2019

May 16, 2019

June 13, 2019

July 11, 2019

August 15, 2019

September 5, 2019

October 3, 2019

October 17, 2019

November 14 2019

December 12, 2019

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Cantor, and was passed on a roll call vote of 5 - 0 in favor: Res. #2019-11 (Designating Community Development Representative, Robert Miller, Jonathan Capp, Alternate), Res. #2019-12 (Designating Coordinator of Compliance with ADA 2018 - Jonathan Capp and Robert Miller, Alternate), Res. #2019-13 (Authorizing Contract Township Attorney - Louis N. Rainone, Esq., - Rainone Coughlin Minchello, LLC), Res. #2019-14 (Authorizing Contract Co-Counsel on Matters Involving Affordable Housing Lawsuits - DeCotiis, Fitzpatrick), Res. #2019-15 (Authorizing Contract - Public Defender - Raymond Raya), Res. #2019-17 (Authorizing Contract Bond Counsel - McManimon), Res. #2019-18 (Authorizing Contract Township Engineer - CME), Res. #2019-19 (Authorizing Contract Conflict Engineer - Remington & Vernick Engineers), Res. #2019-20 (Authorizing Contract Township Planner - CME), Res. #2019-21 (Authorizing Contract Special Counsel for

Affordable Housing - Goldzweig, Green, Eiger & Biedzynski, LLC), Res. #2019-22 (Authorizing Contract Special Counsel for Ethics Board - Goldzweig, Green, Eiger & Biedzynski, LLC), Res. #2019-23 (Authorizing Contract Special Tax Counsel- Cleary), Res. #2019-24 (Authorizing Contract Conflict Special Tax Counsel- Sukel), Res #2019-25 (Authorizing Contract Auditor - Wiss), Res. #2019-26 (Authorizing Contract Risk Management Services - North American), Res. #2019-27 (Authorizing Contract Affordable Housing Admin Agent - Community Grants and Planning), Res. #2019-28 (Authorizing Contract - Tax Map Services - Adams, Rehmann & Heggan Associates, Inc), Res. #2019-29 (Authorizing Contracts - Appraisal Services - Open Space and Farmland Preservation - Bettina Durmaskin Sholk), Res. #2019-030 (Authorizing Contracts - Appraisal Services - Open Space and Farmland Preservation - Sterling, Disanto), Res. #2019-31 (Authorizing Contract - Appraisal Services - Tax Appeals - Gagliano & Company), Res. #2019-32 (Authorizing Contract - Cable Television Station - Curt Ciumei - MV Digital Productions, LLC), Res. #2019-33 (Order of Business of Council Meetings), Res. 2019-34 (Official Newspapers), Res. #2019-35 (Duplicate Bills), Res. #2019-36 (Appointing Tax Search Officer), Res. #2019-37 (Rate of Interest - Delinquent Taxes), Res. #2019-38 (Authorizing Return Check Fee for Tax Collector), Res. #2019-39 (Cancelling Balances under \$5.00), Res. #2019-40 (Continuation of Bonds - Officers and Employees), Res. #2019-41 (Designating Municipal Clerk/Certificate of Searches), Res. #2019-42 (Cash Management Plan), Res. #2019-43 (Continuation of Petty Cash Funds), Res. #2019-44 (Authorizing Appointment of Qualified Purchasing Agent and Establishing Bid Threshold), Res. #2019-45 (Authorizing Business Administrator Execute Contracts), Res. #2019-46 (Authorizing Tax Assessor to Perform Various Duties), Res. #2019-47 (Authorizing Tax Collector to enter into installment payment agreements for property tax arrears & delinquent water charges in an amount not to exceed one thousand dollars), Res. #2019-48 (Establish rates payable for inspection services performed outside of the township's normal business hours and days of operation), Res. #2019-49 (Authorizing Professional Financial Advisory Services on As-Needed Basis), Res. #2019-50 (Authorizing Contract Conflict Township Planner - Remington & Vernick Engineers), Res. #2019-51 (Authorizing Conflict Labor Counsel Services on As Needed Basis - Weiner Law Group LLP), Res. #2019-52 (Authorizing Alternate Bond Counsel Services on As Needed Basis - Wilentz, Goldman and Spitzer and DeCotiis, FitzPatrick, Cole & GIBLIN, LLP), Res. #2019-53 (Approving

Official Hunting Map for Twp of Marlboro), Res. #2019-54 (Authorizing Contract Investment Advisory Services for Deferred Compensation Plans - Selective Benefits Group), and Res. #2018-55 (Authorizing Shared Services Agreement Howell Township- Use of Firearms Practice Page),

RESOLUTION # 2019-11

APPOINTING TOWNSHIP OF MARLBORO COMMUNITY DEVELOPMENT REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE COUNTY OF MONMOUTH COMMUNITY DEVELOPMENT OFFICE

WHEREAS, the County of Monmouth requires that the Township of Marlboro appoint a Community Development Representative and an Alternate Community Development Representative to act as liaison between County's Community Development staff and the Township of Marlboro; and

WHEREAS, the Mayor & Township Council desire to appoint ROBERT MILLER as the Community Development Representative and JONATHAN CAPP as the Alternate Community Development Representative for the year 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Marlboro that ROBERT MILLER is hereby appointed as Community Development Representative to the County of Monmouth Community Development Office and JONATHAN CAPP be and is hereby appointed as Alternate Community Development Representative.

RESOLUTION # 2019-12

RESOLUTION DESIGNATING JONATHAN CAPP AS COORDINATOR OF COMPLIANCE EFFORTS IN CONNECTION WITH THE AMERICANS WITH DISABILITIES ACT AND ROBERT MILLER AS DEPUTY OR ALTERNATE COORDINATOR FOR 2019

WHEREAS, a coordinator must be named to facilitate compliance with the Americans with Disabilities Act (hereinafter "ADA"); and

WHEREAS, the Township wishes to designate JONATHAN CAPP as the Coordinator of ADA Compliance; and

WHEREAS, the Township also wishes to designate an alternate or Deputy ADA Coordinator to work in conjunction with, or in the absence of, the Coordinator to ensure that the important work of compliance continues and is maintained.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that:

1. JONATHAN CAPP be and is hereby designated as Coordinator of compliance efforts in connection with the Americans with Disabilities Act; and

2. ROBERT MILLER is designated as Deputy/Alternate Coordinator of compliance efforts in connection with the Americans with Disabilities Act.

RESOLUTION # 2019-13

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO LOUIS N. RAINONE, ESQ. OF RAINONE COUGHLIN MINCHELLO, LLC FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, pursuant to N.J.S.A. 40A:69A-43, Mayor Jonathan Hornik appointed Louis N. Rainone, Esq. as Director of Law of the Township of Marlboro for the period of January 1, 2016 through December 31, 2019, such appointment receiving the advice and consent of the Township Council by Resolution #2016-3; and

WHEREAS, the Township requires general legal and labor counsel services, and legal defense pertaining to affordable housing lawsuits, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from RAINONE COUGHLIN MINCHELLO, LLC, 555 US HWY 1 SOUTH, Suite 440, Iselin, New Jersey 08830, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to RAINONE COUGHLIN MINCHELLO, LLC, 555 US HWY 1 SOUTH, Suite 440, Iselin, New Jersey 07095 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018, not to exceed \$200,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. RAINONE COUGHLIN MINCHELLO, LLC
- b. Township Business Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2019-14

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP FOR CO-LEGAL COUNSEL SERVICES ON MATTERS PERTAINING TO AFFORDABLE HOUSING LAWSUITS FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires co-legal counsel services pertaining to affordable housing lawsuits, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, NJ 07666, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, NJ 07666 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018, not to exceed \$40,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP
- b. Township Business Administrator
- c. Township Attorney
- d. Chief Financial Officer

RESOLUTION # 2019-15

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE FIRM OF RAYMOND ALBERT RAYA, ESQ AS PUBLIC DEFENDER FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, in accordance with Chapter 4, Article XII, Section 4-63 of the Municipal Code of the Township of Marlboro, Mayor Jonathan Hornik appointed Raymond Albert Raya as Public Defender for the Township of Marlboro for the period of January 1, 2019 through December 31, 2019, such appointment receiving the advice and consent of the Township Council by Resolution #2019-3; and

WHEREAS, the Township requires the services of a Public Defender, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from RAYMOND ALBERT RAYA, ESQ., 55 Cornell Court, Freehold, New Jersey 07728 in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which

set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to RAYMOND ALBERT RAYA, ESQ., 55 Cornell Court, Freehold, New Jersey 07728, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018, not to exceed \$9,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. RAYMOND ALBERT RAYA, ESQ.
- b. Township Business Administrator
- c. Municipal Court Administrator
- d. Township Attorney
- e. Chief Financial Officer

RESOLUTION # 2019-17

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO
MCMANIMON, SCOTLAND & BAUMANN, LLC FOR THE YEAR 2019
PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH
N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires bond counsel services, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from MCMANIMON, SCOTLAND & BAUMANN, LLC, 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to MCMANIMON, SCOTLAND & BAUMANN, LLC, 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. MCMANIMON, SCOTLAND & BAUMANN, LLC
- b. Township Business Administrator
- c. Township Attorney
- d. Chief Financial Officer

RESOLUTION # 2019-18

RESOLUTION APPOINTING CME ASSOCIATES AS TOWNSHIP ENGINEER
AND AWARDING A PROFESSIONAL SERVICES CONTRACT TO CME
ASSOCIATES FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN
PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires a Township Engineer, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from CME ASSOCIATES, 1460 Route 9 South, Howell, New Jersey 07731, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant

to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CME ASSOCIATES, 1460 Route 9 South, Howell, New Jersey 07731, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018, a copy of which is attached hereto, in an amount not to exceed \$128,500.00 for Township Engineer; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. CME ASSOCIATES
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-19

RESOLUTION APPOINTING REMINGTON & VERNICK ENGINEERS AS CONFLICT/ALTERNATE TOWNSHIP ENGINEER FOR THE YEAR 2019

PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH
N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires a Conflict/Alternate Township Engineer to provide engineering services for the Township of Marlboro, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated October 25, 2018 (the "Proposal") from REMINGTON & VERNICK ENGINEERS, 3 Jocama Boulevard, Suite 300-400, Old Bridge, New Jersey 08857 in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to REMINGTON & VERNICK ENGINEERS, 3 Jocama Boulevard, Suite 300-400, Old Bridge,, New Jersey 08857 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and
2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public

Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal dated October 25, 2018; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. REMINGTON & VERNICK ENGINEERS
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-20

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES AS TOWNSHIP PLANNER FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires a Township Planner, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from CME ASSOCIATES, 1460 Route 9 South, Howell, NJ 07731, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CME ASSOCIATES, 1460 Route 9 South, Howell, NJ 07731, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018, not to exceed \$60,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. CME ASSOCIATES
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-21

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC AS SPECIAL COUNSEL FOR AFFORDABLE HOUSING FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of an attorney as Special Counsel for Affordable Housing, such

services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 2200, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 2200, Freehold, New Jersey 07728, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018 not to exceed \$40,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said

Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC
- b. Township Business Administrator
- c. Affordable Housing Committee
- d. Township Attorney
- e. Chief Financial Officer

RESOLUTION # 2019-22

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ETHICS BOARD LEGAL COUNSEL SERVICES TO KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of an attorney as Ethics Board Counsel, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 220, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 220, Freehold, New Jersey 07728 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal dated October 25, 2018 not to exceed \$5,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC
- b. Township Business Administrator
- c. Township Ethics Board
- d. Chief Financial Officer

RESOLUTION # 2019-23

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO
CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC FOR THE YEAR 2019
PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH
N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special tax counsel services, such services to be awarded pursuant to a fair

and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated December 27, 2018 (the "Proposal") from CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC (the "Business Entity") in response to the Request for Qualifications for professional services issued by the Township on December 4, 2018 which set forth the terms and conditions under which such services are to be rendered by the Business Entity under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal dated October 25, 2018; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC
- b. Township Business Administrator
- c. Municipal Court Administrator
- d. Chief Financial Officer

RESOLUTION # 2019-24

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR LEGAL SERVICES IN DEFENSE OF SPECIAL CONFLICT TAX APPEALS TO STEVEN P. SUKEL, ESQ. P.C. FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special conflict tax counsel services, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on December 27, 2018 (the "Proposal") from STEVEN P. SUKEL, ESQ. P.C., 4400 Route 9 South, Suite 3100, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on December 4, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to STEVEN P. SUKEL, ESQ. P.C., 4400 Route 9 South, Suite 3100, Freehold, New Jersey 07728, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018, not to exceed \$10,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. STEVEN P. SUKEL, ESQ. P.C.
- b. Township Administrator
- c. Municipal Court Administrator
- d. Township Chief Financial Officer

RESOLUTION # 2019-25

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO WISS & COMPANY, LLP AS INDEPENDENT TOWNSHIP AUDITOR FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of an auditor to provide the 2018 statutory audit of Township financial records and the perform the duties and render such services as may from time to time be requested by the Township Council, the Chief Financial Officer or the Township Administrator; and

WHEREAS, such audit and related services are to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on December 27, 2018 (the "Proposal") from WISS & COMPANY, LLP, 354 Eisenhower Parkway, Suite 1850, Livingston, NJ 07039 in response to the Request for Qualifications for professional services issued by the Township on December 4, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to WISS & COMPANY, LLP, 354 Eisenhower Parkway, Suite 1850, Livingston, NJ 07039 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received December 27, 2018, not to exceed \$44,000.00 for performance of the 2018 audit; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said

Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. WISS & COMPANY, LLP
- b. Township Business Administrator
- c. Municipal Court Administrator
- d. Chief Financial Officer

RESOLUTION # 2019-26

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH NORTH AMERICAN INSURANCE MANAGEMENT CORPORATION ("NAIM") FOR BENEFITS CONSULTING, RISK MANAGEMENT AND BROKERAGE SERVICES AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER N.J.S.A. 40A:11-5(M) PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires the services of a consultant to provide insurance benefits consulting, risk management and brokerage services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5, pursuant to the provisions of N.J.S.A. 40A:10-36; and

WHEREAS, such services, i.e., insurance, including the benefits consulting and brokerage services are Extraordinary Unspecifiable Services, are exceptions pursuant to N.J.S.A. 40A:11-5(m) and may be awarded without competitive bidding therefor; and

WHEREAS, said services cannot reasonably be described by written specifications; and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from North American Insurance Management Corporation ("NAIM"), 1460 Route 9 North, Suite 310, Woodbridge, New Jersey 07095, in response to a Request for Qualifications for insurance consulting and brokerage services issued by the Township which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. as amended requires that the Resolution authorizing the award of contracts which are treated in accordance with the requirements for extraordinary unspecifiable services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, it has been determined and certified that the value of the contract will exceed \$17,500.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of a Broker of Record Letter with North American Insurance Management Corporation ("NAIM"), 1460 Route 9 North, Suite 310, Woodbridge, New Jersey 07095, regarding the provision of insurance benefits consulting, risk management and brokerage services, beginning January 1, 2019 and terminating on December 31, 2019, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(m) and in accordance with the terms of the Contract; and

2. The contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

3. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. North American Insurance Management Corporation
- b. Monmouth County Municipal Joint Insurance Fund
- c. Township Business Administrator
- d. Chief Financial Officer

RESOLUTION # 2019-27

RESOLUTION APPOINTING COMMUNITY GRANTS, PLANNING & HOUSING, LLC AS AFFORDABLE HOUSING AGENT AND AUTHORIZING AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT FOR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township re-petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan in July of 2010; and

WHEREAS, the Township of Marlboro's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:97-1, et. seq.); and

WHEREAS, a municipality's fair share obligation pursuant to N.J.A.C. 5:97-2.2(a) is comprised, in part, of an owner-occupied rehabilitation obligation as well a rental rehabilitation obligation which pertains to housing units that are both deficient and occupied by low and/or moderate households; and

WHEREAS, the Township has an Affordability Assistance obligation pursuant to N.J.A.C.5:97-8.8; and

WHEREAS, the Township of Marlboro requires the services of an Administrative Agent, same to be appointed pursuant to a fair and open process pursuant to the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from COMMUNITY GRANTS, PLANNING & HOUSING, LLC ("CGP&H"), 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512, in response to a Request for Qualifications for the services of an Affordable Housing Administrative Agent issued by the Township on September 21, 2018 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC employs licensed professional planners that are certified affordable housing administrative agents; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC, 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512, will provide the day-to-day Administrative Agent services for a fixed monthly rate of \$1,450.00 to be paid in equal monthly payments totaling \$17,400.00; and

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC will provide Rehabilitation Program Contractor Outreach services for a fixed monthly rate of \$168.00 to be paid in equal monthly payments totaling \$2,016.00; and

WHEREAS, the additional costs under this contract are variable in nature depending upon program demand, and have been estimated as follows:

Sale of Units	\$2,400.00 x 15 =
\$36,000.00	
Affordability Assistance	\$1,400.00 x 20 = \$28,000.00
Rehabilitation of Units	\$6,318.17 x 6 =
\$37,909.00	

WHEREAS, with the goal of maximizing the preservation of the Township's affordable unit housing stock, the Administrative Agent's fees associated with the resale of units which are included under this contract will be absorbed by the Affordable Housing Trust Fund; and

WHEREAS, funds in the amount of \$121,325.00 have been certified by the Chief Financial Officer in trust account 15-228-55-054 for this purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves of the award of contract to COMMUNITY GRANTS, PLANNING & HOUSING, LLC, 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The contract shall provide for compensation at the rates set forth in the proposal received October 25, 2018, a copy of which is attached hereto, in an amount not to exceed \$121,325.00; and

3. That notice of the award of this contract shall be published in accordance with law.

4. That a certified copy of this Resolution shall be provided to each of the following:

- a. COMMUNITY GRANTS, PLANNING & HOUSING, LLC
- b. Municipal Housing Liaison
- c. Special Counsel on COAH
- d. New Jersey Council on Affordable Housing
- e. Township Business Administrator
- f. Township Attorney
- g. Chief Financial Officer

RESOLUTION # 2019-28

RESOLUTION AUTHORIZING A CONTRACT WITH ADAMS, REHMANN & HEGGAN ASSOCIATES, INC FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO FOR THE YEAR 2019 AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER N.J.S.A. 40A:11-5(d) AND PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires tax map maintenance services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, pursuant to the provisions of N.J.S.A. 40A:10-36; and

WHEREAS, such services are exceptions pursuant to N.J.S.A. 40A:11-5(d) and may be awarded without competitive bidding therefor; and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from ADAMS, REHMANN & HEGGAN ASSOCIATES, INC ("AHR"), 215 Bellevue Avenue, Hammonton, New Jersey 08037, in response to a Request for Qualifications for THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO issued by the Township on September 21, 2018 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds will be made available and certified by the Chief Financial Officer upon adoption of the 2018 municipal budget; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of an agreement with ADAMS, REHMANN & HEGGAN ASSOCIATES, INC., ("AHR"), 215 Bellevue Avenue, Hammonton, New Jersey 08037, FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO, beginning January 1, 2019 and terminating on December 31, 2019, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(d) and in accordance with the terms of the Contract, in an amount not to exceed \$17,500.00; and

2. The contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(d); and

3. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Maintenance of Tax Map Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. ADAMS, REHMANN & HEGGAN ASSOCIATES, INC. ("ARH")
- b. Township Business Administrator
- c. Chief Information Officer
- d. Tax Assessor
- e. Chief Financial Officer

RESOLUTION # 2019-29

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR APPRAISAL SERVICES IN CONNECTION WITH THE ACQUISITION OF CERTAIN PARCELS TO BETTINA DURMASKIN SHOLK, MAI, MA, MBA FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires appraisal services in connection with the acquisition of certain parcels, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from BETTINA DURMASKIN SHOLK, MAI, MA, MBA, 5 Rosemary Road, East Brunswick, New Jersey 08816 in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to BETTINA DURMASKIN SHOLK, MAI, MA, MBA, 5 Rosemary Road, East Brunswick, New Jersey 08816, pursuant

to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018 not to exceed \$10,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. BETTINA DURMASKIN SHOLK, MAI, MA, MBA
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-30

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR APPRAISAL SERVICES IN CONNECTION WITH THE ACQUISITION OF CERTAIN PARCELS TO STERLING DISANTO & ASSOCIATES FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires appraisal services in connection with the acquisition of certain parcels, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from STERLING DISANTO & ASSOCIATES, 145 West End Avenue, Somerville, New Jersey

08876 in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to STERLING DISANTO & ASSOCIATES, 145 West End Avenue, Somerville, New Jersey 08876, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018 not to exceed \$10,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. STERLING DISANTO & ASSOCIATES
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-31

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR APPRAISAL SERVICES IN CONNECTION WITH THE DEFENSE OF TAX APPEALS TO GAGLIANO & COMPANY FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires appraisal services in connection with the defense of tax appeals, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated October 25, 2018 (the "Proposal") from GAGLIANO & COMPANY, 1129 Broad Street, Suite 104, Shrewsbury, NJ 07702, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to GAGLIANO & COMPANY, 1129 Broad Street, Suite 104, Shrewsbury, New Jersey 07702, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 25, 2018 not to exceed \$10,000.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. GAGLIANO & COMPANY
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-32

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO
CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC FOR THE
PROVISION OF SERVICES FOR THE OPERATION OF THE TOWNSHIP OF
MARLBORO CABLE TELEVISION STATION FOR THE YEAR 2019
PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH
N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special services for the operation of the Township of Marlboro Cable Television Station, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on October 25, 2018 (the "Proposal") from MV DIGITAL PRODUCTIONS, LLC, 55 Stevenson Drive, Marlboro, New Jersey 07746, in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under

which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to MV DIGITAL PRODUCTIONS, LLC, 55 Stevenson Drive, Marlboro, New Jersey 07746, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 15, 2018, not to exceed \$26,500.00; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. MV DIGITAL PRODUCTIONS, LLC
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-33

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following rules of order shall govern the meetings of the Council for 2019:

Rule 1. The Regular Meetings of the Council shall be held on the first and third Thursday of each month (unless otherwise posted) at the Marlboro Municipal Complex.

Rule 2. The Order of Business at Meetings of the Council shall be as follows:

1. Salute to the Flag
2. Announcement of Meeting (Sunshine Law)
3. Roll Call
4. Citizen's Voice
5. Council Speaks Out
6. Administrative Report
7. Correction and/or Approval of Minutes
8. Public Hearings
9. Introduction of Ordinances
10. Resolutions
11. Adjournment of Meeting

Rule 3. At Regular Meetings of the Council, any individual desiring to speak during Citizen's Voice will be allotted a maximum of five (5) minutes and will not be permitted to transfer unused time. Citizen's Voice will be limited to a total of fifteen (15) minutes at Special Meetings. Said time shall be divided equally among those speakers listed on the sign in sheet for the Special Meeting, but shall not exceed five (5) minutes for any one speaker.

Rule 4. Matters listed on the Consent Agenda are considered to be routine and may be enacted by one motion and one roll call vote. If discussion is desired by a Council Member, the item will be removed from the Consent Agenda and considered separately. All Consent Agenda items will be reflected in full in the minutes.

RESOLUTION # 2019-34

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following newspapers are hereby designated as the official newspapers of the Township of Marlboro for the year 2019:

ASBURY PARK PRESS

NEWARK STAR LEDGER

RESOLUTION # 2019-35

BE IT RESOLVED by the Township Council of the Township of Marlboro that the cost charged by the Tax Collector for Duplicate Bills for 2019 be as follows:

Duplicate Bills	-	\$ 5.00
Duplicate Bills (second copy)	-	\$ <u>25.00</u>

RESOLUTION # 2019-36

WHEREAS, N.J.S.A. 54:5-11 provides that the governing body of each municipality shall from time to time by resolution designate an official in the municipality to make examinations of its records as to unpaid municipal liens and to certify the results thereof.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that COLLEEN DOLAN be and she is hereby appointed Tax Search Officer for the Township of Marlboro, until a successor is duly qualified and appointed.

RESOLUTION # 2019-37

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments and also permits the fixing of said rate at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum of any amount in excess of \$1,500.00 and allows an additional penalty of a flat 6% to be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes or other municipal charges becoming delinquent after due date and 18% per annum on any amount of taxes or other municipal charges in excess of \$1,500.00 becoming delinquent after due date, and if a delinquency (including interest) is in excess of \$10,000.00 and remains in arrears after December 31, an additional flat penalty of 6% shall be charged against the delinquency.

BE IT FURTHER RESOLVED that this resolution shall be effective as of January 3, 2019.

RESOLUTION # 2019-38

WHEREAS, N.J.S.A. 40:5-18 authorizes a municipality to impose a service charge of \$20.00 to be added to any account owing to the municipality if payment tendered on the account was by a check or other instrument which was returned for insufficient funds; and

WHEREAS, whenever an account owing to a municipality is for tax or special assessment, the service charge authorized by N.J.S.A. 40:5-18 shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien; and

WHEREAS, the Township is required to determine the service charge for a check or other instrument returned for insufficient funds from time to time, as appropriate; and

WHEREAS, any service charge shall be collected in the same manner as prescribed by law for the collection of the account for which the check or other instrument was tendered and the governing body may require that future payments be tendered in cash or by certified or cashier's check.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that, Colleen Dolan, Tax Collector, be and hereby is authorized to impose a service charge of \$20.00 per check or other instrument returned for insufficient funds; and

BE IT FURTHER RESOLVED that the Tax Collector is authorized to require that once a check or other instrument is returned for insufficient funds, that all future payments to be tendered in cash or by certified or cashier's check.

RESOLUTION # 2019-39

WHEREAS, the Tax Collector of the Township of Marlboro has requested that the Township Council of the Township of Marlboro adopt a resolution annually authorizing the Tax Collector to cancel all underpayment and overpayment of taxes of \$5.00 or less at year end.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Marlboro that the Tax Collector is hereby authorized to cancel all underpayment and overpayments of \$5.00 or less at year end.

RESOLUTION # 2019-40

BE IT RESOLVED by the Township Council of the Township of Marlboro that the bonds presently in effect for the officers and employees of the Township of Marlboro, which are required by Township Code Section 4-104, be continued for the year 2019.

RESOLUTION # 2019-41

WHEREAS, N.J.S.A. 54:5-18.3 requires that the governing body of a municipality designate by resolution either the Municipal Clerk or the Municipal Engineer as the person to make official "Certificates as to Liability for Assessment for Municipal Improvements".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that, Alida Manco, the Municipal Clerk, be and is hereby designated as the person to make Certificates as to Liability for Assessment for Municipal Improvements.

RESOLUTION # 2019-42

RESOLUTION ESTABLISHING A CASH MANAGEMENT PLAN
AND NAMING OFFICIAL DEPOSITORIES
FOR THE TOWNSHIP OF MARLBORO FOR 2019

WHEREAS, N.J.S.A. 40A:5-14 mandates that a Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, N.J.S.A 40A:5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth wish to comply with the above statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth adopts a cash management plan including the official depositories for the Township of Marlboro, County of Monmouth for the calendar year 2019.

RESOLUTION # 2019-43

RESOLUTION AUTHORIZING PETTY CASH FUND
FOR CALENDAR YEAR 2019

WHEREAS, in accordance with N.J.S.A. 40A:5-21 "A local unit may establish a petty cash fund upon written application to and after approval by the Director. All matters relating to the establishment, accounting, repayment and discontinuance of such funds shall be in the discretion of the Director, who shall promulgate reasonable rules and regulation in respect thereto."

WHEREAS, regulations require all petty cash funds be returned to the Local Unit's Chief Financial Officer prior to December 31st of each year to be re-established by subsequent resolution on or after January 1st of the following year.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey as follows:

1. That the Township Council authorizes continuation of Petty Cash funds for immediate needs. By virtue of this resolution, a petition is filed to the Division of Local Government Services to reestablish a petty cash funds consistent with prior years levels at:

<u>DEPARTMENT</u>	<u>2018 LEVEL</u>	<u>2019 REQUEST</u>
FINANCE	\$ 200.00	\$ 200.00
RECREATION	\$ 1,500.00	\$ 1,500.00
POLICE	\$ 200.00	\$ 200.00

2. That certified copies of this resolution be provided to the Director of the Division of Local Government Services, Business Administrator, Chief Financial Officer, Auditor and any other interested parties.

RESOLUTION # 2019-44

A RESOLUTION AUTHORIZING THE APPOINTMENT OF A
QUALIFIED PURCHASING AGENT AND ESTABLISHING THE BID
THRESHOLD
(Pursuant to N.J.S.A. 40A:11-9(g))

WHEREAS, the recent changes to the Local Public Contracts Law gave local Contracting units the ability to increase their bid threshold; and

WHEREAS, N.J.S.A. 40A:11-3(a) permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et. Seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Jonathan A. Capp, Business Administrator possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.S.A. 40A:11-2(30) and will be appointed as the Qualified Purchasing Agent without any additional compensation; and

WHEREAS, effective July 1, 2015, the bid threshold established by the State of New Jersey Department of Treasury is \$40,000.00 for municipalities with an appointed Qualified Purchasing Agent; and

WHEREAS, the Township of Marlboro wishes to establish a local bid threshold of \$36,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, hereby appoints Jonathan A. Capp, Business Administrator as the Qualified Purchasing Agent commencing January 1, 2019. As Qualified Purchasing Agent Jonathan A. Capp is authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

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

- a. Township Administrator
- b. Director of the Local Government Services
(With a copy of the QPA Certification)

RESOLUTION # 2019-45

A RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR
TO EXECUTE CONTRACTS UP TO \$36,000.00

WHEREAS, with Resolution #2019-44, the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, authorized the appointment of Jonathan A. Capp,

Business Administrator as the Qualified Purchasing Agent commencing January 1, 2019; and

WHEREAS, in addition, pursuant to N.J.S.A. 40A:11-3(a), the Township Council established a bid threshold of \$36,000.00 and authorized the Business Administrator to execute and approve any and all contracts up to \$36,000.00; and

WHEREAS, when awarding such contracts, the Business Administrator shall be obligated to adhere to all applicable provisions of the Local Public Contracts Law, including N.J.S.A. 40A:11-6.1 requiring that, if practicable, at least two competitive quotations must be solicited for all contracts that are less than the bid threshold, but 15% or more of that amount; and

WHEREAS, the Township Council believes that providing such authorization to the Business Administrator will allow the business of the Township to proceed in the most efficient manner, while at the same time, allowing the Business Administrator to ensure that the process by which all contracts under \$36,000.00 are awarded complies with the applicable requirements and the intent of the Local Public Contracts Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro in the County of Monmouth that the Business Administrator, is hereby authorized to execute and approve any and all contracts up to \$36,000.00; and

BE IT FURTHER RESOLVED that the Business Administrator, when awarding such contracts, is obligated to adhere to all applicable provisions of the Local Public Contracts Law, including N.J.S.A. 40A:11-6.1 requiring that, if practicable, at least two competitive quotations must be solicited for all contracts that are less than the bid threshold, but 15% or more of that amount; and

BE IT FURTHER RESOLVED that the Business Administrator, is authorized, in accordance with N.J.S.A. 40A:11-6.1, to award contracts that are less than 15% of the bid threshold without soliciting competitive quotations; and

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

- a. Business Administrator
- b. Township Chief Financial Officer

c. Township Attorney

RESOLUTION # 2019-46

RESOLUTION AUTHORIZING THE TAX ASSESSOR TO PERFORM
VARIOUS DUTIES ASSOCIATED WITH HER POSITION

WHEREAS, statutory provision is made for the review and correction of errors by the local Tax Assessor prior to certification of an assessment list; and

WHEREAS, statutory provision is also made for the discovery and correction of errors by the local Tax Assessor during the establishment of the tax rate; and

WHEREAS, changes in the property ownership at times necessitates adjustments in the Veterans and/or Senior Citizen deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local Tax Assessor subject to laws and regulations; and

WHEREAS, in certain instances outlined in N.J.S.A. 54:3-21, taxpayers and taxing districts are authorized to file appeals to the county board of taxation or, if the statutory requirements are satisfied, to file a complaint directly with the Tax Court; and

WHEREAS, in the case of an appeal or complaint filed by a taxpayer, the taxing district may file a cross petition of appeal or counterclaim; and

WHEREAS, the Township Council now desires to authorize the Tax Assessor to perform certain duties associated with her position.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that, in addition to those powers given to the Tax Assessor by statute, the Tax Assessor may authorize the filing with the Monmouth County Board of Taxation or Tax Court such appeals or complaints as may be necessary to maintain the accuracy and equality in the assessment list of the Township of Marlboro, in accordance with the procedures set forth by the applicable statutory provisions and/or approved by the New Jersey Division of Taxation and/or the New Jersey Attorney General's Office; and

BE IT FURTHER RESOLVED that the Tax Assessor is hereby authorized to file complaints on behalf of the Township of Marlboro based upon farmland and rollback procedures; and

BE IT FURTHER RESOLVED that, with respect to appeals or complaints filed by a taxpayer with the Monmouth County Board of Taxation or Tax Court, the Tax Assessor may authorize the filing of cross petitions of appeal and counterclaims; and

BE IT FURTHER RESOLVED that the Tax Assessor is authorized to negotiate settlements of appeals or complaints filed with the Monmouth County Board of Taxation or the Tax Court and to authorize settlements of such appeals without obtaining Township Council's approval in the event the settlement involves less than the local bid threshold per parcel per tax year on behalf of the Township of Marlboro.

BE IT FURTHER RESOLVED that the Tax Assessor shall notify the Chief Financial Officer and the Township Council of all tax appeals upon filing, by June 1.

RESOLUTION # 2019-47

RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE TOWNSHIP OF MARLBORO TO ENTER INTO INSTALLMENT PAYMENT AGREEMENTS FOR PROPERTY TAX ARREARS AND DELINQUENT WATER CHARGES IN AN AMOUNT NOT TO EXCEED ONE THOUSAND (\$1,000.00) DOLLARS

WHEREAS, N.J.S.A. 54:5-19 authorizes installment payment agreements for property tax arrears and other charges which would be a lien against real property such as delinquent water charges; and

WHEREAS, Colleen Dolan, the Tax Collector of the Township of Marlboro, has requested approval from the Township Council to enter into installment payment agreements for property tax arrears and/or delinquent water charges in cases of hardship provided the amount of the arrears or delinquent charges do not exceed One Thousand (\$1,000.00) Dollars; and

WHEREAS, the installment payment agreements must provide payments large enough to pay back the tax arrears or delinquent charges and must require that all taxes or other charges are kept current as they come due; and

WHEREAS, the installment payment agreements must be reduced to a written agreement signed by the property owner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that it hereby grants its authority to Colleen Dolan, the Tax Collector of the Township of Marlboro to enter into installment payment agreements for tax arrears and delinquent water charges in the case of hardships in an amount not to exceed One Thousand (\$1,000.00) Dollars and said installment payment agreements are to provide that all taxes or other charges are to be kept current as they become due and shall require prompt payments of the installment payments agreed to; 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 Financial Officer
- c. Colleen Dolan, Tax Collector

RESOLUTION # 2019-48

RESOLUTION ESTABLISHING RATES PAYABLE FOR INSPECTION SERVICES PERFORMED OUTSIDE OF THE TOWNSHIP'S NORMAL BUSINESS HOURS AND DAYS OF OPERATION

WHEREAS, the Code of the Township of Marlboro establishes the Department of Community Development in Section 4-65 which consists of the Division of Engineering, the Division of Planning, the Division of Zoning/Code Enforcement and the Division of Uniform Construction Code; and

WHEREAS, the Code of the Township of Marlboro establishes the Bureau of Fire Prevention in Section 183-1 in order to enforce the Uniform Fire Code in buildings, structures and premises within the Township of Marlboro; and

WHEREAS, upon occasion, there is a need for special inspections to be performed by the Department of Community Development and Bureau of Fire Prevention outside of the Township's normal business hours and days of operation; and

WHEREAS, there is a need to establish the rate to be charged for the Department of Community Development and Bureau of Fire Prevention providing inspection services outside of the normal business hours and days of operation of the Township; and

WHEREAS, the Chief Financial Officer has calculated that the rate to be charged for such special inspections outside of the normal business hours and days of operation is \$85.00 per hour for a Sub-Code Official and \$70.00 per hour for an Inspector; and

WHEREAS, the rate to be charged for such special inspections outside of the normal business hours and days of operation of the Township shall be charged at a minimum of two hours per discipline times the applicable rate.

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 fees to be charged for inspections performed by the Department of Community Development and Bureau of Fire Prevention outside of the normal business hours and days of operation of the Township of Marlboro shall be \$85.00 per hour for a Sub-Code Official and \$70.00 per hour for an Inspector with a minimum charge of two hours per discipline for such special inspections; 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. Township Chief Financial Officer
- c. Township Engineer
- d. Construction Code Official
- e. Fire Official

RESOLUTION # 2019-49

RESOLUTION OF THE TOWNSHIP OF MARLBORO
AUTHORIZING THE AWARD OF CONTRACTS FOR FINANCIAL ADVISORY
SERVICES ON AN AS-NEEDED BASIS

WHEREAS, the Township of Marlboro desires to create a pool of qualified professionals to perform financial advisory services ("Services") for the Township as the need arises, using a fair and open process pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Township of Marlboro (the "Township") received and reviewed statements of qualifications from financial advisory services firms and determined to pre-qualify those firms that possess the professional and administrative capabilities to provide such services and that they offer the terms and conditions determined by the Township to provide the greatest benefit to the taxpayers of the Township (the

"Qualified Firms"), so that the Township may engage any one or more of the Qualified Firms when the need for such Services arises; and

WHEREAS, it has been determined that the value of the contracts may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro (the "Township") hereby approves the following Qualified Firms:

NW Financial Group, LLC
2 Hudson Place, 3rd Floor
Hoboken, NJ 07030

Phoenix Advisors, LLC
625 Farnsworth Avenue
Bordentown, NJ 08505

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

(1) The Mayor and Township Clerk are hereby authorized and directed to execute contracts ("Contracts") by and between the Township and the Qualified Firms, which Contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Firms are called upon by the Township to render services; and

(2) That a copy of this resolution and the Contracts upon execution shall be placed on file with the Township Clerk; and

(3) That a notice in accordance with Local Public Contracts Law shall be published in a local newspaper within ten (10) days of passage of this resolution.

RESOLUTION # 2019-50

RESOLUTION APPOINTING REMINGTON & VERNICK ENGINEERS AS
CONFLICT/ALTERNATE TOWNSHIP PLANNER FOR THE YEAR 2019

PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH
N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires a Conflict/Alternate Township Planner, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated October 25, 2018 (the "Proposal") from REMINGTON & VERNICK ENGINEERS, 3 Jocama Blvd, Ste. 300-400 Old Bridge, New Jersey 08757 in response to the Request for Qualifications for professional services issued by the Township on September 21, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to REMINGTON & VERNICK ENGINEERS, 3 Jocama Blvd, Ste. 300-400 Old Bridge, New Jersey 08757 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-

5(1)(a)(i) and in accordance with the proposal dated October 25, 2018; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. REMINGTON & VERNICK ENGINEERS
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-51

RESOLUTION OF THE TOWNSHIP OF MARLBORO
AUTHORIZING THE AWARD OF CONTRACTS FOR ALTERNATE
LABOR COUNSEL SERVICES ON AN AS-NEEDED BASIS

WHEREAS, the Township of Marlboro desires to create a pool of qualified professionals to perform alternate labor counsel services ("Services") for the Township as the need arises, using a fair and open process pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Township of Marlboro (the "Township") received and reviewed statements of qualifications from qualified firms and determined to pre-qualify those that possess the professional and administrative capabilities to provide such services and that they offer the terms and conditions determined by the Township to provide the greatest benefit to the taxpayers of the Township (the "Qualified Firms"), so that the Township may engage any one or more of the Qualified Firms when the need for such Services arises; and

WHEREAS, it has been determined that the value of the contracts will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro (the "Township") hereby approves the following Qualified Firms:

Weiner Law Group, LLP
629 Parsippany Road
3rd Floor
Parsippany, NJ 07054

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

(1) The Mayor and Township Clerk are hereby authorized and directed to execute contracts ("Contracts") by and between the Township and the Qualified Firms, which Contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Firms are called upon by the Township to render services; and

(2) That a copy of this resolution and the Contracts upon execution shall be placed on file with the Township Clerk; and

(3) That a notice in accordance with Local Public Contracts Law shall be published in a local newspaper within ten (10) days of passage of this resolution.

RESOLUTION # 2019-52

RESOLUTION OF THE TOWNSHIP OF MARLBORO
AUTHORIZING THE AWARD OF CONTRACTS FOR ALTERNATE BOND COUNSEL
SERVICES ON AN AS-NEEDED BASIS

WHEREAS, the Township of Marlboro desires to create a pool of qualified professionals to perform alternate bond counsel services ("Services") for the Township as the need arises, using a fair and open process pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Township of Marlboro (the "Township") received and reviewed statements of qualifications from qualified firms and determined to pre-qualify those that possess the professional and administrative capabilities to provide such services and that they offer the terms and conditions determined by the Township to provide the greatest benefit to the taxpayers of the Township (the "Qualified Firms"), so that the Township

may engage any one or more of the Qualified Firms when the need for such Services arises; and

WHEREAS, it has been determined that the value of the contracts may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro (the "Township") hereby approves the following Qualified Firms:

DeCotiis, Fitzpatrick Cole & GIBLIN, LLP
500 Frank W. Burr Blvd., Suite 31
Teaneck, NJ 07666

Wilentz, Goldman & Spitzer
90 Woodbridge Center Drive
PO Box 10, Suite 900
Woodbridge, NJ 07095

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

(1) The Mayor and Township Clerk are hereby authorized and directed to execute contracts ("Contracts") by and between the Township and the Qualified Firms, which Contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Firms are called upon by the Township to render services; and

(2) That a copy of this resolution and the Contracts upon execution shall be placed on file with the Township Clerk; and

(3) That a notice in accordance with Local Public Contracts Law shall be published in a local newspaper within ten (10) days of passage of this resolution.

RESOLUTION # 2019-53

RESOLUTION APPROVING THE OFFICIAL HUNTING MAP FOR THE TOWNSHIP OF MARLBORO PURSUANT TO SECTION 177-1 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED FIREARMS: DISCHARGE RESTRICTIONS

WHEREAS, Section 177-1 of the Code of the Township of Marlboro reads as follows:

"No person shall discharge a gun or any firearm within the areas shown and marked with bold diagonal lines on the Official Hunting Map of the Township of Marlboro, dated May 31, 1995, to be amended and updated annually by the Township Engineer to include new schools, public recreational facilities, ballfields and lands which have obtained final site plan and or subdivision approval upon which site work has commenced. The Hunting Map, as amended, shall be approved by formal resolution of the Township Council. Copies of said map are on file in the offices of the Township Clerk and Township Engineer."

; and

WHEREAS, in accordance with State Law (R.S.23:4-16), "no person, except the owner or lessee of the building and persons specifically authorized by him in writing...shall, for the purposes of hunting, taking or killing any wildlife, have in his possession a loaded firearm while within 450 feet of any occupied building in this State, or of any school playground"; and

WHEREAS, in accordance with Township Code and State law, the Township Engineer has proposed changes listed in Attachment A to the Hunting Map dated and approved 12/18/17 (Attachment B) to incorporate the structures, and facilities that have been constructed or approved; and

WHEREAS, the Chief of Police recommends that the changes proposed by the Township Engineer be incorporated into the official Hunting Map of the Township of Marlboro; and

WHEREAS, the Township Council supports the recommendation of the Township Engineer and Chief of Police and believes that it is prudent to approve the amended Hunting Map.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the Hunting Map dated and approved 12/18/17 be amended to reflect the changes proposed by the Township Engineer in Attachment A.

BE IT FURTHER RESOLVED, that a copy of the updated Hunting Map will be posted on the Township website upon completion.

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

- a. Township Administrator
- b. Chief of Police
- c. Township Engineer

RESOLUTION # 2019-54

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO SELECTIVE BENEFITS GROUP FOR INVESTMENT ADVISORY SERVICES FOR DEFERRED COMPENSATION PLANS FOR THE YEAR 2019 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires investment advisory services for deferred compensation plans, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received and opened a proposal on December 27, 2018 (the "Proposal") from SELECTIVE BENEFITS GROUP, 50 Hart Street, Ramsey, NJ 07446 in response to the Request for Qualifications for professional services issued by the Township on December 4, 2018 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the fees for such services are proposed to be paid directly by the deferred compensation plan providers, in an annual amount which may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to SELECTIVE BENEFITS 50 Hart Street, Ramsey, NJ 07446, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the rates specified in the proposal received December 27, 2018 to be paid directly by the deferred compensation plan providers; and

3. The Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

5. That a certified copy of this Resolution shall be provided to each of the following:

- a. SELECTIVE BENEFITS GROUP
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-55

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY, AMENDING AND
RENEWING THE SHARED SERVICES AGREEMENT WITH
THE HOWELL TOWNSHIP DEPARTMENT OF POLICE FOR
THE USE OF THE HOWELL FIREARMS RANGE

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 ("Marlboro") and Howell Township ("Howell") 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 Council of the Township of Marlboro authorized the execution of a shared services agreement with Howell Township on December 9, 2010 for use of the Howell Township Firearms Range; and

WHEREAS, Marlboro desires to continue the utilization of the Howell Township's Firearms Range; and

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

WHEREAS, the Township Council of the Township of Marlboro has determined that the entry into the Shared Services Agreement is in the best interest of the residents and taxpayers of Marlboro,

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

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Mayor is hereby authorized to execute the Shared Services Agreement annexed hereto as EXHIBIT A.

The following Resolution #2018-363/Ordinance #2018-23 (Amending Section 220 - Land Use - Recommendations from Land Use Boards) was introduced by reference, offered by Councilman Cantor and seconded by Council Vice President Mazzola. Council President Metzger opened the Public Hearing on Ordinance #2018-23. 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 5 - 0 in favor.

RESOLUTION # 2018-363

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

ORDINANCE # 2018-23

AN ORDINANCE AMENDING SECTION 220 OF THE MARLBORO TOWNSHIP CODE TO UPDATE THE REQUIREMENTS FOR SURVEYS TO BE SUBMITTED WITH APPLICATIONS; OFF-STREET PARKING, LOADING, SERVICE AREAS AND OUTDOOR SEATING; ACCESSORY BUILDINGS OR STRUCTURES; DRIVEWAYS; SIDEWALKS; PERIMETER DRAIN SYSTEMS; DISCHARGE OF STORMWATER ON PUBLIC PROPERTY; REQUIREMENTS FOR RELEASE OF GUARANTIES

which was introduced on November 29, 2018, tabled on December 18, 2018, public hearing held on January 3, 2019, be adopted on second and final reading this 3rd day of January, 2019.

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

At 7:20 PM, Councilman Cantor moved that the meeting be adjourned. This was seconded by Councilwoman Marder, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: JANUARY 17, 2019

OFFERED BY: MARDER AYES: 4

SECONDED BY: SCALEA NAYS: 0

ABSENT: METZGER

ALIDA MANCO,
MUNICIPAL CLERK

CAROL MAZZOLA,
COUNCIL VICE PRESIDENT