

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

FEBRUARY 7, 2008

The Marlboro Township Council held its regularly scheduled meeting on February 7, 2008 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Cantor opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on December 18, 2007; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Councilman LaRocca, Councilwoman Marder, Council Vice President Rosenthal, Councilwoman Tragni and Council President Cantor.

Also present were: Mayor Jonathan L. Hornik, Jonathan L. Williams, Esq., Ronald Gordon, Esq., Business Administrator Alayne Shepler, Municipal Clerk Alida Manco, and Deputy Clerk Deborah Usalowicz.

Regarding Item #7 (PRESENTATION - Marlboro Township Teen Advisory Committee - The following Res. # 2008-76 (Establishing Teen Advisory Committee) was introduced by reference, offered by Council Vice President Rosenthal and seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-76

A RESOLUTION AUTHORIZING THE ESTABLISHMENT
OF A TEEN ADVISORY COMMITTEE OF
THE TOWNSHIP OF MARLBORO

WHEREAS, as part of Mayor Hornik's 100 Days' plan, the Mayor has determined the need to establish a Teen Advisory Committee to explore the special issues of Teens within the Township and to investigate and undertake various projects to enhance the quality of life for Teens and to promote communication and involvement between Teens and Township government; and

WHEREAS, the Township Council of the Township of Marlboro, has determined that it is in the best interests of the youth of the Township to establish a Teen Advisory Committee to improve the life of teens within the Township and to encourage greater communication and involvement between teens and Township government.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that a Teen Advisory Committee of the Township of Marlboro be and is hereby established as follows:

A. Mission.

The purpose of the Teen Advisory Committee of the Township of Marlboro shall be to explore the special issues of Teens throughout the Township and to include Teens as active participants in the Township's activities, including, but not limited to:

(1) the exploration of intra-Town transportation options for youth, developing a "teen classified" section on the Township website to assist teens with summer and part-time employment opportunities; and

(2) the viability of undertaking a feasibility study for a new teen center; and

(3) to invite the Township's youth who participate in the Teen Advisory Committee to present recommendations at Township Council meetings.

B. Membership; organization.

(1) Composition of Teen Advisory Committee.
The Teen Advisory Committee shall be comprised of two
(2) tiers as follows:

i. a seven (7) member Executive
Committee; and

ii. a general membership population
encompassing teen and adult volunteers, who may apply
for membership at the Administrative Offices of the
Township of Marlboro; and

iii. all members of the Teen Advisory
Committee shall serve without compensation.

(2) Executive Committee of the Teen Advisory
Committee.

i. there shall be two (2) adult
advisors to be appointed to the Executive Committee by
the Mayor during the term of the Mayor's Office; and

ii. the remaining five (5) members of
the Executive Committee shall be voted onto the
Committee by the membership at large.

(3) Term.

The terms of office for members of the
Executive Committee of the Teen Advisory Committee shall
be as follows:

i. a term of two (2) years for the two
(2) adult supervisors appointed by the Mayor to the
Executive Committee, to serve until the appointment and
qualification of their successors; and

ii. a term of two (2) years for two (2)
of the remaining five (5) members of the Executive
committee, elected by the membership at large, to serve
until the election and qualification of their
successors; and

iii. a term of one (1) year for three (3)
of the remaining five (5) members of the Executive
committee, elected by the membership at large, to serve

until the election and qualification of their successors.

C. Duties.

The Teen Advisory Committee shall administer, plan and manage the Teen and Youth initiatives of the Township of Marlboro and shall liaise with Teens, Adults and Municipal Departments to explore and undertake various projects to enhance the quality of life for Teens in the Township of Marlboro. The Teen Advisory Committee shall be a strictly advisory body with no power to regulate or promulgate rules and regulations. The Executive Committee of the Teen Advisory Committee shall report to the Township Council on a regular basis regarding the Committee's activities.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that a certified copy of this Resolution shall be provided to each of the following:

- a. Mayor Jonathan Hornik
- b. Township Administrator

Council President Cantor opened the Public Hearing on Ordinance # 2008-1 (Amend Chapter 4 - Honorary Deputy Mayors). As there as no one else who wished to speak, the Public Hearing was closed. The following Resolution Res. # 2008-59/Ord. # 2008-1 (Amend Chapter 4 - Honorary Deputy Mayors) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-59

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

ORDINANCE # 2008-1

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 "ADMINISTRATION OF GOVERNMENT", ARTICLE IV, "MAYOR" OF THE CODE OF THE TOWNSHIP OF MARLBORO BY ADDING A NEW SUB-SECTION 4-28.1, "HONORARY DEPUTY MAYOR" TO ESTABLISH THE POSITION OF HONORARY DEPUTY MAYORS WITHIN THE TOWNSHIP OF MARLBORO

which was introduced on January 17, 2008, public hearing held February 7, 2008 be adopted on second and final reading this 7th day of February, 2008.

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

Council President Cantor recused himself from this matter, and left the room. Council Vice President Rosenthal opened the Public Hearing on Ordinance # 2008-2 (Amend Chapter 21 - LOSAP). As there as no one else who wished to speak, the Public Hearing was closed. The following Resolution Res. # 2008-60/Ord. # 2008-2 (Amend Chapter 21 - LOSAP) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragni and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-60

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

ORDINANCE # 2008-2

AN ORDINANCE AMENDING AND SUPPLEMENTING PART I, "ADMINISTRATIVE LEGISLATION", CHAPTER 21, "LENGTH OF SERVICE AWARDS PROGRAM", OF THE CODE OF THE TOWNSHIP OF MARLBORO, BY AMENDING SECTION 21-3, "GENERAL REQUIREMENTS", SUB-SECTION 21-3(C), "PERIODIC INCREASES" TO ESTABLISH THAT INCREASES OF THE FIXED ANNUAL CONTRIBUTION SHALL BE MADE ON AN ANNUAL BASIS AND TO RE-NAME SUCH SUB-SECTION "ANNUAL INCREASES"

which was introduced on January 17, 2008, public hearing held February 7, 2008 be adopted on second and final reading this 7th day of February, 2008.

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

The following Res. # 2008-61/Ord. # 2008-3 (Amend Chapter 84 - Escrow Fees) was introduced by reference, offered by Councilwoman Tragni, seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-61

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

ORDINANCE # 2008-3

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 "LAND USE DEVELOPMENT AND REGULATIONS", ARTICLE II, "LAND USE PROCEDURES" SECTION 84-14.2 "ESCROW FEES: SCHEDULE B", SUB-SECTION 84-14.2(L) OF THE CODE OF THE TOWNSHIP OF MARLBORO, TO PROVIDE FOR REPLENISHMENT OF ESCROW

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 21, 2008 at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2008-3

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 "LAND USE DEVELOPMENT AND REGULATIONS", ARTICLE II, "LAND USE PROCEDURES" SECTION 84-14.2 "ESCROW FEES: SCHEDULE B", SUB-SECTION 84-14.2(L) OF THE CODE OF THE TOWNSHIP OF MARLBORO, TO PROVIDE FOR REPLENISHMENT OF ESCROW

BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that Chapter 84, *Land Use Development and Regulations*, Article II, *Land Use Procedures*, Section 84-14.2, *Escrow Fees: Schedule B*", Sub-Section 84-14.2(L) of the Code of the Township of Marlboro be and is hereby amended and supplemented to provide for the replenishment of escrow payments as follows:

§ 84-14.2(L).

Notwithstanding anything to the contrary set forth in this section, an applicant for a hardship or bulk variance in connection with a residential fence, accessory structure, pool, deck, addition or shed, shall be required to post the escrow amount for such application set forth in Schedule B. If the professional expenses for the review of such

application exceeds the amount posted by applicant pursuant to Schedule B, applicant shall be required to replenish such escrow amount in order to cover the cost of all professional review services undertaken by the Township with respect to the application and to avoid subsidization of development applications by municipal tax payers.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed invalid and effective.

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

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

The following Res. # 2008-62/Ord. # 2008-4 (Amend Chapter A-157 - Cable Television Channel) was introduced by reference, offered by Councilman LaRocca, seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-62

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

ORDINANCE # 2008-4

AN ORDINANCE AMENDING AND SUPPLEMENTING APPENDIX, CHAPTER A157, "CABLE TELEVISION CHANNEL, MUNICIPAL", OF THE CODE OF THE TOWNSHIP OF MARLBORO, BY AMENDING SECTION A157-4, "CHANNEL", SUB-SECTION A157-4(C) TO PERMIT THE BROADCAST OF MUNICIPAL COUNCIL MEETINGS ON CABLE ACCESS TELEVISION

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 21, 2008 at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2008-4

AN ORDINANCE AMENDING AND SUPPLEMENTING APPENDIX, CHAPTER A157, "CABLE TELEVISION CHANNEL, MUNICIPAL", OF THE CODE OF THE TOWNSHIP OF MARLBORO, BY AMENDING SECTION A157-4, "CHANNEL", SUB-SECTION A157-4(C) TO PERMIT THE BROADCAST OF MUNICIPAL COUNCIL MEETINGS ON CABLE ACCESS TELEVISION

Be and it is hereby ordained, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that Appendix, Chapter A157, "Cable Television Channel, Municipal", of the Code of the Township of Marlboro, be and is hereby amended and supplemented to permit the broadcast of municipal council meetings on cable access television as follows:

§ A157-4. Channel.

C. EG cablecasting will not be used for political purposes; however, EG cablecasting is permitted to broadcast regular or special public meetings of the Township Council. Although EG cablecasting cannot be used as a vehicle to specifically promote the passage of any particular legislation, public referendum, or act proposed by the governing body or any board of education, such items may be aired as a matter of course during any regular or special public meeting of the Township Council. No political candidates, whether local, county, state, or federal, are permitted to appear on the EG cablecasting, except: (1) if they are inadvertently included in a group shot; or (2) are a member of the Township Council, or a member of the public, attending and participating in a regular or special public Township Council meeting. This rule shall be effective from the moment they are selected until after the formal election date. Political candidacy also covers incumbents running for political election. No individual or organization may appear specifically for the sole purpose of acting on the behalf of any candidate or to espouse any legislation or referendum issue. However, the broadcast of any person acting on behalf of any candidate or who espouses any legislation or referendum

issue during the course of a regular or special public Township Council meeting is permitted. These regulations are not in effect for PEG cablecasting, which falls under public access regulations;

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed invalid and effective.

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

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

The following Res. # 2008-63/Ord. # 2008-5 (Background Checks - Youth Exchange Advisory) was tabled to a future meeting.

The following Res. # 2008-64/Ord. # 2008-6 (Special Emergency Appropriation - Revaluation) was introduced by reference, offered by Councilwoman Tragni and seconded by Councilwoman Marder. After discussion, the resolution/ordinance was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-64

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

ORDINANCE # 2008-6

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF FUNDS TO UNDERTAKE A PROGRAM OF REVALUATION OF REAL PROPERTY THROUGHOUT THE TOWNSHIP OF MARLBORO BY ORDER OF THE MONMOUTH COUNTY BOARD OF TAXATION
be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on February 21, 2008 at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2008-6

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF FUNDS TO UNDERTAKE A PROGRAM OF REVALUATION OF REAL PROPERTY THROUGHOUT THE TOWNSHIP OF MARLBORO BY ORDER OF THE MONMOUTH COUNTY BOARD OF TAXATION

WHEREAS, the Monmouth County Board of Taxation has ordered the Township of Marlboro to undertake a revaluation of real property throughout the entire Township; and

WHEREAS, funding for such revaluation has not been established in the current budget for the Township; and

WHEREAS, it is estimated that the funds to undertake such revaluation shall be in the amount of \$1,000,000.00, requiring the issuance of a public note therefor; and

WHEREAS, the Local Budget Law, at N.J.S.A. 40A:4-53(b) provides that a municipality may adopt an ordinance authorizing special emergency appropriations for the carrying out of a complete program of revaluation of real property for use by the local assessor or of any program to update and make current any previous revaluation program when such is ordered by the county board of taxation; and

WHEREAS, after the adoption of an ordinance for special emergency appropriations, the governing body of the municipality shall adopt a resolution setting forth the amount to be appropriated and the provisions for borrowing of monies and the issuance of "Special Emergency Notes" all in accordance with the provisions of N.J.S.A. 40A:4-55; and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that is hereby authorizes special emergency appropriations for funds in the amount of \$1,000,000.00 to be used to undertake a program of revaluation of real property throughout the Township of Marlboro as ordered by the Monmouth County Board of Taxation; and

BE IT FURTHER ORDAINED, that the Township Council shall adopt a resolution setting forth the amount of funds to be appropriated and providing for the borrowing of money and the issuance of "Special Emergency Notes" in accordance with the provisions of N.J.S.A. 40A:4-55; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed invalid and effective.

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

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

The following Res. # 2008-65 (Appointment of Additional Council Liaisons) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilman LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-65

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following are hereby appointed as Council Liaisons, such terms to expire December 31, 2008:

Affordable Housing Committee - Rosa Tragni

Shared Services Committee - Jeff Cantor

Drug Alliance - Randi Marder

Res. # 2008-66 (Deferring School Tax) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder. There was a discussion between Mayor, Council, Business Administrator Alayne Shepler and Chief Financial Officer Ulrich Steinberg, after which the

Resolution was defeated on a roll call vote of 0 - 5.

Council President Cantor recused himself and left the room. Council Vice President Rosenthal chaired the meeting. The following Res. # 2008-67 (Amending CPI - LOSAP) was introduced by reference, offered by Council Vice President Rosenthal and seconded by Councilwoman Tragni and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-67

AN AMENDED RESOLUTION ESTABLISHING AN INCREASE IN THE LENGTH OF SERVICE AWARD CONTRIBUTION FOR THE YEAR 2008

WHEREAS, by Resolution #2008-41, the LOSAP annual contribution for the year 2008 was increased from \$1,150.00 to \$1,187.95, reflecting a 3.3% increase; and

WHEREAS, Local Finance Notice 2007-27 has established the Consumer Price Index Adjustment for municipalities at 3.5%, requiring an amendment to the LOSAP increase established by Resolution #2008-41.

NOW THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that the LOSAP annual contribution for the year 2008 shall be increased from \$1,150.00 to \$1,190.25, reflecting a 3.5% increase for the next twelve (12) months, for all items, such amount being based upon the application of the "Revised Consumer's Price Index - All Items, Philadelphia Area (1967-100)" published by the Bureau of Labor Statistics of the United States Department of Labor, effective as of November 1, 2007 as established by the Local Finance Board.

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

- a. Mayor Jonathan Hornik
- b. Township Administrator
- c. Township Chief Financial Officer

The following Res. # 2008-68 (Transfers) was introduced by reference, offered by Councilwoman Tragni and seconded by Council Vice President Rosenthal. Chief Financial Officer

Ulrich Steinberg explained the transfers, after which the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-68

RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATION RESERVES
DURING FIRST THREE MONTHS OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation reserve transfers during the first three (3) months of the following fiscal year, when it has been determined that additional funds may be necessary to pay for services or goods that had been received in the operations of the preceding year.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Appropriation Reserves (Calendar Year 2007 Municipal Budget) as follow:

From:

Engineering S&W	\$5,000.00
Economic Development OE	500.00
Group Insurance	35,000.00
Shade Tree Commission S&W	2,000.00
Shade Tree Commission OE	2,000.00
Drug Abuse Control OE	3,500.00
Summer Youth Activities OE	7,000.00
Ethics Commission OE	5,000.00
Finance OE	10,000.00
Tax Collection OE	2,000.00
Engineering OE	3,000.00
Planning OE	1,500.00
Police OE	3,500.00

To:

Legal OE	\$45,000.00	
Zoning OE	35,000.00	
Totals	\$80,000.00	\$80,000.00

The following Res. # 2008-77 (Temporary Emergency Appropriation) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragani and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-77

EMERGENCY TEMPORARY RESOLUTION
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation in anticipation of the adoption of the 2008 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2007 appropriations with the exception of debt service and seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2007 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$17,924,292.18 for the municipal budget and \$541,712.50 for the operations of the swim utility;

NOW THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation has been provided for in the CY 2008 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Appropriations not funded in this document or exceeding 50% of 2007 funding levels are in **bold**

<u>Appropriations</u>	<u>2007 Municipal Budget</u>	<u>2008 Temporary Emergency Appropriation</u>
Administration		
Salary & Wages	211,000.00	105,500.00
Other Expenses	57,460.00	28,730.00

Office of the Mayor		
Salary & Wages	60,500.00	30,250.00
Other Expenses	5,700.00	2,850.00
Ethics Commission		
Salary & Wages		
Other Expenses	7,500.00	3,750.00
Township Council		
Salary & Wages	18,000.00	9,000.00
Other Expenses	8,000.00	4,000.00
Public Information		
Salary & Wages	26,500.00	13,250.00
Other Expenses	53,600.00	26,800.00
Municipal Clerk		
Salary & Wages	188,000.00	94,000.00
Other Expenses	70,500.00	35,250.00
Finance		
Salary & Wages	236,500.00	118,250.00
Other Expenses	32,000.00	16,000.00
Annual Audit	49,500.00	0.00
Central Computer Services		
Salary & Wages	37,000.00	18,500.00
Other Expenses	27,500.00	13,750.00
Tax Collector		
Salary & Wages	224,500.00	112,250.00
Other Expenses	33,900.00	16,950.00
Tax Assessor		
Salary & Wages	184,500.00	92,250.00
Other Expenses	96,750.00	48,375.00
Legal Services		
Other Expenses	500,000.00	250,000.00
Engineering Services		
Salary & Wages	210,000.00	105,000.00
Other Expenses	153,750.00	76,875.00

Economic Development		
Salary & Wages		
Other Expenses	500.00	0.00
Inter- Governmental Relations		
Other Expenses	1,000.00	0.00
Homeland Security		
Salary & Wages	33,312.00	16,656.00
Other Expenses	58,500.00	29,250.00
Historic Sites Commission		
Other Expenses	3,000.00	1,500.00
Planning Board		
Salary & Wages	64,500.00	32,250.00
Other Expenses	59,050.00	29,525.00
Planning Board Contractual		
Other Expenses	46,400.00	23,200.00
Zoning Board		
Salary & Wages	162,500.00	81,250.00
Other Expenses	63,200.00	31,600.00
Liability Insurance	428,200.00	214,100.00
Workers Comp	482,700.00	241,350.00
Group Insurance	2,408,000.00	1,204,000.00
Unemployment Insurance	10,000.00	0.00
Police		
Salary & Wages	7,907,500.00	3,953,750.00
Other Expenses	377,750.00	188,875.00
Crime Prevention		
Other Expenses	31,485.00	15,742.50
DARE Program		
Other Expenses	18,000.00	9,000.00

Highway Safety		
Other Expenses	32,900.00	16,450.00
Emergency Management		
Salary & Wages	23,000.00	11,500.00
Other Expenses	16,850.00	8,425.00
Aid to Volunteer Ambulance Companies		
Other Expenses	60,000.00	0.00
Uniform Fire Safety Act		
Salary & Wages	135,000.00	67,500.00
Other Expenses	16,463.00	8,231.50
Municipal Prosecutors Office		
Salary & Wages	32,500.00	16,250.00
Streets and Road Maint		
Salary & Wages	1,652,000.00	826,000.00
Other Expenses	48,290.00	24,145.00
Snow Removal		
Salary & Wages	65,000.00	32,500.00
Other Expenses	290,000.00	145,000.00
Public Works - Other		
Salary & Wages	354,000.00	177,000.00
Other Expenses	70,870.00	35,435.00
Shade Tree Commission		
Salary & Wages	2,000.00	0.00
Other Expenses	2,000.00	0.00
Solid Waste Collection		
Salary & Wages	22,000.00	11,000.00
Other Expenses	742,900.00	371,450.00
Buildings & Grounds		
Salary & Wages	488,000.00	244,000.00
Other Expenses	201,140.00	100,570.00
Vehicle Maintenance		
Salary & Wages	416,500.00	208,250.00
Other Expenses	116,300.00	58,150.00

Community Services Act		
Other Expenses	100,000.00	0.00
Open space Committee		
Salary & Wages	4,200.00	2,100.00
Public Health Services - Registrar		
Salary & Wages	6,500.00	3,250.00
Other Expenses	2,100.00	1,050.00
Drug Abuse Control		
Salary & Wages		
Other Expenses	11,550.00	5,775.00
Environmental Health Services		
Salary & Wages		
Other Expenses	8,000.00	4,000.00
Animal Control Services		
Other Expenses	45,000.00	22,500.00
Recreation		
Salary & Wages	465,500.00	232,750.00
Other Expenses	138,822.00	69,411.00
Teen Program		
Salary & Wages		
Other Expenses	15,000.00	7,500.00
Summer Youth Activities		
Salary & Wages		
Other Expenses	7,000.00	3,500.00
Park Maintenance		
Salary & Wages	484,500.00	242,250.00
Other Expenses	44,680.00	22,340.00
Municipal Library		
Other Expenses	23,275.00	11,637.50
Prior Year Bills	25,000.00	3,000.00
Accumulated Leave Compensation	1,000.00	0.00
Deficit in Animal control	6,959.44	0.00

Postage		
Other Expenses	55,000.00	27,500.00
Electricity	292,000.00	146,000.00
Street Lighting	610,000.00	305,000.00
Telephone	133,600.00	66,800.00
Water	20,000.00	10,000.00
Natural Gas	95,000.00	47,500.00
Sewer	8,500.00	4,250.00
Gasoline	300,000.00	150,000.00
Landfill Disposal Costs	248,250.00	124,125.00
PERS	273,000.00	460,000.00
FICA	990,000.00	495,000.00
Contingent	10,000.00	0.00
Municipal Court		
Salary & Wages	331,500.00	165,750.00
Other Expenses	126,600.00	63,300.00
Public Defender		
Salary & Wages		
Other Expenses	17,000.00	8,500.00
Affordable Housing		
Salary & Wages	9,000.00	4,500.00
Other Expenses	4,700.00	2,350.00
Police Dispatch 911		
Salary & Wages	635,000.00	317,500.00
Other Expenses	250,000.00	125,000.00
LOSAP		
Other Expenses	75,000.00	0.00
PFRS		
Other Expenses	1,032,500.00	1,710,000.00

Overexpenditure of Capital Improvement		
Other Expenses	140,766.67	0.00
SFSP Fire District Payments		
Other Expenses	14,229.00	0.00
Clean Communities Act	45,036.32	0.00
Monmouth Drug & Alcohol Grant Share	30,720.00	0.00
Local Share	7,680.00	0.00
Recycling tonnage Grant	19,458.87	0.00
Union hill Road Improvements	75,000.00	0.00
2008 Union Hill Rd Imp Grant	0.00	160,000.00
Child Passenger Safety	1,656.00	0.00
2008 Pedestrian Safety Grant	0.00	12,496.00
Body Armor Grant	7,011.10	8,007.68
Improvements to muni parks	100,000.00	0.00
Municipal Open Space Grant	100,000.00	0.00
Click It or Ticket	4,000.00	0.00
Green Acres Park Imp Grant	600,000.00	0.00
Matching Funds for Grants	7,500.00	0.00
Secure Our Schools Grant		
Grant Share		
Local Match		
Alcohol Rehab Grant	353.71	0.00
Handicapped Rec Opportunities Grant		
Grant Share		
Local Share		

Capital Improvement Fund Other Expenses	275,000.00	0.00
Acquisition of Rights of Way	5,000.00	0.00
Bond Principal	1,740,000.00	1,798,000.00
Bond Anticipation Notes	41,175.00	40,150.00
Bond Interest	727,505.50	650,000.00
Note Interest	61,000.00	182,000.00
Green Acres Trust - P & I	28,865.00	28,865.00
Capital Lease program Principal	323,600.00	462,100.00
Interest	51,000.00	63,050.00
Emergency Authorizations	105,000.00	0.00
Deferred Charges		
Reserve for Uncollected Taxes	1,750,000.00	0.00
Chapter 159		
HDSRF DiMeo Property	121,748.00	0.00
HDSRF Hospital Property	126,909.00	0.00
Drunk Driving Enforcement	15,422.04	0.00
Stop for the Red or Stop for us	15,800.00	0.00
911 Equipment Grant	16,000.00	0.00
911 General Assistance Grant	36,584.00	0.00
You Drink, You drive, You Lose	5,000.00	0.00
2007 Impaired Driving grant	5,000.00	0.00
Total	32,945,726.65	17,924,292.18

Swim Utility	2007 Operating Budget	2008 Temporary Emergency Appropriation
Salary & Wages	478,000.00	239,000.00
Other Expenses	464,325.00	232,162.50
Capital Outlay	120,000.00	60,000.00
Payment of Bond Principal	10,000.00	10,000.00
Payment of Bond Anticipation Notes		
Payment of Bond Interest	1,300.00	550.00
Payment of Note Principal		
Totals	1,073,625.00	541,712.50

The following Res. # 2008-69 (Additional Depository - Capital One) was introduced by reference, offered by Councilwoman Tragni and seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-69

DESIGNATING ADDITIONAL DEPOSITORY

WHEREAS, under the provisions of state regulations (N.J.S.A. 40A:5-1) entitled Local Fiscal Affairs Law, the Township of Marlboro in accordance with N.J.S.A.40A:5-14 hereby establishes Legal Depositories for public monies for the calendar year 2007. Further, recent amendment to N.J.S.A. 40A:5-15.1 entitled "Securities which may be purchased by local units" provide added flexibility to secure high yield investments while safe guarding Municipal assets.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, as follows:

The following banking institution approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) or other authorized investment vehicle authorized by the State of New Jersey is hereby designated as an additional official depository of Township funds:

CAPITAL ONE

The following Res. # 2008-70 (Advise & Consent to Appointment Library Board - Judith Freilich) was introduced by reference, offered by Councilwoman Marder and seconded by Councilman LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-70

RESOLUTION APPOINTING MEMBER OF THE BOARD OF TRUSTEES
OF THE MARLBORO FREE PUBLIC LIBRARY

WHEREAS, pursuant to NJSA 40:54-9 et. seq. and Section 4-34D(4) of the Marlboro Code, the Mayor, subject to the advice and consent of the Township Council desires to appoint Judith Freilich, to fill the unexpired term of Walter Whelan, such term to expire on August 11, 2010; and

WHEREAS, the Township Council of the Township of Marlboro does hereby give its advice and consent to the appointment of Judith Freilich; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the appointment of Judith Freilich as a member of the Board of Trustees of the Marlboro Free Public Library without compensation to fill the unexpired term of Walter Whelan, such term to expire on August 11, 2010 is hereby confirmed; and

BE AND IT IS FURTHER RESOLVED, that this appointment is made pursuant to NJSA 40:54-9 et. seq. and Section 4-34D(4) of the Marlboro Code.

The following Res. # 2008-71 (Opposing Changes to Enhanced 911 Grant) was introduced by reference, offered by Councilwoman Tragni and seconded by Councilman LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-71

RESOLUTION OF THE TOWNSHIP OF MARLBORO TO OPPOSE THE
CHANGES IN THE ENHANCED 9-1-1 Grant DISTRIBUTED BY THE
STATE OF NEW JERSEY OFFICE OF INFORMATION TECHNOLOGY

WHEREAS, the 9-1-1 Commission adopted revisions to the criteria for the Enhanced 9-1-1 Grant; and

WHEREAS, the New Jersey Office of Information Technology changed eligibility requirements guided by Senate Bill 45; and

WHEREAS, the most significant change in the grant eligibility is the minimum population served was raised from 19,000 to 65,346; and

WHEREAS, the change imposes a financial burden on citizens of the Township of Marlboro; and

WHEREAS, for the reasons set forth above, the Mayor and Township Council have determined that it is in the best interests of the State, the region and Marlboro Township that these changes to eligibility be eliminated and reverted back to the original number of 19,000.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township of Marlboro declares the Enhanced 9-1-1 Grant is in the best interests of our State, our region, the Township.
2. The Township of Marlboro requests that no changes be made concerning the eligibility requirements and it revert back to the 19,000 population criteria.
3. The Clerk is hereby directed to submit copies of this Resolution to Senator Beck, Assemblyman O'Scanlon, and Assemblywoman Casagrande to inform the Senator, and Assemblypersons of our strong views on this bill and to urge them to support the bill.

The following Res. # 2008-72 (Award of Bid - Ambulance) was introduced by reference, offered by Council Vice President Rosenthal and seconded by Councilwoman Tragni and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-72

A RESOLUTION AWARDING A CONTRACT TO BAY HEAD INVESTMENTS, INC.
TO PROVIDE ONE (1) 2008 FORD E-450 WITH CURRENT HORTON
AMBULANCE BODY OR BRAND EQUIVALENT FOR THE TOWNSHIP OF MARLBORO
WITH TRADE IN OF ONE (1) 1998 FORD E-450 AMBULANCE
FOR THE MARLBORO FIRST AID SQUAD

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the provision of one (1) 2008 Ford E-450 with current Horton Ambulance Body or Brand Equivalent for the Township of Marlboro with Trade In of One (1) 1998 Ford E-450 Ambulance for the Marlboro First Aid Squad, and on December 18, 2007, received one (1) bid therefor; and

WHEREAS, the one (1) bid received was as follows:

Bay Head Investments, Inc., 43 Jefferson Avenue, Berlin, NJ 08009, for the price of \$169,582.00; and

WHEREAS, the Township Administration and the Marlboro First Aid Squad have reviewed the said bid received and recommended that same be awarded to Bay Head Investments, Inc. as the lowest responsible bidder; and

WHEREAS, funds are available and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Mayor and Township Council have indicated their desire to engage Bay Head Investments, Inc. of Berlin, New Jersey to provide one (1) 2008 Ford E-450 with current Horton Ambulance Body or Brand Equivalent for the Township of Marlboro with Trade In of One (1) 1998 Ford E-450 Ambulance for the Marlboro First Aid Squad.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a contract be awarded to Bay Head Investments, Inc. of Berlin, New Jersey for the provision of one (1) 2008 Ford E-450 with current Horton Ambulance Body or Brand Equivalent for the Township of Marlboro with Trade In of One (1) 1998 Ford E-450 Ambulance for the Marlboro First Aid Squad for the amount of \$169,582.00; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Township Clerk to witness a Contract with Bay Head Investments, Inc. in a form to be approved by the Township Attorney, for the aforementioned Ambulance; and

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

- a. Bay Head Investments, Inc.
- b. Township Administrator

- c. Township Chief Financial Officer
- d. Captain, Marlboro First Aid Squad
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2008-73 (Authorizing Lien - 1 Craig Drive - B. 420, L. 15) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-73

A RESOLUTION AUTHORIZING A TAX LIEN ON THE PROPERTY KNOWN AS
1 CRAIG DRIVE, TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, ALSO KNOWN AS BLOCK 420, LOT 15 ON THE
OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO

WHEREAS, on July 20, 2007 the Marlboro Township Buildings and Grounds Maintenance Bureau mowed and trimmed the lawn which was overgrown and constituted a nuisance pursuant to Section 48-2 of the Code of the Township of Marlboro, on the property known as 1 Craig Drive, Marlboro, New Jersey, also known as Block 420, Lot 15 on the official map of the Township of Marlboro (hereinafter referred to as the "Property"); and

WHEREAS, the cost of such removal was Seven Hundred Ninety-Eight Dollars and 64/100 (\$798.64); and

WHEREAS, on July 10, 2007 the Township of Marlboro Zoning/Code Enforcement Officer issued a Notice to Abate Unsafe Condition to the owner of the Property, advising the owner that unless the unsafe condition was abated within 72 hours of receipt of such Notice, the Township would undertake to abate the unsafe condition and charge the cost of such abatement as a lien against the Property; and

WHEREAS, to date there has been no response from the Property owner.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Tax Collector of the Township of Marlboro is hereby authorized and directed to affix a tax lien against the property known as 1 Craig Drive, Township of Marlboro, County of Monmouth, State of New Jersey in the amount of \$798.64, with interest to accrue at the lawful rate; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that a certified copy of this Resolution shall be provided to each of the following:

- a. Mayor Jonathan Hornik
- b. Township Administrator
- c. Township Tax Collector
- d. Property Owner, 1 Craig Drive, Marlboro, New Jersey

The following Res. # 2008-74 (Appointing Tax Appeals Counsel - Harry Haushalter) was introduced by reference, offered by Councilwoman Tragni and seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2008-74

RESOLUTION APPOINTING HARRY HAUSHALTER, ESQ. AS SPECIAL TAX
APPEAL COUNSEL FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township requires the services of an attorney as Special Tax Appeal Counsel for the Township, such services to be rendered by Harry Haushalter, Esq. under a contract to be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Chief Financial Officer of the Township of Marlboro has determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, funds are available for this purpose in the 2008 municipal budget.

WHEREAS, Harry Haushalter has completed and submitted a Business Entity Disclosure Certification certifying that he has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Section 26 or to N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate Marlboro Township Code Section 26 or N.J.S.A. 19:44A-20.5 will be made during the term of the contract; and

WHEREAS, the Township has been provided with Harry Haushalter's Business Entity's Disclosure of Campaign Contributions at least ten (10) days prior hereto, as required by P.L. 2005, c. 271.

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

1. The Township Council of the Township of Marlboro, hereby authorizes and approves the award of a Professional Services Contract to Harry Haushalter, Esq., as Special Tax Appeal Counsel for the Township of Marlboro pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i), and shall provide for compensation at an hourly rate of One Hundred Thirty-Five Dollars (\$135.00) for legal services and an hourly rate of Eighty Dollars (\$80.00) for paralegal services; and

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

4. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

5. A copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

6. A certified copy of this Resolution shall be provided to each of the following:

- a. Mayor Jonathan Hornik
- b. Township Administrator
- c. Harry Haushalter, Esq.

The following item was carried to the February 21, 2008 agenda: Item #25 (Tax Collector Resolutions).

