

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

August 15, 2019

The Marlboro Township Council held its regularly scheduled meeting on August 15, 2019 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Metzger opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled 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 January 7, 2019; published in the Asbury Park Press on January 9, 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 Marder, Council Vice President Mazzola, Councilman Scalea, Council President Metzger.

Also present: Mayor Jonathan Hornik, Township Attorney Louis N. Rainone, Esq., Business Administrator Jonathan Capp, Municipal Clerk Alida Manco and Deputy Municipal Clerk Susan A. Branagan.

Councilwoman Marder moved that the minutes of July 11, 2019 be adopted. This was seconded by Council Vice President Mazzola and passed on a roll call vote of 5 - 0 in favor.

The following Resolution #2019-238/Ordinance #2019-10 (Appropriating a \$420,236 Grant for Pleasant Valley Streambank Project) was introduced by reference, offered by Councilwoman Marder and seconded by Council President Metzger. Council President Metzger opened the public hearing on Ordinance #2019-10. As there was no one who wished to speak, the public hearing was closed. The resolution/ordinance was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-238

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

ORDINANCE # 2019-10

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING A \$420,236 GRANT TO BE RECEIVED BY THE TOWNSHIP FOR THE STREAMBANK STABILIZATION AT PLEASANT VALLEY ROAD IN AND FOR THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY

which was introduced on July 11, 2019, public hearing held on August 15, 2019, be adopted on second and final reading this 15th day of August, 2019.

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

Regarding Item 9 (Public Hearing - Application to Monmouth County for Open Space Trust Funds), Council President Metzger announced that notice for this public hearing was published on August 3, stating that this public hearing is being held for the purpose of receiving comments on an application to Monmouth County for the Open Space Grants Program. He stated that the Township of Marlboro desires to obtain such grant to fund improvements to Nolan Road Park, Located at Lloyd and Nolan Roads, Block 127, Lot 11). He opened the Public Hearing for comment by the public. As there was no one who wished to speak, the Public Hearing was closed.

The following Resolution #2019-239 (Authorizing Application to Monmouth County for Open Space Trust Funds) was introduced by reference, offered by Councilman Cantor, seconded by Council President Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2019-239

A RESOLUTION AUTHORIZING APPLICATION TO THE COUNTY OF MONMOUTH FOR OPEN SPACE TRUST FUNDS

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park,

recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Township of Marlboro desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund improvements to Nolan Road Park, located at Lloyd and Nolan Roads within the Township of Marlboro (Block 127, Lot 11); and

WHEREAS, the total cost of the project including all matching funds is \$524,000.00; and

WHEREAS, the Township of Marlboro is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Marlboro Township Council THAT:

1. Mayor Jonathan Hornik or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Township of Marlboro is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Mayor Jonathan Hornik or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

The following Resolution #2019-240 (Change of Council Meeting Locations) 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 # 2019-240

CHANGE OF COUNCIL MEETING LOCATIONS

BE IT RESOLVED by the Township Council of the Township of Marlboro that the regularly scheduled Council meeting locations will be changed as follows:

Sept. 5, 2019 - Marlboro Greens Clubhouse
1 Ivy Hill Drive, Englishtown, NJ 07726

October 3, 2019 - Greenbriar at Marlboro Clubhouse
21 Clubhouse Lane, Marlboro, NJ 07746

October 17, 2019 - Rosemont Estates Clubhouse
246 Everton Blvd., Marlboro, NJ 07746

BE IT FURTHER RESOLVED that all meetings will begin at 7:00PM.

Councilman Cantor recused himself from the Consent Agenda and left the room. As the Consent Agenda, the following Resolutions were introduced by reference, offered by Council Vice President Mazzola, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor): Res. #2019-241 (Authorizing Close Out - Roof Replacement), Res. #2019-242 (Authorizing Contract Renewal - Equipment Rental and Operator Services -Lucas Construction Group, Inc.), Res. #2019-243 (Authorizing Contract Renewal - Contract Snow Removal (Bid #2017-07) Year 3), Res. #2019-244 (Authorizing Contract Renewal - Contract Snow Removal (Bid #2017-12) Year 3), Res. #2019-245 (Authorizing Contract Renewal - Recycling Collection and Disposal Services), Res. #2019-246 (Authorizing Contract Renewal - Electrical Repair Services), Res. #2019-247 (Authorizing Contract Renewal - Type 13 Bulk Waste Disposal), Res. #2019-248 (Authorizing Contract Renewal - Dump Truck and Snow Removal Equipment Rental), Res. #2019-249 (Authorizing Contract Renewal - Temporary Personnel Agency Services), Res. #2019-250 (Authorizing Contract Renewal - Contract Snow Removal (Parking Lots), Res. #2019-251 (Authorizing Award of Co-Op Contract through the ESCNJ - Purchase of Salt Spreader (18-120-2), Res. #2019-252 (Authorizing the Transfer and acceptance of Surplus Military Equipment from the U.S. Department of Defense (DoD)

1033 Program), Res. #2019-253 (Authorizing Renewal - Western Monmouth Active Shooter Training Group), Res. #2019-254 (Authorizing Emergency Appropriation Pursuant to NJS 40A:4-48 and Authorizing Financing of Emergency Appropriation through Use of Surplus or Issuance of Emergency Notes Pursuant to NJS 40A:4-50), Res. #2019-255 (Authorizing Award of State Contract 88758 & Co-Op for Purchase of Vehicle & Snow Removing Equipment (19-500-0), Res. #2019-256 (Award of Bid - Beacon Hill Water Storage Tank Rehabilitation), Res. #2019-257 (Authorizing Final Close Out Change Order - Tennent Road Water Treatment Plant), Res. #2019-258 (Authorizing Amendment to Professional Services Agreement for Engineering Services - Tennent Road Water Treatment Plant), Res. #2019-259 (Authorizing Final Close Out Change Order - Harbor Road Water Treatment Plant), Res. #2019-260 (Authorizing Amendment to Professional Services Agreement for Engineering Services - Harbor Road Water Treatment Plant), Res. #2019-261 (Authorizing Agreement with Monmouth County for Open Public Records Search System - Records Information Management), Res. #2019-262 (Rejection of Bids - Pleasant Valley Streambank Stabilization), Res. #2019-263 (Authorizing Amendment to Engineering Services Contract - Pleasant Valley Streambank Stabilization Construction Management), Res. #2019-264 (Authorizing Amendment to Engineering Services Contract - Hamilton Park Septic System Construction Management), Res. #2019-265 (Authorizing Award of State Contract to SHI for Purchase of Spatial Data Logic Large Town Enterprise License and Portal), Res. #2019-266 (Authorizing Award of State Contract for Purchase of Computer Server Equipment and Software (Cap ID 2018-033-2), Res. #2019-267 (Award of Bid - 2019 Court Improvement Project (18-145-1.5, 19-145-8, 9, 10), Res. #2019-268 (Lien Redemptions - Various), Res. #2019-269 (Tax Exemption - Eihab Human Services, Inc. - 1 Eaton Ct. - Block 350 Lot 16), Res. #2019-270 (Disabled Veteran Tax Exemption - 9 Coventry Terrace - Block 384 Lot 26), Res. #2019-271 (Disabled Veteran Tax Exemption - 19 Hastings Road - Block 231 Lot 7), Res. #2019-272 (Disabled Veteran Tax Exemption - 64 Brown Road - Block 170 Lot 49), Res. #2019-273 (Disabled Veteran Tax Exemption - 71 Crescent Court - Block 148 Lot 10.17), Res. #2019-274 (Disabled Veteran Tax Exemption - 19 Oriel Way - Block 388 Lot 56), Res. #2019-275 (Disabled Veteran Tax Exemption - 19 Hansom Lane - Block 382 Lot 6) and Res. #2019-276 (Tax Overpayments - Various).

RESOLUTION # 2019-241

A RESOLUTION APPROVING CLOSE OUT TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND PELKA CONSTRUCTION AND AUTHORIZING ACCEPTANCE OF "PROVISION OF ROOF REPLACEMENT FOR THE

MARLBORO COUNTRY PARK AND SWIM CLUB AND THE WATER UTILITY
DIVISION HARBOR ROAD OFFICE" FOR THE TOWNSHIP OF MARLBORO

WHEREAS, by Resolution #2019-172 the Township of Marlboro authorized the award of a contract to Pelka Construction various roof replacements for the Township Of Marlboro (the "Project"); and

WHEREAS, Close Out has been requested resulting in a decrease in the original contract amount of \$81,225.00 to \$71,106.19, a net decrease of \$10,118.81; and

WHEREAS, in a memo dated July 19, 2019 the Director of Public Works has confirmed that the project has been completed in accordance with the approved plans and specifications and has recommended approval of the Close Out; and

WHEREAS, pursuant to the terms of the contract, Pelka Construction has provided the required warranty documentation of a maintenance bond in an amount of \$73,506.00; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Close Out to the existing contract with Pelka Construction be and is hereby approved, decreasing the original contract amount of \$81,225.00 to \$71,106.19, a net decrease of \$10,118.81.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are hereby accepted for work completed by PELKA CONSTRUCTION and is hereby approved.

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

- a. Pelka Construction
- b. Township Business Administrator
- c. Director of Public Works
- d. Recreation Director
- e. Chief Financial Officer

RESOLUTION # 2019-242

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO LUCAS
CONSTRUCTION GROUP, INC. FOR THE PROVISION OF EQUIPMENT RENTAL
AND OPERATOR SERVICE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF
PUBLIC WORKS (DPW)

WHEREAS, on June 14, 2018 (R.2018-207) the Township Council of the Township of Marlboro awarded a contract to LUCAS CONSTRUCTION GROUP, INC. for THE PROVISION OF EQUIPMENT RENTAL AND OPERATOR SERVICE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract for (1)one two-year or (2)two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, in a memo dated July 31, 2019, the Director of Public Works has recommended that the Township approve the first one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to LUCAS CONSTRUCTION GROUP, INC. whose address is 173 Amboy Road, Morganville, NJ 07751 for a period of one year beginning on August 1, 2019 through July 31, 2020, in a total amount not to exceed \$128,630.00.

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

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$53,595 from Current Account #01-201-28-123-288102, Capital Account #04-215-19-01D-060288, 2018 Clean Communities Grant Account #02-213-18-703-123000 and the 2019 Clean Communities Grant Account #02-213-19-703-123000.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$75,034.20 will be made certified at the time of adoption of the 2020 municipal budget.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with LUCAS CONSTRUCTION GROUP, INC. in accordance with this resolution.

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

- a. Lucas Construction Group, Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2019-243

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACTS TO L.J. PESCE, LLC, TRI COUNTY TURF, LLC AND PREMIUM GROWERS, INC. FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on June 8, 2017 (R.2017-193) the Township Council of the Township of Marlboro awarded contracts to L.J. PESCE, LLC, TRI COUNTY TURF, LLC AND PREMIUM GROWERS, INC. FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, on June 14, 2018(R.2018-210) the Township Council of the Township of Marlboro approved the first one-year extension of the contracts; and

WHEREAS, in a memo dated July 31, 2019, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension of the contracts; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that contracts be extended for a period of one (1) year beginning on September 1, 2019 through August 31, 2020:

Vendor Name	Address	City	St	Zip	Total
L.J. Pesce, LLC	100 Igoe Road	Morganville	NJ	07751	86,800.00
Tri County Turf, LLC	81 John White Rd	Cranbury	NJ	08512	227,160.00
Premium Growers, Inc.	178 Highway 34	Holmdel	NJ	07733	184,000.00
				Total	497,960.00
				2019	124,490.00

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with L.J. PESCE, LLC, TRI COUNTY TURF, LLC AND PREMIUM GROWERS, INC. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$124,490.00, representing 25% of the total estimated contract amount of \$497,960.00 are available in Account 01-201-26-119-288105.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$373,470.00 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with L.J. PESCE, LLC, TRI COUNTY TURF, LLC AND PREMIUM GROWERS, INC. in accordance with this resolution.

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

- a. L.J. Pesce, LLC
- b. Tri County Turf, LLC
- c. Premium Growers, Inc.
- d. Township Business Administrator
- e. Director of Public Works
- f. Chief Financial Officer

RESOLUTION # 2019-244

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACTS TO L.J. PESCE, LLC AND PREMIUM GROWERS, INC. FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on July 13, 2017 (R.2017-234) the Township Council of the Township of Marlboro awarded contracts to L.J. PESCE, LLC AND PREMIUM GROWERS, INC. FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, the bid specifications included the option to renew said contracts for an additional one (1) two-year, or (2) two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, on June 14, 2018 (R.2018-211) the Township Council of the Township of Marlboro approved the first one-year extension of the contracts; and

WHEREAS, in a memo dated July 31, 2019, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension of the contracts; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that contracts be extended for a period of one (1) year beginning on September 1, 2019 through August 31, 2020:

Vendor Name	Address	City	St	Zip	Total
L.J. Pesce, LLC	100 Igoe Road	Morganville	NJ	07751	31,840.00
Premium Growers, Inc.	178 Highway 34	Holmdel	NJ	07733	135,760.00
				Total	167,600.00
				2019	41,900.00
				2020	125,700.00

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with L.J. PESCE, LLC AND PREMIUM GROWERS, INC. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$41,900.00, representing 25% of the total estimated contract amount of \$167,600.00 are available in Account 01-201-26-119-288105.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$125,700.00 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with L.J. PESCE, LLC AND PREMIUM GROWERS, INC. in accordance with this resolution.

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

- a. L.J. Pesce, LLC
- b. Premium Growers, Inc.

- c. Township Business Administrator
- d. Director of Public Works
- e. Chief Financial Officer

RESOLUTION # 2019-245

A RESOLUTION AUTHORIZING YEAR 4 OF CONTRACT TO CENTRAL JERSEY WASTE & RECYCLING, INC. FOR THE PROVISION OF RECYCLING COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on July 7, 2016 (R.2016-250) the Township Council of the Township of Marlboro awarded a contract to CENTRAL JERSEY WASTE & RECYCLING, INC. FOR THE PROVISION OF RECYCLING COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, the bid specifications included the option to renew said contract for four (4) one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, on July 13, 2017 (R.2017-224) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, on June 14, 2018 (R.2018-212) the Township Council of the Township of Marlboro approved the second one-year extension of the contract; and

WHEREAS, in a memo dated July 30, 2019, the Director of Public Works has recommended that the Township approve a third one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract extension be awarded to CENTRAL JERSEY WASTE & RECYCLING, INC., whose address is 432 Stokes Avenue, Ewing, New Jersey 08638 for RECYCLING COLLECTION AND DISPOSAL SERVICES for a period of one (1) year beginning on September 1, 2019 through August 31, 2020 in a total amount not to exceed \$466,605.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with CENTRAL JERSEY WASTE & RECYCLING, INC. in accordance with this resolution.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$155,535.00 for the aforesaid contract in Current Account #01-201-26-117-233112.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$311,070.00 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with CENTRAL JERSEY WASTE & RECYCLING, INC. in accordance with this resolution.

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

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

RESOLUTION # 2019-246

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO MUNICIPAL MAINTENANCE CO. FOR THE PROVISION OF ELECTRICAL REPAIR WORK FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on August 10, 2017 (R.2017-260) the Township Council of the Township of Marlboro awarded a contract to MUNICIPAL MAINTENANCE CO. for the PROVISION OF ELECTRICAL REPAIR WORK FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, on June 14, 2018 (R.2018-213) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated July 19, 2019, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to MUNICIPAL MAINTENANCE CO. whose address is 1352 Taylors Lane, Cinnaminson, NJ 08077 for a period of one (1) year beginning on September 1, 2019 through August 31, 2020, in a total amount not to exceed \$39,500.00 for labor only. Parts are to be billed at the rate of ten percent (10%) above contractor's price.

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

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$13,166.67 from Current Account #01-201-26-122-288126 and Water Operating Account #05-201-55-500-288020.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$26,333.33 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with MUNICIPAL MAINTENANCE CO. in accordance with this resolution.

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

- a. Municipal Maintenance Co.
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION # 2019-247

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO FREEHOLD CARTAGE, INC. FOR THE DISPOSAL OF TYPE 13 BULKY WASTE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) RECYCLING BUREAU

WHEREAS, on July 12, 2018 (R.2018-230) the Township Council of the Township of Marlboro awarded a contract to FREEHOLD CARTAGE, INC., for THE DISPOSAL OF TYPE 13 BULKY WASTE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) RECYCLING BUREAU; and

WHEREAS, the bid specifications included the option to renew said contract for an additional one (1) two-year, or (2) two one-

year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, in a memo dated July 19, 2019, the Director of Public Works has recommended that the Township approve a one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to FREEHOLD CARTAGE, INC. whose address is 825 Highway 33, Freehold, NJ 07728 for a one (1) year period beginning on September 1, 2019 through August 31, 2020, for an amount not to exceed \$57,925.00.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$19,308.33 for the aforesaid contract in Current Account #01-201-32-170-233112.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$38,616.67 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with FREEHOLD CARTAGE, INC. in accordance with this resolution.

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

- a. Freehold Cartage, Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2019-248

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO HERC RENTALS, INC.
FOR THE PROVISION OF DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT
RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS
(DPW)

WHEREAS, on August 10, 2017 (R.2017-263) the Township Council of the Township of Marlboro awarded a contract to HERC RENTALS, INC., for THE PROVISION OF DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

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

WHEREAS, on August 9, 2018 (R.2018-244) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated July 30, 2019, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to HERC RENTALS, INC., whose address is 27500 Riverview Center Blvd., Bonita Springs, FL 34134 for a one (1) year period beginning on August 15, 2019, through August 14, 2020 for an amount not to exceed \$52,400.00.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$13,100.00 for the aforesaid contract in Current Account #01-201-26-119-215105.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$39,300.00 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with HERC RENTALS, INC. in accordance with this resolution.

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

- a. Herc Rentals, Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2019-249

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO ANCHOR STAFFING FOR THE PROVISION OF TEMPORARY PERSONNEL AGENCY SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on September 7, 2017 (R.2017-277) the Township Council of the Township of Marlboro awarded a contract to ANCHOR STAFFING for THE PROVISION OF TEMPORARY PERSONNEL AGENCY SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

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

WHEREAS, on August 9, 2018 (R.2018-242) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated July 19, 2019, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to ANCHOR STAFFING whose address is 754 Route 18 North, Suite 105, East Brunswick, NJ 08816 for a period of one year beginning on October 1, 2019, through September 30, 2020, in a total amount not to exceed \$221,457.30.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$64,680.00 for the aforesaid contract in Grant Accounts 02-213-15-701-117000, 02-213-17-701-

117000, 02-213-18-701-117000, 02-213-15-703-123000 and 02-213-16-703-123000.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$156,777.30 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with ANCHOR STAFFING in accordance with this resolution.

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

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

RESOLUTION # 2019-250

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO GARDEN IRRIGATION FOR THE PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on September 6, 2018 (R.2018-279) the Township Council of the Township of Marlboro awarded a contract to GARDEN IRRIGATION FOR THE PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, the bid specifications included the option to renew said contract for one (1) two-year or two (2) one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, in a memo dated July 29, 2019, the Director of Public Works has recommended that the Township approve a one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to GARDEN IRRIGATION whose address is 316 Tennent Road, Morganville, NJ 07751 for a one (1) year period beginning on October 1, 2019, through September 30, 2020, for an amount not to exceed \$52,900.00.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$13,225.00 for the aforesaid contract in Current Account #01-201-26-119-288310.

BE IT FURTHER RESOLVED, funds for the 2020 portion in an amount of \$39,675.00 will be certified at the time of adoption of the 2020 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract extension with FREEHOLD CARTAGE, INC. in accordance with this resolution.

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

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

RESOLUTION # 2019-251

RESOLUTION AUTHORIZING THE PURCHASE OF A SALT SPREADER THROUGH
THE ESCNJ COOPERATIVE CONTRACT #17/18-30 FOR THE TOWNSHIP OF
MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its Capital project due to discounts received as part of previous purchases and projects, is authorized to purchase the salt spreader from bids obtained from a cooperative pricing system such as the Educational Services Commission of NJ (ESCNJ) pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the ESCNJ conducted a public bidding process and awarded a contract to Trius, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852 for the provision of a Swenson EV100 stainless steel salt spreader totaling \$34,193.55; and

WHEREAS, in a memo dated July 29, 2019, the Director of Public Works has recommended that the Township purchase the salt spreader from Trius Inc. under ESCNJ Co-Op 17/18-30 in an amount not to exceed \$34,193.55; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase the salt spreader, to be utilized by the Department of Public Works, through the ESCNJ; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$34,193.55 from Capital Account #04-215-18-01I-120297 and #04-215-19-01H-120297.

WHEREAS, the Township Council desires to approve the purchase of the salt spreader.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the salt spreader from Trius Inc., under ESCNJ #17/18-30 in an amount not to exceed \$34,193.55.

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

- a. Trius, Inc.
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION # 2019-252

AUTHORIZING THE TRANSFER AND ACCEPTANCE OF SURPLUS MILITARY EQUIPMENT FROM THE UNITED STATES DEPARTMENT OF DEFENSE (DoD) 1033 PROGRAM FOR THE MARLBORO DIVISION OF POLICE

WHEREAS, the 1033 Program (formerly the 1208 Program) permits the Secretary of Defense to transfer, without charge, excess U.S. Department of Defense (DoD) personal property (supplies and equipment) to state and local law enforcement agencies (LEAs); and

WHEREAS, the Township Council authorized the Township through the Division of Police (R.2014-217) to make application to the Department of Defense 1033 Program for military surplus equipment from the United States DoD; and

WHEREAS, the Division of Police made application and has received the transferred surplus equipment identified in Schedule A attached.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township through the Division of Police is hereby authorized to accept the military surplus

equipment identified in Schedule A from the Department of Defense 1033 Program.

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

- a. Human Resources
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Insurance

RESOLUTION # 2019-253

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY,
NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT FOR THE
WESTERN MONMOUTH ACTIVE SHOOTER TRAINING GROUP

WHEREAS, there have been numerous well-publicized incidences of acts of violence involving active shooters in public spaces including schools; and

WHEREAS, the Township of Marlboro and the K-8 and Freehold Regional School Districts have entered into agreements to ensure that armed and trained school security officers under the command of the Marlboro Division of Police are stationed in Marlboro schools; and

WHEREAS, an active shooter scenario in Marlboro would likely result in a response from a number of different neighboring law enforcement agencies; and

WHEREAS, it is to the benefit of Marlboro and other neighboring Monmouth municipalities to coordinate training together on response and entry tactics, site command and organizational strategy; and

WHEREAS, Freehold Township ("Freehold") has agreed to serve as lead agency in a cooperative effort with Marlboro, Manalapan, Freehold Borough, Howell, Colts Neck, Englishtown, Allentown Borough and the Monmouth County Sheriff's Office to ensure the highest level of coordination by facilitating interdepartmental training on a regular basis for the joint response to active shooter and joint law enforcement emergencies ("Western Monmouth Active Shooter Training Group"); and

WHEREAS, Freehold has proposed an annual budget of \$8,000 to cover the costs of certain protective gear, simunitions, planning and execution materials and other incidental costs; and

WHEREAS, Freehold has proposed that the costs be shared on a proportional basis based upon the number of sworn officers in each department; and

WHEREAS, Marlboro's calculated share of the costs of participation in the consortium is \$1,000.00; and

WHEREAS, funds in the amount of \$1,000.00 have been certified by the Chief Financial Officer and are available in Current Account 01-201-25-106-285; and

WHEREAS, the Township Council of the Township Marlboro desires to ensure that the highest level of trained and coordinated resources be available to respond to an event in Marlboro, and supports participation in the Western Monmouth Active Shooter Training Group to further that objective.

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

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

RESOLUTION # 2019-254

RESOLUTION AUTHORIZING EMERGENCY APPROPRIATION
PURSUANT TO NJS 40A:4-48 AND AUTHORIZING THE FINANCING OF THE
EMERGENCY APPROPRIATION THROUGH THE USE OF SURPLUS OR THE
ISSUANCE OF EMERGENCY NOTES PURSUANT TO NJS 40A:4-50

WHEREAS, an emergency has arisen with respect to the arrival of a severe wind and rain event which impacted Marlboro Township

on July 22, 2019, resulting in widespread tree damage and road closures as well as prolonged power outages; and

WHEREAS, the Township incurred immediate labor costs for emergency response, followed by other expenses including collection and disposal of debris for which no adequate provision was made in the 2019 Municipal budget; and

WHEREAS, the occurrence of said storm could not have been foreseen at the time the 2019 Municipal Budget for the Township of Marlboro was prepared; and

WHEREAS, NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$187,423.34 and three (3) percent of the total operating appropriations in the budget for 2019 is \$1,213,546.34; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2019; and

NOW, THEREFORE, BE IT RESOLVED, by not less than 2/3 of all governing body members affirmatively concurring that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for the severe storm costs as to salaries and wages and/or other expenses in the amount of \$187,423.34.

2. That said emergency appropriation shall be provided for in full in the 2020 budget, and is requested to be excluded from both the spending and tax levy CAP, pursuant to NJS 40A:4-53.3c(1).

3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

RESOLUTION # 2019-255

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #88758
TO WINNER FORD OF CHERRY HILL FOR THE PURCHASE OF
REPLACEMENT VEHICLE, AWARD OF COOPERATIVE ESCNJ
#18/19-25 TO TRIUS INC. FOR THE PURCHASE OF A SNOWPLOW
AND AWARD TO MONMOUTH TRUCK EQUIPMENT FOR THE PURCHASE

AND INSTALLATION OF A UTILITY BODY FOR THE TOWNSHIP OF
MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2019 Capital program (500-0) authorized the purchase of a replacement vehicle with a utility body and snowplow for the Department of Public Works; and

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

WHEREAS, Winner Ford of Cherry Hill with an address of 250 Haddonfield Berlin Road, Cherry Hill, NJ 08034 was awarded State Contract #88758 for the 2019 Ford F-350 Extended Cab DRW Pickup Truck equipped with all options for a price of \$30,534.00; and

WHEREAS, the Director of Public Works has recommended that the Township purchase the vehicle from Winner Ford of Cherry Hill under State Contract #88758 in an amount not to exceed \$30,534.00; and

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

WHEREAS, the Department solicited three (3) quotes for one (1) 8' Stahl Utility Body with installation. With as upon evaluation, the quote submitted by Monmouth Truck Equipment with an address of 745 Shrewsbury Avenue, Shrewsbury, NJ 07702 was the lowest responsible proposal submitted for a price of \$11,205.00; and

WHEREAS, the Director of Public Works has also recommended that the Township purchase the snowplow from Trius Inc. under ESCNJ Co-Op 18/19-25 in an amount not to exceed \$5,277.14; and

WHEREAS, the ESCNJ conducted a public bidding process and awarded a contract to Trius, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852 for the provision of a 9ft Western Pro Plus snowplow totaling \$5,277.14; and

WHEREAS, the Director of Public Works has also recommended that the Township purchase the utility body with installation from Monmouth Truck Equipment in an amount not to exceed

\$11,205.00; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase the replacement vehicle, snowplow and utility body to be utilized by the Department of Public Works; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$47,016.14 from Water Capital Account #06-215-19-02D-500297, #06-215-16-03A-500297 and #06-215-17-03C-500297.

WHEREAS, the Township Council desires to approve the purchase of the replacement vehicle, snowplow and utility body with installation.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the replacement vehicle from Winner Ford of Cherry Hill, under State Contract #88758 in an amount not to exceed \$30,534.00, snowplow from Trius Inc. under ESCNJ Co-Op 18/19-25 in an amount not to exceed \$5,277.14 and a utility body with installation from Monmouth Truck Equipment in an amount not to exceed \$11,205.00.

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

- a. Winner Ford of Cherry Hill
- b. Trius Inc.
- c. Monmouth Truck Equipment
- d. Township Business Administrator
- e. Director of Public Works
- f. Township Chief Financial Officer

RESOLUTION # 2019-256

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO
UTILITY SERVICES CO. INC. FOR THE BEACON HILL WATER
STORAGE TANK REHABILITATION

WHEREAS, the Township of Marlboro as part of its 2018 Capital Program (500-14) authorized the rehabilitation and painting of the existing Beacon Hill water storage tank ; and

WHEREAS, the Township of Marlboro has made application for low interest financing through the New Jersey Infrastructure Bank for this drinking water project; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the Beacon Hill Water Storage Tank Rehabilitation, on June 25, 2019, received five (5) bids, as follows:

		Utility Services Co. Inc.	U.S. Tank Painting	Allied Painting	Alpine Painting & Sandblasting	Brave Industrial Paint LLC
		535 Courtney Hodges Blvd Perry, GA 31069	900 Rike Drive Millstone, NJ 08535	4 Larwin Road Cherry Hill, NJ 08034	17 Florida Ave Paterson, NJ 07503	177 Elmwood Ave Long Branch NJ 07740
1	Mobilization	25,000.00	60,000.00	60,000.00	60,000.00	30,000.00
2	NJEIT Project Sign & Township Project Sign	1,200.00	5,000.00	2,500.00	2,900.00	2,000.00
3	Altitude Valve Vault & Miscellaneous Site Improvements	25,600.00	25,000.00	18,000.00	25,000.00	120,000.00
4	Topsoil Lime, Fertilizer, & Sedding (If & Where Ordered)	10,000.00	5,000.00	25,000.00	25,000.00	5,000.00
5	Tank Rehabilitation Items	28,800.00	45,000.00	78,000.00	98,500.00	80,000.00
6	Pit Welding (If & Where Ordered)	2,850.00	7,500.00	4,500.00	6,000.00	1,800.00
7	Seam Welding (If & Where Ordered)	4,200.00	10,500.00	10,500.00	12,600.00	2,520.00
8	Grout Repair (If & Where Ordered)	4,810.00	7,400.00	3,700.00	4,625.00	2,775.00
9	Chipping & Grinding Irregular Surfaces (If & Where Ordered)	7,600.00	5,000.00	5,000.00	10,000.00	3,000.00
10	Caulking Seams (If & Where Ordered)	7,600.00	6,000.00	8,000.00	8,000.00	4,000.00
11	Pit Filing & Surfacing (If & Where Ordered)	2,700.00	7,200.00	3,600.00	3,600.00	2,700.00
12	Surface Preparation & Coating-Exterior	309,840.00	390,000.00	475,000.00	681,000.00	353,000.00
13	Surface Preparation & Coating-Interior Surface	332,300.00	362,300.00	390,000.00	399,400.00	295,000.00
14	Concrete Coating & Sealant (If & Where Ordered)	3,300.00	11,000.00	8,800.00	6,600.00	6,600.00
15	Allowance For Lead Paint Removal (If & Where Ordered)	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00
16	Allowance For Work Not Specified As Determined Necessary By The Engineer During The Progress Of The Work (Only If & Where Ordered)	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00
17	Allowance For Maintaining The Existing Telemetry & Furnishing New Telemetry Panel & Equipment	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00
Grand Total (proposals 1-17)		855,800.00	1,036,900.00	1,182,600.00	1,433,225.00	998,395.00

; and

WHEREAS, it has been determined that the submission of the lowest bidder for the base bid, Utility Services Co. Inc. is responsive as detailed in a July 2, 2019 letter submitted by the Project Engineer; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Project Engineer to award the bid as set forth herein.

BE IT RESOLVED that upon receipt of authorization to award from the New Jersey Department of Environmental Protection for this New Jersey Infrastructure Bank project, the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with Utility Services Co. Inc., whose address is, 535 Courtney Hodges Blvd, Perry, GA 31069 in an amount not to exceed \$855,800.00 for the Beacon Hill Water Storage Tank Rehabilitation.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient appropriations in the amount of \$855,800.00 are available for the aforesaid contract in Water Capital Account 06-215-18-02E-500288.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with Utility Services Co. Inc. in accordance with this resolution.

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

- a. Utility Services Co. Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Township Engineer
- e. Chief Financial Officer

RESOLUTION # 2019-257

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND TOMAR CONSTRUCTION LLC AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF PROVISIONS OF TENNENT ROAD WATER TREATMENT PLANT FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, by Resolution #2013-052 the Township of Marlboro authorized the award of a contract to TOMAR CONSTRUCTION LLC for the Provision of THE TENNENT ROAD WATER TREATMENT PLANT for the Township Of Marlboro Department of Public Works project (the "Project"); and

WHEREAS, Closeout Change Order and Final Payment Estimate No. 23 has been requested resulting in a decrease in the revised Contract amount of \$5,579,512.20 to \$5,579,511.75, a net decrease of \$0.45; and

WHEREAS, the final payment amount due under the contract is reduced by a total amount of \$123,818.79 for deductions for work to be completed by the Township and additional construction management costs due to the late completion of the project by Tomar Construction LLC; and

WHEREAS, in a letter dated July 26, 2019, the Project Engineer has confirmed that the project has been completed in accordance with the approve plans and specifications and has recommended approval of the Closeout, acceptance of the Project improvements, and issuance of final payment in the amount of \$115,991.27, for a total of \$5,455,692.96 in payments to be made under the contract; and

WHEREAS, pursuant to the terms of the contract, Tomar Construction LLC has provided a Performance-Payment-Maintenance Bond in an amount equal to 100% of the awarded Contract amount of \$5,142,100.00; and

WHEREAS, Tomar Construction LLC has executed a conditional

waiver and release upon final payment, affidavit concerning the release of liens and affidavit of payment of debts and claims which have been reviewed by the Township Attorney; and

WHEREAS, the Township Council of the Township of Marlboro is amenable to approving Closeout, accepting the Project improvements and issuing a final payment to Tomar Construction LLC in the amount of \$115,991.27 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order and Final Payment Estimate No. 23 for the existing contract with Tomar Construction LLC be and is hereby approved, decreasing the revised Contract total of \$5,579,512.20 to \$5,579,511.75, a net decrease of \$0.45.

BE IT FURTHER RESOLVED, the final payment amount due under the contract is reduced by a total amount of \$123,818.79 for deductions for work to be completed by the Township and additional construction management costs due to the late completion of the project by Tomar Construction LLC, resulting in a total of \$5,455,692.96 in payments to be made under the contract.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$115,991.27 for work completed by Tomar Construction LLC is hereby approved.

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

- a. Tomar Construction LLC
- b. Township Business Administrator
- c. Director of Public Works
- d. Township Engineer
- e. Chief Financial Officer
- f. Township Attorney

RESOLUTION # 2019-258

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR CONSTRUCTION
MANAGEMENT SERVICES IN CONNECTION WITH THE
CONSTRUCTION OF THE TENNENT ROAD WATER TREATMENT PLANT
FOR THE WATER UTILITY DIVISION

WHEREAS, on October 4, 2012, the Township Council adopted Resolution 2012-347 authorizing an amendment to the professional services contract with CME Associates awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.4 to include construction management services in connection with the construction of the Tennent Road Water Treatment Plant for the Water Utility Division ("Project") in the amount of \$634,689.00; and

WHEREAS, due to several changes in the project involving the chemical feed system, the addition of a THM monitor and 10 mg tank mixer, as well as a three (3) month project extension, the Township Council approved amendments to the construction contract with Tomar Construction LLC pursuant to R.2014-290 and the construction management contract with CME Associates pursuant to R. 2014-295; and

WHEREAS, the plant ultimately became operational well after the contract substantial completion date of December 24, 2014 and authorized project extension, on or about August 2016 with additional field work continuing into 2017; and

WHEREAS, a final contract close out change order on the construction contract with Tomar Construction LLC resolving all outstanding financial issues, including \$123,818.79 in credits related to construction and implementation delays has been proposed (R. 2019-259), resulting in total payments to be made under the contract of \$5,455,692.96; and

WHEREAS, as construction management services are a necessary function of the underlying construction contract, CME Associates continued to provide services during the entire period of delay; and

WHEREAS, CME Associates has documented an outstanding balance of \$319,512.02 for construction management services rendered as a result of the project delays; and

WHEREAS, in light of the credits received on the construction contract, it is hereby recommended that CME Associates' construction management contract be increased by \$123,818.79 to reflect the additional services performed in order to bring the project to completion, as documented in a July 26, 2019 communication from the project engineer.

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 an amendment to the Professional Services Contract with CME ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4, increasing the contract not to exceed amount by \$123,818.79; and

2. The Chief Financial Officer has certified that sufficient funds in the amount of \$123,818.79 are available for the aforesaid contract amendment in Account # 06-215-12-26A-500288; and

3. 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 # 2019-259

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND TOMAR CONSTRUCTION LLC AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF PROVISIONS OF HARBOR ROAD WATER TREATMENT PLANT FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, by Resolution #2016-048 the Township of Marlboro authorized the award of a contract to TOMAR CONSTRUCTION LLC for the Provision of THE HARBOR ROAD WATER TREATMENT PLANT for the Township Of Marlboro Department of Public Works project (the "Project"); and

WHEREAS, Closeout Change Order and Final Payment Estimate No. 23 has been requested resulting in a decrease in the revised Contract total of \$10,464,241.03 to \$10,251,226.66, a net decrease of \$213,014.37; and

WHEREAS, the final contract amount incorporates deductions totaling \$157,434.61 due to the late completion of the project by Tomar Construction LLC; and

WHEREAS, in a letter dated July 26, 2019, the Project Engineer has confirmed that the project has been completed in accordance

with the approve plans and specifications and has recommended approval of the Closeout, acceptance of the Project improvements, and issuance of final payment in the amount of \$224,858.69, for a total revised contract amount of \$10,251,226.66; and

WHEREAS, pursuant to the terms of the contract, Tomar Construction LLC has provided a Performance-Payment-Maintenance Bond in an amount equal to 100% of the awarded Contract amount of \$9,812,133.00; and

WHEREAS, Tomar Construction LLC has executed a conditional waiver and release upon final payment, affidavit concerning the release of liens and affidavit of payment of debts and claims which have been reviewed by the Township Attorney; and

WHEREAS, the Township Council of the Township of Marlboro is amenable to approving Closeout, accepting the Project improvements and issuing a final payment to Tomar Construction LLC in the amount of \$224,858.69 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order and Final Payment Estimate No. 28 for the existing contract with Tomar Construction LLC be and is hereby approved, decreasing the revised Contract total of \$10,464,241.03 to \$10,251,226.66, a net decrease of \$213,014.37.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$224,858.69 for work completed by Tomar Construction LLC is hereby approved.

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

- a. Tomar Construction LLC
- b. Township Administrator
- c. Township Superintendent of Public Works
- d. Township Engineer
- e. Township Chief Financial Officer
- f. Township Attorney

RESOLUTION # 2019-260

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

WITH THE CONSTRUCTION OF THE HARBOR ROAD WATER TREATMENT PLANT
FOR THE WATER UTILITY DIVISION

WHEREAS, on August 1, 2013, the Township Council adopted Resolution 2013-257 authorizing an amendment to the professional services contract on August 1, 2013 with CME Associates awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.4 to include construction management services in connection with the construction of the Harbor Road Water Treatment Plant for the Water Utility Division ("Project") in the amount of \$819,052.00; and

WHEREAS, by Resolution #2016-048, the contract for improvements to the Harbor Road Water Treatment Plant (the "Project") was awarded to the lowest qualified bidder, Tomar Construction LLC, in the amount of \$9,812,133.00; and

WHEREAS, as a result of changes in scope and project extensions, the construction contract with Tomar Construction LLC was amended pursuant to R. 2017-332 and R. 2018-182, and the construction management services agreement with CME Associates was amended accordingly, pursuant to R. 2014-164 and R. 2018-181; and

WHEREAS, the plant ultimately became fully operational after the authorized project extensions, on or about July 17, 2018, with additional field work continuing into 2019; and

WHEREAS, construction management services are a necessary function of the underlying construction contract, and, CME Associates continued to provide services during the entire period of performance; and

WHEREAS, a final contract close out change order on the contract with Tomar Construction LLC resolving all outstanding financial issues, including a credit for project delays has been proposed (R. 2019-259), resulting in a decrease in the revised construction contract amount of \$10,464,241.03 to \$10,251,226.66, a net decrease of \$213,014.37; and

WHEREAS, the final construction contract amount of \$10,251,226.66 reflects and is inclusive of a credit for construction and implementation delays; and

WHEREAS, in light of the credits received on the construction contract, it is hereby recommended that CME Associates' construction management contract be increased by \$31,684.75 to reflect the additional services performed in order

to bring the project to completion, as documented in a July 16, 2019 communication from the project engineer.

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 an amendment to the Professional Services Contract with CME ASSOCIATES pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4, increasing the contract not to exceed amount by \$31,684.75; and

2. The Chief Financial Officer has certified that sufficient funds in the amount of \$31,684.75 are available for the aforesaid contract amendment in Account #06-215-14-06A-500288; and

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

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

RESOLUTION # 2019-261

A RESOLUTION AUTHORIZING RENEWAL OF AN OPEN PUBLIC RECORDS SEARCH SYSTEM - RECORDS INFORMATION (OPRS-RIM) MANAGEMENT SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH

WHEREAS, under the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., local units, such as the County of Monmouth and the Township of Marlboro, may enter into shared services agreements with each other, provided that each local unit adopts a resolution authorizing the shared services agreement; and

WHEREAS, the County of Monmouth has entered into an agreement with Sunrise Systems, Inc. ("Sunrise"), whereby the County is licensed to access and use Sunrise's web-based system known as the Open Public Records Search System - Records Information Management ("OPRS-RIM"); and

WHEREAS, under the terms of its agreement with Sunrise, the County of Monmouth may operate an OPRS-RIM system for itself and

sublicense the use of OPRS-RIM to municipalities within Monmouth County; and

WHEREAS, the County of Monmouth, has offered to enter into a Shared Services agreement with the Township of Marlboro, whereby the Township will be authorized as a sublicensee to access and use the Monmouth County OPRS-RIM (the "Shared Services Agreement with Monmouth County"); and

WHEREAS, the OPRS-RIM provides for the Inventory Management, Retention Management, and Disposition Management of official records and includes an imaging module that permits the scanning of paper records into TIFF images, which may be stored long-term, searched and retrieved electronically; and

WHEREAS, the Township Council of Marlboro Township believes that it is in the best interests of the Township for it to enter into the Shared Services Agreement with Monmouth County for the purposes described hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor and Municipal Clerk be and are hereby authorized to enter into an OPRS-RIM Shared Services Agreement with Monmouth County, in an amount not to exceed \$3,300 in a form substantially similar to that attached hereto; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$3,300 are available for the aforesaid contract from Current Account 0-201-200-20281.

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the OPRS-RIM Shared Services Agreement with Monmouth County shall be filed with the Division of Local Government Affairs in the Department of Community Services for informational purposes; and

BE IT FURTHER RESOLVED, that a copy of the OPRS-RIM Shared Services Agreement with Monmouth County shall be on file in the Township Clerk's Office; and

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

- a. Thomas A. Arnone, Freehold Director, Monmouth County
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2019-262

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR PLEASANT VALLEY ROAD STREAMBANK STABLIZATION PHASE II

WHEREAS, on March 9, 2018, bids were opened for PLEASANT VALLEY ROAD STREAMBANK STABLIZATION PHASE II (2018-02); and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(b), a contracting unit may reject all bids if the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services; and

WHEREAS, the Township bid the project in anticipation of a Fiscal Year 2017 (FY17) grant award from the Federal Emergency Management Association (FEMA); and

WHEREAS, the FY17 FEMA grant award was delayed until July, 2019, and, as such a bid award could not be made within the requisite time period due to the absence of a sufficient appropriation for the project.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bids heretofore received for PLEASANT VALLEY ROAD STREAMBANK STABLIZATION PHASE II is hereby rejected pursuant to N.J.S.A. 40A:11-13.2(a).

BE IT FURTHER RESOLVED, that the Business Administrator is hereby authorized and directed to return the bid bond(s) or other security(ies) to the appropriate bidder(s).

RESOLUTION # 2019-263

A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH IMPROVEMENTS TO PLEASANT VALLEY ROAD STREAMBANK PHASE II

WHEREAS, in 2010, the Township Engineer notified this office of an emergent situation concerning streambank and roadside erosion on Pleasant Valley Road at the Willow Brook; and

WHEREAS, in accordance with N.J.S.A. 40A:11-6, the Township immediately initiated the design of a stream bank stabilization

method and submission of an emergency permit application to the New Jersey Department of Environmental Protection; and

WHEREAS, it was determined that the project could reasonably be addressed in two phases provided that the first phase involving 75 feet of streambank be completed on an expedited basis; and

WHEREAS, the Township authorized a contract for engineering services with CME Associates (R. 2010-400) and an emergency construction contract with J.E. Hannon Inc. T/A Bird Construction (R. 2011-132) to repair the section of streambank requiring immediate repair and restoration (Phase I); and

WHEREAS, the Township obtained the necessary permits and completed Phase I of the stream bank stabilization project in 2011; and

WHEREAS, the Township Engineer and Department of Public Works reported that the Township needed to repair an additional 200 feet of streambank (Phase II) in order to avoid failure of the roadway, and initiated an application for grant funding for the Project; and

WHEREAS, the Township of Marlboro authorized Phase II of the Pleasant Valley Streambank Stabilization project as part of its 2018 (060-22) capital program("Project"); and

WHEREAS, on July 2, 2019, the Township received a notification of a Fiscal Year 2017 grant award under the Pre Disaster Mitigation Program sponsored by the Federal Emergency Management Agency (FEMA) in the amount of \$420,236.00 for the Project; and

WHEREAS, CME Associates provided a proposal revised February 1, 2012 (the "Proposal") and was awarded a contract on February 16, 2012 (R.2012-084) for such Professional Services for the design, bid and construction management services required by the Project; and

WHEREAS, due to the delay in the announcement of funding by FEMA, the Township had to rebid the project on multiple occasions, requiring additional engineering services; and

WHEREAS, CME Associates has provided a proposal dated August 1, 2019 (the "Proposal") for such additional Professional Services in connection with the Project; and

WHEREAS, the Township of Marlboro and CME Associates have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH IMPROVEMENTS TO PLEASANT VALLEY ROAD STREAMBANK PHASE II at a fee not to exceed \$7,500.00 for such Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

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

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$7,500.00 are available for this purpose from Capital Accounts #04-215-05-36C-060288, 04-215-11-02F-060288 and 04-215-19-01D-060288; and

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

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services for PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH IMPROVEMENTS TO PLEASANT VALLEY ROAD STREAMBANK PHASE II by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$7,500.00 for such Professional Services, be and is hereby authorized.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally

acceptable to the Township Attorney, the Professional Services Contract described herein.

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$7,500.00 for such additional Professional Services for the Projects as described in the Proposal.

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

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

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

RESOLUTION # 2019-264

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE REBUILDING AND REPLACEMENT OF LEACH FIELDS AT HAMILTON PARK

WHEREAS, Hamilton Park was created and credited as affordable housing pursuant to the terms of a 1985 consent order; and

WHEREAS, on October 13, 2010, the Township entered into a lease agreement with the Midway Mobile Homeowners Association, Inc. as to Hamilton Park which provided that the Township will assume responsibility, out of the Affordable Housing Trust Fund, for rebuilding or replacement of the "leach fields" should they malfunction; and

WHEREAS, by Ordinance 2012-13 and 2014-22, the Township appropriated funds from the Affordable Housing Trust Fund for the REBUILDING AND REPLACEMENT OF LEACH FIELDS AT HAMILTON PARK ("the Project"); and

WHEREAS, on July 12, 2012 the Township Council approved Resolution 2012-274 authorizing the Township Engineer to

oversee, review and approve plans and services in connection with the REBUILDING AND REPLACEMENT OF LEACH FIELDS AT HAMILTON PARK; and

WHEREAS, as a result of the need to obtain court approval to utilize Affordable Housing Trust funds, the scope of the Project had to be revised and rebid on multiple occasions; and

WHEREAS, additional funds are required to provide for construction management services through project completion; and

WHEREAS, the estimated required funds needed for this purpose are currently available in the Affordable Housing Trust Fund of the Township of Marlboro; and

WHEREAS, CME Associates has provided a proposal dated August 2, 2019 (the "Proposal") for the required professional services; and

WHEREAS, the Township of Marlboro and CME Associates have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE REBUILDING AND REPLACEMENT OF LEACH FIELDS AT HAMILTON PARK at a fee not to exceed \$10,000.00 for such Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

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

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$10,000.00 are available for this purpose from Capital Accounts # 04-215-14-22A-309288; and

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

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

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without

public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services for PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE REBUILDING AND REPLACEMENT OF LEACH FIELDS AT HAMILTON PARK by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$10,000.00 for such Professional Services, be and is hereby authorized.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally acceptable to the Township Attorney, the Professional Services Contract described herein.

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$10,000.00 for such additional Professional Services for the Projects as described in the Proposal.

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

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

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

RESOLUTION # 2019-265

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

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

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

WHEREAS, in a memo dated August 1, 2019, the Marlboro Township Information Technology Division has recommended that the Township renew the Spatial Data Logic Enterprise License from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under State Contract #89851 in an amount not to exceed \$52,500.00; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to obtain the Spatial Data Logic Enterprise License; and

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$52,500.00 from current fund account #01-201-20-033-281; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to renew the Spatial Data Logic Enterprise License from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under State Contract #89851 in an amount not to exceed \$52,500.00.

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

- a. Shi International Corp.
- b. Township Business Administrator
- c. Township Division of Information Technology
- d. Chief Financial Officer

RESOLUTION # 2019-266

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #40116 TO DERIVE TECHNOLOGIES FOR THE PURCHASE OF SERVER AND STORAGE EQUIPMENT AND STATE CONTRACT #89851 TO SHI INTERNATIONAL CORP. FOR THE PURCHASE OF BACKUP SOFTWARE FOR THE TOWNSHIP OF MARLBORO IT DEPARTMENT

WHEREAS, the Township of Marlboro as part of its 2018 capital program (033-2) authorized the purchase of server and storage equipment for the Marlboro Division of Information Technology ("IT"); and

WHEREAS, the server and storage equipment will replace aging backup server and will be compatible with the newest virtual environments, and in the future can be expanded to accommodate the backup of planned cloud environments if needed; and

WHEREAS, once implemented the new backup software, will host based backup capability will allow for swift backup and restoration of virtual machines.

WHEREAS, IT has recommended, in a memo dated August 1, 2019, that the Township purchase the server and storage equipment from Derive Technologies, under State Contract #40116 in an amount not to exceed \$36,855.00 and purchase backup software from SHI International Corp. under state contract #89851 in an amount not to exceed \$3,284.00; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the IT Division to obtain the server and storage equipment from Derive Technologies and backup software from SHI International Corp.; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$40,139.00 from Capital Accounts 04-215-18-01A-033297 and 04-215-01A-033297; and

WHEREAS, the Township Council desires to approve the purchase of the server and storage equipment from Derive Technologies and backup software from SHI International Corp.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the server and storage equipment from Derive Technologies, 40 Wall Street, 20th Floor, New York, NY 10005, under State Contracts #40116 in an amount not to exceed \$36,855.00 and purchase of backup software from SHI International Corp., 290 Davidson Avenue, Somerset, NJ 08873 under contract #89851 in an amount not to exceed \$3,284.00.

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

- a. Derive Technologies
- b. SHI International Corp.
- c. Township Business Administration
- d. Chief Information Officer
- e. Chief Financial Officer

RESOLUTION # 2019-267

A RESOLUTION AUTHORIZING THE AWARD OF BID TO SHORE TOP CONSTRUCTION CORP., FOR THE 2019 COURT IMPROVEMENT PROJECT FOR THE MARLBORO TOWNSHIP DEPARTMENT OF RECREATION

WHEREAS, the Township of Marlboro as part of its 2018 and 2019 Capital programs authorized the following court improvement projects for the Marlboro Township Department of Recreation

Project ID	Project Name
2018-145-1.5	Nolan Road Park
2019-145-8, 9, 10	Marlin Estates

; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the 2019 COURT IMPROVEMENT PROJECT FOR THE MARLBORO TOWNSHIP DEPARTMENT OF RECREATION, and on August 6, 2019, received two (2) bids, as follows:

Bidder	Bidder Address	Base Bid	Alt. A1-A8	Total
		Nolan Road Park Tennis Court, Marlin Estate Park Basketball Court & Tennis Court,	Nolan Road Basketball Court	

Shore Top Construction Corp.	390 Toms River Road Jackson, NJ 08527	\$431,923.00	\$50,155.00	\$482,078.00
Halecon Inc.	136 Billian St. Bridgewater, NJ 08807	\$448,180.15	\$57,007.25	\$505,187.40

; and

WHEREAS, it has been determined that the submission of the lowest bidder for the base bid, Shore Top Construction Corp. is responsive as detailed in a August 7, 2019 memo submitted by the Township Engineer; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Shore Top Construction Corp. whose address is 390 Toms River Road, Jackson, NJ 08527 for the base bid, based on the amount of funds available, in an amount not to exceed \$431,923.00, for the project titled the 2019 COURT IMPROVEMENT FOR THE MARLBORO TOWNSHIP DEPARTMENT OF RECREATION; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with Shore Top Construction Corp. in an amount not to exceed \$431,923.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$431,923.00 are available for the aforesaid contract in Capital Accounts # 04-215-15-02G-145288 , 04-215-15-09A-145288 , 04-215-18-01M-145288 and 04-215-19-01J-145288 ; and

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

- a. Shore Top Construction Corp.
- b. Township Business Administrator
- c. Director of Recreation
- d. Township Engineer
- e. Chief Financial Officer

RESOLUTION # 2019-268

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$87,916.17 as per Schedule "A",

WHEREAS, the holders of the above-mentioned tax sale certificates are entitled to the amount of the sale plus interest and costs,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the amount of \$ 87,916.17 be refunded to the certificate holders as per Schedule "A".

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIENHOLDER</u>	<u>AMOUNT</u>
2016-055	193.02/3	Madison Trust Company as Collateral Assignee of Stonefield Investment Fund IV, LLC 21 Robert Pitt Dr #202 Monsey, NY 10952 Assessed Owner: Pickus, Evan N & Jennifer B	1,508.71
2016-043	177/29	Community Capital Investments 20151 SW Birch St, Ste 200 Newport Beach, CA 92660 Assessed Owner: Mancini, Damian & Giugliano, Bernad	5,061.92
2016-008	119.06/8	Tom Tiehua CAO 19 Edendale Street Ladera Ranch, CA 92694 Assessed Owner: Furman, Barbara	4,667.36
2014-001	103/7	Christiana Trust as Custodian 2020 Howell Mill Road C-513 Atlanta, GA 30318 Assessed Owner: Howley, Thomas	76,678.18

RESOLUTION #2019-269

WHEREAS, the Tax Assessor has granted a Tax Exemption for Eihab Human Services, Inc., Block: 350, Lot: 16, located at 1 Eaton Court,

WHEREAS, taxes were billed for 2019 in the amount of \$9,961.30, and

WHEREAS, this exemption became effective January 1, 2019 and

WHEREAS, taxes for 2019 need to be cancelled in the amount of \$9,961.30 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$9,961.30 for 2019 taxes.

RESOLUTION # 2019-270

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Lomonaco, Joseph, Block: 384, Lot: 26, located at 9 Coventry Terrace,

WHEREAS, taxes were billed for 2019 in the amount of \$6,456.10, and

WHEREAS, this exemption became effective April 1, 2019 and

WHEREAS, taxes for second, third and fourth quarters, 2019 need to be cancelled in the amount of \$4,869.44 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$4,869.44 for 2019 taxes.

RESOLUTION # 2019-271

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Cohen, Lester, Block: 231, Lot: 7, located at 19 Hastings Road,

WHEREAS, taxes were billed for 2019 in the amount of \$9,646.90, and

WHEREAS, this exemption became effective May 9, 2019 and

WHEREAS, pro-rated taxes for 2019 need to be cancelled in the amount of \$6,263.86 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$6,263.86 for 2019 taxes.

RESOLUTION # 2019-272

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Gluck, Gary, Block: 170, Lot: 49, located at 64 Brown Road,

WHEREAS, taxes were billed for 2019 in the amount of \$8,099.00, and

WHEREAS, this exemption became effective November 1, 2018 and

WHEREAS, taxes for 2019 need to be cancelled in the amount of \$8,099.00 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$8,099.00 for 2019 taxes.

RESOLUTION # 2019-273

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Monti, Philip, Block: 148, Lot: 10.17, located at 71 Crescent Court,

WHEREAS, taxes were billed for 2019 in the amount of \$14,969.27, and

WHEREAS, this exemption became effective October 19, 2018 and

WHEREAS, taxes for 2019 need to be cancelled in the amount of \$14,969.27 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$14,969.27 for 2019 taxes.

RESOLUTION # 2019-274

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Stoya, John, Block: 388, Lot: 56, located at 19 Oriel Way,

WHEREAS, taxes were billed for 2019 in the amount of \$5,625.80, and

WHEREAS, this exemption became effective April 1, 2019 and

WHEREAS, taxes for second, third and fourth quarters, 2019 need to be cancelled in the amount of \$4,243.19 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$4,243.19 for 2019 taxes.

RESOLUTION # 2019-275

WHEREAS, the Tax Assessor has granted a disabled veteran exemption for Sheinwald, Abe, Block: 382, Lot: 6, located at 19 Hansom Lane,

WHEREAS, taxes were billed for 2019 in the amount of \$6,040.50, and

WHEREAS, this exemption became effective April 25, 2019 and

WHEREAS, pro-rated taxes for 2019 need to be cancelled in the amount of \$4,153.80 and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$4,153.80 for 2019 taxes.

RESOLUTION #2019-276

WHEREAS, the attached list in the amount of \$8,551.60 known as Schedule "A", is comprised of amounts representing overpayments for 2019 taxes,

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

SCHEDULE "A"

<u>BLOCK/LOT</u>	<u>ASSESSED OWNER</u>	<u>2019 REFUND</u>
132.12/14/C0214	Kenneth & Patricia Haerle 214 Knightsbridge Lane Morganville, NJ 07751	262.24

120.02/35	Gerald & Patricia Hudacsko 247 Wooleytown Road Morganville, NJ 07751	278.99
176/7/C0771	New Jersey Housing & Mortgage 637 South Clinton Avenue Trenton, NJ 08650	714.10
382/6	Sheinwald, Abe & Miriam 19 Hansom Lane Marlboro, NJ 07746	1,080.88
231/7	Cohen, Lester R & Ronnie 19 Hastings Road Marlboro, NJ 07746	1,356.50
420.02/19	Whiteman Law Group, LLC Trust for Butcher, Ulric & Judith 2515 Route 516 Old Bridge, NJ 08857	4,858.89

At 7:40 p.m., Councilman Scalea moved that the meeting be adjourned. This was seconded by Council Vice President Mazzola, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: SEPTEMBER 5, 2019

OFFERED BY: MARDER AYES: 4

SECONDED BY: METZGER NAYS: 0

ABSENT: MAZZOLA

ALIDA MANCO,
MUNICIPAL CLERK

SCOTT METZGER,
COUNCIL PRESIDENT