

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

October 3, 2019

The Marlboro Township Council held its regularly scheduled meeting on October 3, 2019 at 7:00 P.M. at the Marlboro Greenbriar Clubhouse, 21 Clubhouse Lane, Marlboro, New Jersey 07746.

Mayor Hornik spoke about the tireless dedication of recently deceased Greenbriar Board of Trustees President Al Yocono. He asked for a moment of silence to remember him and expressed his condolences to the community and to his family.

Council Vice President Mazzola opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of the location change 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 August 19, 2019; published in the Asbury Park Press on August 21, 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. Council President Metzger and Councilman Scalea were absent.

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.

Councilman Cantor moved that the minutes of September 5, 2019 be adopted. This was seconded by Councilwoman Marder and passed on a roll call vote of 2 - 0 in favor, with Council Vice President Mazzola abstaining (Absent: Metzger and Scalea).

The following Resolution #2019-289/Ordinance #2019-11 (Appropriating \$875,000 Grant - Route 79 Sidewalk Extension Project) was introduced by reference, offered by Councilwoman

Marder and seconded by Councilman Cantor. Council Vice President Mazzola opened the public hearing on Ordinance #2019-11. A resident from Murray Hill Terrace spoke about sidewalks, which was unrelated to the ordinance. As there was no one else who wished to speak, the public hearing was closed. The resolution/ordinance was passed on a roll call vote of 3 - 0 in favor (Absent: Metzger and Scalea).

RESOLUTION # 2019-289

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

ORDINANCE # 2019-11

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO,
IN THE COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING AN \$875,000 GRANT TO BE
RECEIVED BY THE TOWNSHIP FOR THE ROUTE 79
SIDEWALK EXTENSION PROJECT IN AND FOR THE
TOWNSHIP OF MARLBORO, IN THE COUNTY OF
MONMOUTH, NEW JERSEY

which was introduced on September 5, 2019, public hearing held on October 3, 2019, be adopted on second and final reading this 3rd day of October, 2019.

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

As the Consent Agenda, the following Resolutions were introduced by reference, offered by Councilman Cantor, seconded by Councilwoman Marder and passed on a roll call vote of 3 - 0 in favor (Absent: Metzger and Scalea) Res. #2019-290 (Amending Engineering Services Agreement - Marlboro v Yost - 56 Harbor Road - B 171, L 51), Res. #2019-291 (Authorizing Amendment to Engineering Services Agreement - Environmental Engineering Services at Township Garage), Res. #2019-292 (Authorizing Application 2020 NJDOT Local Freight Impact Fund), Res. #2019-293 (Confirming Sale and Purchase of Energy Year 2021 Solar Renewable Energy Credits), Res. #2019-294 (Authorizing Submission of a Strategic Plan for Marlboro Two Municipal Alliance Grant for FY 2021), Res. #2019-295 (Authorizing Subordination of Mortgage - 46A Dutch Lane Road), Res. #2019-296 (Award of Bid - Provision of Uniforms - Bid 2019-16), Res. #2019-297 (Authorizing Issuance of Fireworks Display Permit - Hindu American Temple and Cultural Center), Res. #2019-298 (Authorizing Shared Services Agreement Monmouth County - SCAT),

Res. #2019-299 (Authorizing Change Order to the Contract for Provision of Pool Maintenance Services), Res. #2019-300 (Lien Redemptions - Various), Res. #2019-301 (Lien Redemptions - Various).

RESOLUTION # 2019-290

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

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

WHEREAS, the Township Council previously authorized CME Associates in its capacity as Township Engineer to perform the required environmental engineering assessment and oversight services necessary pursuant to proposals dated July 26, 2018 and October 3, 2018 (R.2018-311); and

WHEREAS, the Township Council previously authorized CME Associates in its capacity as Township Engineer to perform additional environmental engineering assessment and oversight services pursuant to a proposal dated March 5, 2019 (R.2019-125); and

WHEREAS, the Township Council previously authorized CME Associates in its capacity as Township Engineer to perform additional environmental engineering assessment and oversight services pursuant to a proposal dated June 26, 2019 (R.2019-229); and

WHEREAS, the Township Attorney has advised that additional regulatory review and litigation support services associated with the imported fill at 56 Harbor Road ("Project") are required; and

WHEREAS, CME has provided a third supplementary proposal dated September 10, 2019 for the additional professional services required ("professional services"); and

WHEREAS, the Township of Marlboro and CME Associates have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services (as defined hereinabove) for the Project by way of its Township Engineers at a fee not to exceed \$7,500.00 for such Professional Services, as further described and set forth in CME's Proposals, attached hereto and made a part hereof; and

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

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$7,500.00 are available in Current Account 01-201-21-071-226 for this purpose; and

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

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include engineering services in connection with the unlawful importation of fill at 56 Harbor Road, by way of its Township Engineers, at a fee not to exceed \$7,500.00 for such Professional Services, as further described and set forth in CME's Proposals dated September 10, 2019, be and is hereby authorized; and

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

acceptable to the Township Attorney, the Professional Services Contract described herein; and

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

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

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

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

RESOLUTION # 2019-291

A RESOLUTION AUTHORIZING AN AMENDMENT TO A
PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES
AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL
ENVIRONMENTAL ENGINEERING AND REMEDIATION SERVICES AT
THE TOWNSHIP GARAGE

WHEREAS, as part of its multi-year capital program, the Township approved projects 2016-121-34, 2017-060-34 and 2018-060-37.1 to remove and replace the aboveground diesel and gasoline storage tanks (AST) and complete the remediation activities at the Township Garage as required by the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, in connection with the approved capital projects, the Township approved R. 2019-131 on March 21, 2019 authorizing a groundwater investigation associated with the failed diesel AST, both soil and groundwater investigations associated with the failed gasoline AST, and the required Licensed Site Remediation Professional (LSRP) oversight and reporting by way of its Township Engineers; and

WHEREAS, based on the results of the soil and groundwater investigation conducted at the site in May and July 2019, the

Township requires limited remedial action consisting of excavation and removal services, and engineering services for preparation of the Remedial Action Report (RAR), Classification Exception Area (CEA) Application and Groundwater Remedial Action Permit (contingent on groundwater testing results), and issuance of a Response Action Outcome (RAO) ("Project"); and

WHEREAS, CME Associates has provided a proposal dated September 10, 2019 (the "Proposal") for the professional services required 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 the Professional Services (as defined hereinabove) for the Project at a fee not to exceed \$59,681.00 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 \$59,681.00 are available for this purpose from Capital Fund Accounts # 04-215-17-02D-121288 and # 04-215-18-01D-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 Project in accordance with the Proposal; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include ENVIRONMENTAL ENGINEERING AND REMEDIATION SERVICES AT THE TOWNSHIP GARAGE by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$59,681.00 for such Professional Services, as further described and set forth in CME's Proposal dated September 10, 2019, be and is hereby authorized; and

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

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$59,681.00 for such additional Professional Services for the Project as described in the Proposal; and

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

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

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

RESOLUTION # 2019-292

APPROVAL TO SUBMIT AN GRANT APPLICATION AND EXECUTE
A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FISCAL YEAR 2020 LOCAL FREIGHT IMPACT FUND

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Marlboro formally approves the grant application for Local Freight Impact Fund provides aid to counties and municipalities for transportation projects that address the impacts of freight travel in local communities and on local transportation infrastructure.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as Local Freight Impact Fund to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

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

RESOLUTION # 2019-293

RESOLUTION CONFIRMING SALE OF SOLAR RENEWABLE ENERGY CREDITS (SRECS) THROUGH INTERNET-BASED AUCTIONS

WHEREAS, on March 7, 2019 (R. 2019-113) the Township Council authorized the participation of Marlboro Township in the New Jersey *E-Procurement Pilot Program* pursuant to the provision of the *Local Unit Electronic Technology Pilot Program and Study Act* (P.L. 2001, C. 30) and approved for the sale of Solar Renewable Energy Credits utilizing on-line competitive bidding services and, in particular, an internet-based auction platform of S-RECS to be generated between June 1, 2019 and May 31, 2021, provided the bid accepted offers a per S-REC price equal to or higher than \$210.00; and

WHEREAS, the Council of Marlboro Township authorized an agreement with Marex Spectron, with corporate offices located at 360 Madison Avenue, Third Floor, New York, NY 10017, as the on-line purchasing agent, to conduct competitive auctions utilizing an internet-based platform in conjunction with the Township's sale of SRECS at a fee of \$3.00 per SREC; and

WHEREAS, pursuant to R. 2019-113, the Township accepted the offer of \$227.00 per SREC for 450 SRECs to be generated between June 1, 2020 and May 31, 2021(EY 2021) by DTE Energy Trading, Inc., 414 South Main Street, Suite 200, Ann Arbor, MI 48104.

NOW THEREFORE BE IT RESOLVED, that the Council of Marlboro Township hereby confirms the acceptance of the offer by DTE Energy, Ann Arbor, MI 48104 to purchase 450 SRECs to be generated between June 1, 2020 and May 31, 2021(EY 2021) at a price of \$227.00 per SREC.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the necessary documents in a

form approved by the Township Attorney to effectuate the transaction.

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

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

RESOLUTION # 2019-294

AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR MARLBORO TOWNSHIP
MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2021
(FORM 1B)

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2020 - June 2025
(FORM 1B)

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the Township of Marlboro, County of Monmouth, and State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Marlboro Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR:	\$47,149.00
Cash Match:	\$11,787.00
In-Kind:	\$35,362.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION #2019-295

A RESOLUTION OF THE TOWNSHIP OF MARLBORO TOWN COUNCIL
AUTHORIZING A SUBORDINATION OF A MORTGAGE GIVEN TO MARLBORO
TOWNSHIP BY KATHLEEN HOLLAND AS TO A PROPERTY LOCATED AT
46A DUTCH LANE ROAD, MARLBORO, NEW JERSEY

WHEREAS, on or about May 2, 2013, Kathleen Holland ("the Homeowner"), the owner of a residence located at 46A Dutch Lane Road, in the Township of Marlboro, Block 420, Lots 10 and 11 ("the Residence"), as part of Marlboro Township's Mount Laurel Rehabilitation Program, gave a mortgage to Marlboro Township to secure the repayment of the sum of \$13,830.00 with said mortgage ("the Marlboro Mortgage") being recorded on November 15, 2013, in the Monmouth County Clerk's Office in deed book OR-9045, at page 3820 et seq.; and

WHEREAS, the Homeowner is still in possession of the Residence and she now wishes to refinance an existing mortgage against the Residence with HarborOne Mortgage, LLC, 1045 Elm Street, Suite 601, Manchester, New Hampshire 03101 ("the HarborOne Mortgage"), with the amount of the new loan (i.e., the HarborOne Mortgage) to be \$188,000.00; and

WHEREAS, the Residence currently has a mortgage against it which is held by Princeton Mortgage Corporation, which is dated February 11, 2005, which was recorded on April 4, 2005, in Mortgage Book 8449, at Page 7505 et. seq., in order to secure a loan of \$150,000.00 ("the Princeton Mortgage"); and

WHEREAS, the Homeowner has now asked Marlboro Township, that since a condition of the refinance of the Princeton Mortgage with HarborOne Mortgage, LLC, is that Marlboro agree to subordinate the Marlboro Mortgage, to in fact grant a subordination; and

WHEREAS, HarborOne Mortgage, as a condition of making a new loan to the Homeowner which will result in the HarborOne Mortgage, similarly asks that Marlboro subordinate the Marlboro Mortgage; and

WHEREAS, it has been determined that there is enough equity in the Residence to subordinate the Marlboro Mortgage to the new loan (i.e., the HarborOne Mortgage) (an appraisal indicated that the value of the Residence is approximately \$311,000.00) and that there is good cause to do so;

NOW, THEREFORE, BE IT RESOLVED, that the Honorable Mayor Jonathan L. Hornik is hereby authorized to execute the attached subordination of the Marlboro Mortgage on the Residence; and

BE IT FURTHER RESOLVED, that subsequent to the signature of the said subordination that this subordination will be recorded in the Monmouth County Clerk's Office.

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

- a. Township Business Administrator, Jonathan Capp
- b. Township Attorney, Louis Rainone, Esq., and
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2019-296

A RESOLUTION AWARDING CONTRACT TO ACTION UNIFORM COMPANY, LLC.
FOR THE PROVISION OF UNIFORMS
FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT, and on September 4, 2019, received one (1) bid, as follows:

Company	Location	Bid Amount
Action Uniform Company, LLC.	Egg Harbor, NJ	\$ 138,638.00

; and

WHEREAS, following a review of the bid, it has been determined that the submission of the apparent lowest bidder on all items included in the bid, ACTION UNIFORM COMPANY, LLC., for the PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT is responsive; and

WHEREAS, in a memo dated September 6, 2019 the Chief of Police has recommended the award of contract to ACTION UNIFORM COMPANY, LLC., the apparent lowest bidder; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Chief of Police 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 ACTION UNIFORM COMPANY, LLC., whose address is 3164 Fire Road, Egg Harbor, NJ 08234 in an amount not to exceed \$138,638.00 for the PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT for the period of January 1, 2020 - December 31, 2020, with an option to renew the contract based upon the same terms and conditions as specified in the bid proposal for an additional one (1) two-year period or two (2) one-year periods at the exclusive option of the Township; and

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

BE IT FURTHER RESOLVED funds for the 2020 agreement in an amount of \$138,638.00 will be certified at the time of adoption of the 2020 municipal budget; and

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

- a. Action Uniform Company, LLC.
- b. Township Business Administrator
- c. Chief of Police
- d. Township Chief Financial Officer

RESOLUTION # 2019-297

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

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

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

WHEREAS, on September 6, 2019, the HINDU AMERICAN TEMPLE AND CULTURAL CENTER ("Hindu Temple"), has applied for a permit to host a fireworks display as part of their annual carnival event on property owned by the HINDU TEMPLE within the Township of Marlboro, such fireworks display to be undertaken by the HINDU TEMPLE's operator, Serpico Pyrotechnics, LLC, upon satisfaction of the conditions set forth in N.J.S.A. 21:3-1, et seq. and in accordance with all applicable New Jersey Administrative Code regulations promulgated in accordance therewith, as amended from time to time.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED that the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey does hereby grant approval to the HINDU AMERICAN TEMPLE AND CULTURAL CENTER to host a fireworks display on October 26, 2019 with a rain date of October 27, 2019 for its annual carnival on property owned by the HINDU TEMPLE within the Township of Marlboro, such fireworks display to be undertaken by the HINDU TEMPLE's operator, Serpico Pyrotechnics, LLC, pursuant to N.J.S.A. 21:3-1, et seq., and more particularly N.J.S.A. 21:3-3, subject to the following terms and conditions:

1. Receipt of approval by the Chief of the Police and Fire Official in accordance with the terms set forth hereinabove; and
2. The furnishing of the necessary Certificates of Insurance to the Township in a form acceptable to the Township Attorney; and
3. The execution of a Hold Harmless Agreement in a form acceptable to the Township Attorney; and
4. The presentation of the HINDU TEMPLE's fireworks operator, Serpico Pyrotechnics, LLC's Fire Safety Certificate (Rules); and

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

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

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

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

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

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

1. Hindu American Temple and Cultural Center
2. Serpico Pyrotechnics, LLC
3. Chief of the Police
4. Fire Official
5. Business Administrator

RESOLUTION # 2020-298

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

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

WHEREAS, the Township of Marlboro has requested that the County provide services to eligible residents and wishes to enter into a shared services agreement with the County for the provision of transportation services to eligible residents of Marlboro Township for the year 2020; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the proposed shared services agreement in a form similar as that attached hereto for the provision of transportation services pursuant to the "Special Citizens Area Transportation System" ("SCAT") to eligible residents of Marlboro Township for the year 2020.

BE IT FURTHER RESOLVED funds for the agreement will be certified at the time of adoption of the 2020 municipal budget.

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

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

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

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

RESOLUTION # 2019-299

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH
AQUATIC SERVICES, INC. FOR THE PROVISION OF POOL
MAINTENANCE SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT
OF RECREATION SWIM COMPLEXES

WHEREAS, on August 19, 2017 (R.2017-309), the Township of Marlboro authorized a two-year agreement with Aquatic Services, Inc. to provide maintenance services for the 2018 and 2019 swim seasons for the Marlboro Swim Club and the Aquatic Center at Vanderburg Park; and

WHEREAS, in a memo dated September 24, 2019, the Director of Recreation advised that additional funds will be needed to close out the 2019 season due to numerous major leaks in piping and flanges, replacement of dive pool slide motor, replacement of seven (7) lifeguard stands and replacement of pool tile in an

amount which will exceed the original authorization by \$12,044.56; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$12,044.56 from Recreation and Swim Utility Account #09-201-55-400-288452; and

WHEREAS, the Township Council desires to approve the amendment to the agreement for the additional maintenance services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to amend the agreement for pool maintenance services with Aquatic Services, Inc. in an amount not to exceed \$12,044.56.

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

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

RESOLUTION # 2019-300

WHEREAS, the rightful owner of the attached property/properties have redeemed tax sale certificate(s) totaling \$15,351.94 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 \$ 15,351.94 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>
2016-013	137/14	Fig Capital Investments NJ13 PO Box 54472 New Orleans, LA 70154 Assessed Owner: Ramsey Consulting, Inc.	15,351.94

