

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

May 15, 2008

The Marlboro Township Council held its regularly scheduled meeting on May 15, 2008 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council Vice President Rosenthal 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 faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 4, 2008; 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. Council President Cantor was absent.

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

The following Resolution # 2008-170 (Deferring School Tax) was introduced by reference, offered by Councilwoman Tragni, and seconded by Councilman LaRocca. After discussion, the resolution was passed on a roll call vote of 3 - 0 in favor with Council Vice President Rosenthal abstaining (Absent: Cantor).

RESOLUTION # 2008-170

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey wish to defer school tax as promulgated by the Division of Local Government Services,

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

increase the Township's deferred school taxes as of December 31, 2007 as follows;

	<u>From</u>	<u>To</u>	<u>Increase</u>
Local District School	\$27,100,000.00	\$28,650,000.00	\$1,550,000.00
Regional High School	\$12,525,000.00	\$14,875,000.00	\$2,350,000.00
Total	\$39,625,000.00	\$43,525,000.00	\$3,900,000.00

The following Resolution # 2008-171 (Introduction of 2008 Municipal Budget) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilman LaRocca and was then passed on a roll call vote of 3 - 0 in favor with Council Vice President Rosenthal abstaining (Absent: Cantor).

RESOLUTION # 2008-171

Section 1.

Municipal Budget of the Township of Marlboro, County of Monmouth for the Year 2008.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Fiscal year 2008;

BE IT FURTHER RESOLVED, that said Budget be published in the Asbury Park Press in the issue of May 22, 2008,

The Governing Body of the Township of Marlboro, does hereby approve the following as the Budget for the fiscal year SFY 2008:

Notice is hereby given that the Budget and the Tax Resolution was approved by the Governing Body of the Township of Marlboro, County of Monmouth, on May 15, 2008.

A Hearing on the Budget and Tax Resolution will be held at Town Hall/Municipal Building, on June 26, 2008 at 8:00PM at which time and place objections to said Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested persons.

General Appropriations For:

1. Appropriations within "CAPS"
  - (a) Municipal Purposes \$25,026,263.89

2.	Appropriations excluded from "CAPS"	
	(a) Municipal Purposes	7,310,783.76
	(b) Local School District Purposes in Municipal Budget	
	Total General Appropriations excluded from "CAPS"	7,310,783.76
3.	Reserve for Uncollected Taxes	1,825,000.00
4.	Total General Appropriations	34,162,047.65
5.	Less: Anticipated Revenues Other than Current Property Tax	16,460,068.51
6.	Difference: Amounts to be raised by taxes for Support of Municipal Budget (a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	17,701,979.14

\* Copies of attached material to be found in regular minute book in Clerk's office.

Councilwoman Tragni moved that the minutes of April 3, 9, 23, 24, 2008 be approved. This motion was seconded by Councilwoman Marder and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor).

Council Vice President Rosenthal opened the Public Hearing on Ordinance # 2008-15 (Amend Chapter 5 - Affordable Housing). After the Public Hearing was held and closed, the following Resolution # 2008-161/Ord. # 2008-15 (Amend Chapter 5 - Affordable Housing) was introduced by reference, offered by Councilwoman Tragni and seconded by Councilman LaRocca. Discussion followed, after which the resolution/ordinance and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-161

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

ORDINANCE # 2008-15

AN ORDINANCE DELETING CHAPTER 5 "AFFORDABLE HOUSING" OF THE CODE OF THE TOWNSHIP OF MARLBORO AND REPLACING SAME WITH A NEW CHAPTER 5 "AFFORDABLE HOUSING" TO ESTABLISH THE RULES AND REGULATIONS THEREFOR

which was introduced on April 24, 2008, public hearing held May 15, 2008 be adopted on second and final reading this 15th<sup>th</sup> day of May, 2008.

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

Council Vice President Rosenthal opened the Public Hearing on Ordinance # 2008-16 (Amend Chapter 55 - Fees - Commercial Construction). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution # 2008-162/Ord. # 2008-16 (Amend Chapter 55 - Fees - Commercial Construction) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-162

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

ORDINANCE # 2008-16

AN ORDINANCE AMENDING AND SUPPLEMENTING  
SECTION 55-3 "FEES" OF CHAPTER 55 "CONSTRUCTION CODES,  
UNIFORM" OF THE CODE OF THE TOWNSHIP OF MARLBORO

which was introduced on April 24, 2008, public hearing held May 15, 2008 be adopted on second and final reading this 15th<sup>th</sup> day of May, 2008.

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

The following Resolution # 2008-163/Ord. # 2008-17 (Amend Chapter 82 - Fees for Junkyard Licenses) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-163

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

ORDINANCE # 2008-17

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 82  
"JUNKYARDS AND JUNK DEALERS", ARTICLE I, "MOTOR VEHICLE  
JUNKYARDS" SECTION 82-3 "FEES" AND ARTICLE II "JUNK DEALERS",  
SECTION 82-23 "FEES" OF THE CODE OF THE TOWNSHIP  
OF MARLBORO, TO INCREASE THE FEES

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 June 5, 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 # 2008-17

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 82  
"JUNKYARDS AND JUNK DEALERS", ARTICLE I, "MOTOR VEHICLE  
JUNKYARDS" SECTION 82-3 "FEES" AND ARTICLE II "JUNK DEALERS",  
SECTION 82-23 "FEES" OF THE CODE OF THE TOWNSHIP  
OF MARLBORO, TO INCREASE THE FEES

BE AND IT IS HEREBY ORDAINED, by the Township Council of the  
Township of Marlboro, County of Monmouth, State of New Jersey that  
Chapter 82 "Junkyards and Junk Dealers", Article I, "Motor Vehicle  
Junkyards", Section 82-8, "Fees; Non-Transferability", of the Code  
of the Township of Marlboro be and is hereby amended and  
supplemented to increase licensure fees therefor, as follows:

§ 82-8. Fees; non-transferability.

Each applicant for such licenses shall pay an annual license  
fee of One Thousand Dollars (\$1,000.00.). No license shall be  
transferable; and any holder of such license who permits it to be  
used by any other person shall be guilty of a violation of this  
Article, and such license shall be subject to immediate revocation.  
For each renewal of such license, the fee shall be the same as for  
the original issuance, and a new bond shall be furnished with each  
renewal as in the case of the original issue. A mercantile license  
will be issued without additional fee.

BE AND IT IS HEREBY ORDAINED, by the Township Council of the  
Township of Marlboro, County of Monmouth, State of New Jersey that

Chapter 82 "Junkyards and Junk Dealers", Article II, "Junk Dealers", Section 82-23, "Fees", of the Code of the Township of Marlboro be and is hereby amended and supplemented to increase licensure fees therefor, as follows:

§ 82-23. Fees

The license fees for the period of January 1 of each year to January 1 of the following year, both inclusive, or any portion of such period, shall be as follows:

A. For each retail junk dealer or places of business, including one (1) vehicle maintained by such retail junk dealer, One Thousand Dollars (\$1,000.00.); and for each additional vehicle maintained by such retailer, One Hundred Dollars (\$100.00).

B. For each wholesale place of business, including one (1) vehicle maintained by such wholesale junk dealer, One Thousand Dollars (\$1,000.00.); and for each additional vehicle maintained by such wholesaler, One Hundred Dollars (\$100.00).

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 valid 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 Resolution # 2008-164/Ord. # 2008-18 (Amend Chapter 125 - Sewers - Installation and Maintenance of Grease Traps) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-164

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

ORDINANCE # 2008-18

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 126  
"SEWERS", SECTION 126-5.1 "INSTALLATION AND MAINTENANCE OF  
GREASE TRAPS" OF THE CODE OF THE TOWNSHIP OF MARLBORO

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 June 5, 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 # 2008-18

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 126  
"SEWERS", SECTION 126-5.1 "INSTALLATION AND MAINTENANCE OF  
GREASE TRAPS" OF THE CODE OF THE TOWNSHIP OF MARLBORO

BE AND IT IS HEREBY ORDAINED, by the Township Council of the  
Township of Marlboro, County of Monmouth, State of New Jersey that  
Chapter 126, "Sewers", Section 126-5.1, "Installation and  
Maintenance of Grease Traps", of the Code of the Township of  
Marlboro be and is hereby amended, as follows:

§ 126-5.1. Installation and maintenance of grease traps.

A. Grease traps shall be installed for all units, except  
single-family dwelling units, connected to the public sewer from  
which large quantities of grease can be expected to be discharged.  
The determination of necessity shall be made by the plumbing sub-  
code official in accordance with N.J.A.C. 5:23-3.3. They shall be  
installed in separate lines serving that part of a plumbing system  
from which grease will be discharged. Traps so installed shall be  
located and constructed in a manner that will reduce the temperature  
of effluent to permit the congealing or separation of grease. It  
shall be located and constructed in a manner that will permit easy  
access for cleaning.

B. All grease traps shall be designed in accordance with  
current National Plumbing Code Standards and subject to the final  
approval of the plumbing sub-code official, in accordance with the  
provisions of N.J.A.C. 5:23-3.3 and, upon application for a plumbing

permit, shall be reviewed and inspected by the Marlboro Township Plumbing Inspector.

The remainder of this Section shall remain in full force and effect.

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 valid 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 Resolutions/Ordinances were tabled to a future agenda: Res. # 2008-165/Ord. # 2008-19 (Amend Chapter 113 - Certificates of continued Occupancy) and Res. # 2008-166/Ord. # 2008-20 (Amend Chapter 84 - Fences - Properties Adjacent to Route 18), as additional information was necessary.

The following Resolution # 2008-167/Ord. # 2008-21 (Amend Chapter 132 - Swim Club/Aquatic Center) was introduced by reference, offered by Councilwoman Tragni and seconded by Councilman LaRocca. After discussion, the resolution/ordinance was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-167

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

ORDINANCE # 2008-21

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 132 "TOWNSHIP SWIM UTILITY, MARLBORO SWIM CLUB AND MARLBORO AQUATIC CENTER" OF THE CODE OF THE TOWNSHIP OF MARLBORO

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 June 5, 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 # 2008-21

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 132 "TOWNSHIP SWIM UTILITY, MARLBORO SWIM CLUB AND MARLBORO AQUATIC CENTER" OF THE CODE OF THE TOWNSHIP OF MARLBORO

WHEREAS, Chapter 132 of the Code of the Township of Marlboro sets for the rules and regulations for the operation of the municipally owned Marlboro Swim Club and Marlboro Aquatics Center; and

WHEREAS, membership in the Marlboro Swim Club and Marlboro Aquatic Center is currently only available to residents of the Township of Marlboro and "sponsored memberships" as that term is defined in Chapter 132 of the Code of the Township of Marlboro; and

WHEREAS, Mayor Jonathan Hornik has engaged in discussions with Mayor Michelle Roth of the Township of Manalapan to determine both Manalapan's willingness, and the feasibility of entering into a shared services agreement for residents of the Township of Manalapan to become "non-resident" members of the Township of Marlboro's municipally owned swimming facilities designated by Chapter 132 of the Marlboro Township Code as the "Marlboro Swim Club"; and

WHEREAS, the Township Council finds that creating an eligible class of non-resident membership for residents of the Township of Manalapan will enhance the ability of the Marlboro Swim Club to provide services and control expenses at the Marlboro Swim Club;

NOW THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that Section 132-2 "Definitions" of Article I "Marlboro Swim Club" of Chapter 132 "Township Swim Utility, Marlboro Swim Club and Marlboro Aquatic Center" be and hereby is amended to add the following definition:

"NON-RESIDENT MEMBER OR NON-RESIDENT MEMBERSHIP - Shall mean a family or individual residing in the Township of Manalapan who holds a membership, whether full-time or part-time and whether family, individual or senior, in the Marlboro Swim Club."

BE IT FURTHER ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that Chapter 132-3(A) is hereby replaced in its entirety to read as follows:

"§ 132-3 Membership in Facility.

A. Membership. Membership in the Marlboro Swim Club shall be available to resident members, to sponsored members and non-resident members. The maximum number and types of resident and sponsored memberships available for a particular year shall be established by the Administration and the Swim Club Division on an annual basis. Notwithstanding the foregoing, the total number of sponsored memberships and non-resident memberships in the Marlboro Swim Club for any particular year shall not exceed 250 memberships combined. The types, charges and terms and conditions of non-resident membership in the Marlboro Swim Club shall be set forth in a shared services agreement between the Township of Marlboro and Township of Manalapan. Non-resident members shall only have privileges at the Marlboro Swim Club while the shared services agreement between the Township of Marlboro and Township of Manalapan is in effect."

BE IT FURTHER ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that Chapter 132-3(B) is hereby replaced in its entirety to read as follows:

"§ 132-3 Membership in Facility

B. Sponsored Memberships. Subject to availability, each resident membership in the Marlboro Swim Club, whether full-time or part-time and whether family, individual or senior, shall have the right to sponsor per season up to three non-resident families or individuals for a full-time or part-time family or individual sponsored membership in the Swim Club and/or a weekend sponsored membership in the Marlboro Aquatic Center (see Article II of this Chapter). Sponsored memberships shall be available on a first-come, first-serve basis up to the maximum number of sponsored memberships as determined by Administration and the Swim Club Division on an annual basis and as may be amended from time to time."

BE IT FURTHER ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that Chapter 132-4(B) is hereby replaced in its entirety to read as follows:

"§ 132-4 Membership and Other Fees.

B. Sponsored membership fees for each season shall be as follows:

On a date that shall be determined by Administration and the Swim Club Division on an annual basis, sponsored memberships shall be available at the following rates:

(1) Full-Time Family -	\$550.00
(2) Full-Time Individual -	\$275.00
(3) Senior -	\$150.00"

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 apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid 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.

Resolution # 2008-149 (Tabled 4/24 - Bond Release Highland Pointe/Centex Homes) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder was defeated on a roll call vote of 0 - 4 in favor (Absent: Cantor).

Paul Kittner, CME, was present and addressed Council's questions on the next four resolutions.

The following Resolution # 2008-122 (Tabled 4/3) Bond Release Lexington Estates Sect. 4) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder (Absent: Cantor).

RESOLUTION # 2008-122

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES  
FOR LEXINGTON ESTATES SUBDIVISION, SECTION 4, BLOCK 360,  
LOTS 25.32 TO 25.40 AND BLOCK 360.02, LOTS 18.45 TO 18.62,  
SCHOOL ROAD EAST, MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for the release of Township held Performance Guarantees for site improvements for the Lexington Estates Subdivision, Section 4, Block 360, lots 25.35 to 25.40 and Block 360.02, Lots 18.45 to 18.62, School Road East, Marlboro, New Jersey posted by Developer K. Hovnanian ("Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated March 26, 2008, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Performance Guarantees in the amount of \$339,731.14, of which \$305,758.03 has been posted as a bond and \$33,973.11 had been posted as Cash and which amounts being held by the Township may be released in their entirety subject to Developer posting a two (2) year maintenance guaranty in the amount of \$65,333.00 and a Maintenance Period Inspection fee of \$3,267.00; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid Performance Guarantees, bond and cash.

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 Performance Guarantees posted for the site improvements for Lexington Estates Subdivision, Section 4, Block 360, lots 25.35 to 25.40 and Block 360.02, Lots 18.45 to 18.62, School Road East, Marlboro, New Jersey, posted by Developer K. Hovnanian shall be released in their entirety.

BE IT FURTHER RESOLVED, that the release of the Performance Guarantees is conditioned upon the Developer, K. Hovnanian posting a two (2) year maintenance guaranty in the amount of \$65,333.00 and a Maintenance Period Inspection fee of \$3,267.00.

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

- a. K. Hovnanian
- b. Fireman's Fund Insurance Co.
- c. Mayor Hornik
- d. Township Business Administrator
- e. Township Engineers
- f. Chief Financial Officer
- g. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-123 (Tabled 4/3) Bond Release Lexington Estates Sect. 4A) was introduced by reference, offered by Councilwoman Marder, seconded by Councilwoman Tragni and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-123

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE  
GUARANTEES FOR LEXINGTON ESTATES SUBDIVISION,  
SECTION 4A, BLOCK 360, WHIPPLE WAY, MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for the release of Township held Performance Guarantees for site improvements for the Lexington Estates Subdivision, Section 4A, Block 360, Whipple Way, Marlboro, New Jersey posted by Developer K. Hovnanian ("Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated March 26, 2008, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Performance Guarantees in the amount of \$204,005.23, of which \$183,604.71 has been posted as a bond and \$20,400.52 had been posted as Cash and which amounts being held by the Township may be released in their entirety subject to Developer posting a two (2) year maintenance guaranty in the amount of \$63,752.00 and a Maintenance Period Inspection fee of \$3,188.00; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid Performance Guarantees, bond and cash.

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 Performance Guarantees posted for the site

improvements for Lexington Estates Subdivision, Section 4A, Block 360, Whipple Way, Marlboro, New Jersey, posted by Developer K. Hovnanian shall be released in their entirety.

BE IT FURTHER RESOLVED, that the release of the Performance Guarantees is conditioned upon the Developer, K. Hovnanian posting a two (2) year maintenance guaranty in the amount of \$63,752.00 and a Maintenance Period Inspection fee of \$3,188.00.

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

- a. K. Hovnanian
- b. Fireman's Fund Insurance Co.
- c. Mayor Hornik
- d. Township Business Administrator
- e. Township Engineers
- f. Chief Financial Officer
- g. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-124 (Tabled 4/3) Bond Release Lexington Estates Sect. 5) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman LaRocca and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-124

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE  
GUARANTEES FOR LEXINGTON ESTATES SUBDIVISION, SECTION 5,  
BLOCK 360.02, LOTS 18.63 TO 18.80 AND BLOCK 360,  
LOTS 25.24 TO 25.31, MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for the release of Township held Performance Guarantees for site improvements for the Lexington Estates Subdivision, Section 5, Block 360.02, Lots 16.63 to 18.80 and Block 360, Lots 25.24 to 25.31, Marlboro, New Jersey posted by Developer K. Hovnanian ("Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated March 26, 2008, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Performance Guarantees in the amount of \$1,841,914.90, of which \$1,657,723.46 has been posted as a bond and \$184,191.50 had been posted as Cash

and which amounts being held by the Township may be released in their entirety subject to Developer posting a two (2) year maintenance guaranty in the amount of \$230,239.37 and a Maintenance Period Inspection fee of \$11,512.00; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid Performance Guarantees, bond and cash.

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 Performance Guarantees posted for the site improvements for Lexington Estates Subdivision, Section 5, Block 360.02, Lots 18.63 to 18.80 and Block 360, Lots 25.24 to 25.31, Marlboro, New Jersey, posted by Developer K. Hovnanian shall be released in their entirety.

BE IT FURTHER RESOLVED, that the release of the Performance Guarantees is conditioned upon the Developer, K. Hovnanian posting a two (2) year maintenance guaranty in the amount of \$230,239.37 and a Maintenance Period Inspection fee of \$11,512.00.

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

- a. K. Hovnanian
- b. Fireman's Fund Insurance Co.
- c. Mayor Hornik
- d. Township Business Administrator
- e. Township Engineers
- f. Chief Financial Officer
- g. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-168 (Maintenance Bond Release Wendys/Dunkin Donuts) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-168

RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE  
GUARANTEE FOR W&L ASSOCIATES/WENDY'S/DUNKIN DONUTS SITE PLAN  
- BLOCK 175, LOTS 15-20, ROUTE 9 NORTH, MARLBORO, NEW JERSEY

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request for the release of the cash Maintenance Guarantee being held by the Township in connection with site improvements for the W&L Associates/Wendy's/Dunkin Donuts Site Plan, Block 175, Lots 15-20, Route 9 North, Marlboro, New Jersey, posted by the W&L Associates (hereinafter, "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated May 7, 2008, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Maintenance Guarantee in the amount of \$59,583.00 which sum has been posted as cash and is being held by the Township, may be released in its entirety with no restrictions; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid cash Maintenance Guarantee.

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 cash Maintenance Guarantee posted in connection with site improvements for W&L Associates/Wendy's/Dunkin Donuts Site Plan, Block 175, Lots 15-20, Route 9 North, Marlboro, New Jersey shall be released in their entirety; and

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

- a. W&L Associates
- b. Mayor Hornik
- c. Township Business Administrator
- d. Township Engineers
- e. Chief Financial Officer
- f. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-169 (Advising and Consenting to Appointment of Ethical Standards Board - Robert R. Salman and Allan Sugarman) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-169

A RESOLUTION CONSENTING TO THE MAYOR'S APPOINTMENTS OF ROBERT R. SALMAN AND ALLAN SUGARMAN TO THE MARLBORO TOWNSHIP ETHICAL STANDARDS BOARD AND CORRECTING TYPOGRAPHICAL ERRORS ON RESOLUTION #2008-127 CONSENTING TO THE MAYOR'S APPOINTMENT OF HASSAN M. ELMANSOURY, M.D. TO THE ETHICAL STANDARDS BOARD

WHEREAS, pursuant to Section 14-7 of the Code of the Township of Marlboro establishing the Marlboro Township Ethical Standards Board, the Mayor, subject to the advice and consent of the Township Council desires to appoint ROBERT R. SALMAN and ALLAN SUGARMAN for terms of five years; and

WHEREAS, the Township Council of the Township of Marlboro does hereby give its advice and consent to the appointment of ROBERT R. SALMAN and ALLAN SUGARMAN; and

WHEREAS, BY RESOLUTION #2008-127, the Township Council of the Township of Marlboro gave its advice and consent to the appointment of HASSAN M. ELMANSOURY, M.D. to the Ethical Standards Board, however, RESOLUTION #2008-127 contained typographical errors incorrectly indicating the appointment to a three year term, when in fact the appointment was for a five year term; and

WHEREAS, the Township Council of the Township of Marlboro determines to correct the typographical errors in RESOLUTION #2008-127, and give its advice and consent to the appointment of HASSAN M. ELMANSOURY, M.D. for a five year term;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro consents to the appointment of ROBERT R. SALMAN and ALLAN SUGARMAN as a members of the Marlboro Township Ethical Standards Board without compensation, such terms to expire on March 31, 2013; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro hereby corrects RESOLUTION #2008-127 which indicated the appointment of HASSAN M. ELMANSOURY, M.D. to a three year term, and amends RESOLUTION #2008-127 to appoint DR. ELMANSOURY to a five year term, without compensation, with such term expiring on March 31, 2013; and

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

- a. Robert R. Salman

- b. Allan Sugarman
- c. Hassan Elmansoury, M.D.
- d. Mayor Jonathan L. Hornik
- e. Alayne Shepler, Business Administrator
- f. DeCotiis, Fitzpatrick, Cole & Wisler, LLP

The following Resolution # 2008-172 (Authorizing Professional Services Contract - Patriot Consulting - Grant Writing) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-172

A RESOLUTION AWARDING A CONTRACT TO PATRIOT CONSULTING  
GROUP FOR THE PROVISION OF GRANT SEARCH AND WRITING  
SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro is in need of grant search and writing services for the Township of Marlboro; and

WHEREAS, a proposal was submitted by Patriot Consulting Group to provide the necessary grant search and writing services for an annual rate of \$12,000.00 (the "Proposal"); and

WHEREAS, because of the highly specialized nature of the services, it was impractical to obtain competitive quotations; and

WHEREAS, the Township Council desires to award a one-year contract with the option to renew for an additional one year to Patriot Consulting Group for the provision of grant search and writing services for the Township of Marlboro; and

WHEREAS, N.J.S.A. 40A:11-3 of the Local Public Contracts Law allows contracts that do not exceed in a contract year the total sum of \$21,000.00 to be awarded without public advertising for bids.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the contract for the provision of grant search and writing services for the Township of Marlboro be and hereby is awarded to Patriot Consulting Group in an amount not to exceed \$2,000.00 for a period of one year with the option to renew for an additional one year and that the Mayor is authorized to execute a contract, in a form legally acceptable to

the Township Attorney, between the Township of Marlboro and Patriot Consulting Group in accordance with the proposal submitted; and

BE IT FURTHER RESOLVED, that funds will be available for said contact pending the adoption of the 2008 budget.

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

- a. Patriot Consulting Group  
Attn: Brian J. Valentino  
PO Box 252  
Monmouth Beach, New Jersey 07750-0252
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-173 (Approving Amendment No. 4 to Service contract and Consenting to the Sixth undertaking of the Project - WMUA) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-173

RESOLUTION APPROVING AMENDMENT NO. 4 TO THE  
SERVICE CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO  
AND THE WESTERN MONMOUTH UTILITIES AUTHORITY AND  
CONSENTING TO THE UNDERTAKING OF THE SIXTH PROJECT  
BY THE WESTERN MONMOUTH UTILITIES AUTHORITY

WHEREAS, the Western Monmouth Utilities Authority ("Authority") has determined to improve the Authority's sanitary sewer system by the undertaking of the following improvements to the Authority's wastewater treatment plant known as the Pine Brook Sewage Treatment Plant located in the Township of Manalapan, including all work, materials, equipment and appurtenances necessary and suitable therefor: (A) replacement of existing comminutor/screening facilities at the treatment plant headworks with a new concrete structure, bar screens, equipment, metering system and bypass connection; (B) replacement of existing pressure filter media system, valving and appurtenances; (C) installation of aeration system blowers, variable frequency drives, associated controls and appurtenances; (D) repair of Digester No. 1 cover; (E) installation of new transfer switches (including at collection system pumping stations outside the plant) and main control panel; and (F)

evacuation of 7 reed beds as part of the reed bed improvement project (collectively, the "Sixth Project"); and

WHEREAS, the Authority has requested the Townships of Manalapan ("Manalapan") and Marlboro ("Marlboro") (collectively referred to as the "Participants") to consent to the Sixth Project and to extend the coverage of the Service Contract (as defined below) to the undertaking of the Sixth Project and the financing thereof through the issuance of bonds, notes or other evidence of indebtedness of the Authority in an amount not to exceed \$7,500,000; and

WHEREAS, in connection therewith it is necessary to amend the Service Contract between said parties dated as of January 16, 1978, as amended (the "Service Contract"), in order to: (1) add a definition of the Sixth Project, and (2) amend the definition of "Bond";

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

SECTION 1. The form of Amendment No. 4 to the Service Contract is hereby approved in substantially the form submitted to this meeting and attached hereto as Appendix A. The Mayor and the Township Clerk of Marlboro are hereby authorized to execute and attest, respectively, said Amendment No. 4 and to deliver the same.

SECTION 2. The undertaking of the Sixth Project is hereby consented to by Marlboro.

SECTION 3. This Resolution shall take effect upon the approval by the Local Finance Board, in the Division of Local Government Services of the New Jersey Department of Community Affairs, of the financing of the Sixth Project in an amount not to exceed \$7,500,000.

SECTION 4. A certified copy of this Resolution shall be provided to each of the following:

- a. Steven L. Rogut, Esq.
- b. John Wisniewski, Esq.
- c. Mayor Jonathan L. Hornik
- d. Alayne Shepler, Business Administrator
- e. DeCotiis, Fitzpatrick, Cole & Wisler, LLP

The following Resolution # 2008-174 (Authorizing Revocable Property Use License - Block 214.03, L. 18) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-174

A RESOLUTION AUTHORIZING A REVOCABLE PROPERTY USE LICENSE OVER A PORTION OF PROPERTY KNOWN AS BLOCK 214.03, LOT 18 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, STATE OF NEW JERSEY

WHEREAS, the Township of Marlboro owns lands known as Block 214.03, Lot 18, Township of Marlboro, New Jersey (the "Township Property"); and

WHEREAS, the Township Property is adjacent to property known as Block 214.03, Lot 569, Township of Marlboro, New Jersey; and

WHEREAS, an existing fence and gate belonging to the owners of Block 214.03, Lot 569 encroaches upon a portion of the Township Property; and

WHEREAS, the Township is willing to grant a Revocable Property Use License to the owners of Block 214.03, Lot 569.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that a Revocable Property Use License Agreement over a portion of Township Property known as Block 214.03, Lot 18, North Brunswick, New Jersey, to the owners of property located at Block 214.03, Lot 569, North Brunswick, New Jersey be and is hereby authorized in a form substantially similar to that attached hereto; and

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

- a. Agostino and Anna Giancaspro
- b. Mayor Jonathan Hornik
- c. Township Administrator
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-175 (Award of Professional Services Contract - Cable Consultant - Frank Dicopoulos) was introduced by reference, offered by Councilwoman

Tragni, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-175

A RESOLUTION AWARDING A CONTRACT TO FRANK DICOPOULOS  
OF DICOPOULOS PRODUCTIONS, INC. FOR THE  
PROVISION OF CONSULTING SERVICES FOR THE  
TOWNSHIP OF MARLBORO CABLE STATION

WHEREAS, the Township of Marlboro is in need of an consulting services for the Township of Marlboro Cable Station; and

WHEREAS, a proposal was submitted by Frank Dicopoulos of Dicopoulos Productions, Inc. to provide the necessary consulting services for the Cable Station for an annual rate of \$12,000.00 (the "Proposal"); and

WHEREAS, because of the highly specialized nature of the services, it was impractical to obtain competitive quotations; and

WHEREAS, the Township Council desires to award a one-year contract with the option to renew for an additional one year to Frank Dicopoulos of Dicopoulos Productions, Inc. for the provision of consulting services for the Township of Marlboro Cable Station; and

WHEREAS, N.J.S.A. 40A:11-3 of the Local Public Contracts Law allows contracts that do not exceed in a contract year the total sum of \$21,000.00 to be awarded without public advertising for bids.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the contract for the provision of consulting services for the Township of Marlboro Cable Station be and hereby is awarded to Frank Dicopoulos of Dicopoulos Productions, Inc. for a period of one year with the option to renew for an additional one year and that the Mayor is authorized to execute a contract, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and Frank Dicopoulos of Dicopoulos Productions, Inc. in accordance with the proposal submitted; and

BE IT FURTHER RESOLVED, that the Certified Financial Officer has executed a Certification of Funds for the contract, which is attached hereto, and that sufficient funds are available for said contact from Account Number 8-01- -055-286.

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

- a. Frank Dicopoulos  
Dicopoulos Productions, Inc.  
13 Shallow Brook Road  
Morganville, New Jersey 07751
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-176 (Award of Bid - Roof Replacement Project) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman LaRocca and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-176

A RESOLUTION AWARDING A CONTRACT TO EASTGATE  
CONSTRUCTION FOR THE ROOF REPLACEMENT AT THE GROUNDS  
MAINTENANCE BUILDING AND SIGN SHOP

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for roof replacement at the Marlboro Township Grounds Maintenance Building and Sign Shop and on April 15, 2008, received five (5) bids therefor; and

WHEREAS, the five (5) bids received were as follows:

Contractor	Building & Grounds	Sign Shop	Total
Eastgate Construction Loch Arbour, NJ	\$31,660.00	\$9,580.00	\$41,240.00
Roof Diagnostics Spring Lake Hts., NJ	\$49,910.00	\$15,660.00	\$65,570.00
BMV Group Old Bridge, NJ	\$53,020.00	\$13,610.00	\$66,630.00
Northeast Roof Maint. Perth Amboy, NJ	\$52,393.00	\$17,132.00	\$69,525.00
Banner Exteriors	\$73,180.00	\$17,140.00	\$90,320.00

Robbinsville, NJ

WHEREAS, the Township Administration and the Director of Public Works have reviewed the said bids received and recommended that same be awarded to Eastgate Construction Co., 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 Eastgate Construction Co., Inc. of Loch Arbour, New Jersey for roof replacement at the Marlboro Township Grounds Maintenance Building and Sign Shop for a total contract amount not to exceed \$41,240.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a contract be awarded to Eastgate Construction Co., Inc. of Loch Arbour, New Jersey for roof replacement at the Marlboro Township Grounds Maintenance Building and Sign Shop for a total contract amount not to exceed \$41,240.00; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Township Clerk to witness a Contract with Eastgate Construction Co., Inc. in a form to be approved by the Township Attorney, for the roof replacement at the Marlboro Township Grounds Maintenance Building and Sign Shop; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds will be made available for aforesaid contact from the following Capital Accounts: (1) X-04-55-962-948: \$20,500.00; (2) X-04-55-962-999: \$11,160.00; and (3) X-04-55-962-947: \$9,580.00, for a total contract amount of \$41,240.00; and

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

- a. Eastgate Construction Co., Inc.
- b. Mayor Jonathan Hornik
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Director of Public Works
- f. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-177 (Authorizing Contract - Dispatch Console Furniture) was introduced by reference,

offered by Councilwoman Tragni, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-177

RESOLUTION AUTHORIZING THE PURCHASE OF  
DISPATCH CONSOLE FURNITURE FOR THE  
MARLBORO TOWNSHIP POLICE DEPARTMENT  
STATE CONTRACT #A53752

WHEREAS, the Marlboro Township Police Department has recommended that the Township purchase dispatch console furniture from TekTron, 118 Pennsylvania Railroad Avenue, Linden, NJ 07036 under State Contract #A53752 not to exceed \$49,984.64; 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 provide said furniture to the Township of Marlboro; and

WHEREAS, funds are available in Grant Account Number G-07-41-607-399 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said furniture;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase dispatch console furniture from TekTron, 118 Pennsylvania Railroad Avenue, Linden, NJ 07036 under State Contract #A53752 not to exceed \$49,984.64; and

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

- a. TekTron, Linden, NJ
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Resolution # 2008-178 (Authorizing Contract - Equipment relating to COPS Grant - Marlboro Board of Education) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilman LaRocca and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-178

RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER  
EQUIPMENT FOR THE MARLBORO TOWNSHIP BOARD OF EDUCATION  
IN CONNECTION WITH THE SECURE OUR SCHOOLS GRANT  
STATE CONTRACT #70256

WHEREAS, the Marlboro Township Board of Education has recommended that the Township purchase computer equipment from Dell Marketing LP, One Dell Way, Round Rock, TX 78682 under State Contract #70256 not to exceed \$47,608.64; 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 provide said equipment to the Township of Marlboro; and

WHEREAS, funds are available in Grant Account Number G-07-41-606-301 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase computer equipment from Dell Marketing LP, One Dell Way, Round Rock, TX 78682 under State Contract #70256 not to exceed \$47,608.64; and

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

- a. Dell Marketing LP, One Dell Way, Round Rock, TX 78682
- b. Township Administrator
- c. Marlboro Township Board of Education

- d. Township Chief Financial Officer
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP

As the consent agenda, the following Resolutions were introduced by reference, offered by Councilwoman Marder, seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor: Absent: Cantor. Res. #2008-179 (Redemption Tax Sale Cert. - Various), Res. #2008-180 (Refunds to MTMUA - Various), Res. #2008-181 (Refunds to MTMUA (current charges) - Various), Res. #2008-182 (Refunds to WMUA - Various), Res. #2008-183 (Refunds to WMUA (current charges) - Various), Res. #2008-185 (Supporting "Click It or Ticket" Mobilization) - May 19 to June 1, 2008 and Res. #2008-186 (Purchase on State Contract - Office Furniture For Building Dept.)

RESOLUTION # 2008-179

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$295,162.76 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 Council of the Township of Marlboro that the amount of \$295,162.76 be refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
04-14	360.01/1	Betty Simon, Trustee, LLC	\$29,647.67
	280 Boundary Road	P.O. Box 238 Northfield, NJ 08225	
06-1	107/17	Culmac Investors, Inc.	8,894.98
	Thomas Lane	Box 251 Monmouth Beach, NJ 07750	
07-1	106/6	Plymouth Park Tax Services	16,016.63
	17 Thomas Lane	P.O. Box 2288 Morristown, NJ 07962-2288	
08-7	153/39.02	Edison Tax Services, LLC	15,626.73
	181 Tennent Road	P.O. Box 5707 Fort Lauderdale, FL 33310	

08-8	153/52	Fidelity Tax, LLC	9,139.38
	6 Collier Lane	P.O. Box 5707 Fort Lauderdale, FL 33310	
08-9	155/16.09	Plymouth Park Tax Services	11,329.62
	109 Laredo Drive	P.O. Box 2288 Morristown, NJ 07962-2288	
08-22	305/124	R. Rothman	9,835.78
	11 Lake Ontario Lane	411 Grand Avenue Englewood, NJ 07631	
08-23	326/11	Plymouth Park Tax Services	35,987.85
	74 Ottawa Road South	P.O. Box 2288 Morristown, NJ 07962-2288	
08-25	331/62.14	Plymouth Park Tax Services	83,879.26
	6 Bennett Court	P.O. Box 2288 Morristown, NJ 07962-2288	
08-27	358/1.14	Fidelity Tax, LLC	66,757.53
	42 Witherspoon Way	P.O. Box 5707 Fort Lauderdale, FL 33310	
08-50	178/290	The Approved Realty Group, LLC	843.69
	C2140	60 Chambersbridge Road	
	214 Nathan Drive	Ste 4 Lakewood, NJ 08701	
08-51	207/22.12	Mary Tawadros	315.97
	23 Egret Lane	889 Old Bridge Turnpike East Brunswick, NJ 08816	
08-56	300/55	Amaco	6,887.67
	495 Tennent Road	2 Kiel Avenue Kinnelon NJ 07405	
TOTAL:			\$295,162.76

RESOLUTION # 2008-180

WHEREAS, tax sale certificates sold at the 2008 Tax Lien Sale included delinquent water charges in the amount of \$1,052.64 as per Schedule "A",

WHEREAS, the above-mentioned tax sale certificates was bought by a third party,



were bought by a third party,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$18,856.34 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

<u>BLOCK/LOT</u>	<u>ASSESSED OWNER</u>	<u>TAX SALE AMOUNT</u>	<u>CERT#</u>
106/4	ENGLISH, ALICE	385.03	08-1
107/7	JONES, VERA C/O C. WOOTEN	491.43	08-2
116/2	CLEMENS, JACQUELINE	366.60	08-3
173/7 C0008	GRICHINA, IRINA	133.82	08-13
176/ 7 C1059	LANE, PEGGY	390.09	08-14
214.06/6	NAIN, DINESH K. & ANITA	571.02	08-19
326/11	PELTZ, ABRAHAM & STEPHANIE	215.76	08-23
358/1.14	BOLTON, DIANA	342.75	08-27
392/28.04	PATEL, AVNISH & RANJANA	215.76	08-32
395/12	WOLFSON, STEVEN & KAREN	520.30	08-33
412.04/12	BOLTON, DIANNA	516.90	08-34
105/3	ENGLISH, ALICE	350.39	08-39
113/5	GRODZINSKY, JOSEPH & VICTORIA	299.32	08-40
116/18	BOKKISAM, PALLAVI	756.73	08-41
120/20	HOMES SALES INC.	342.75	08-42
120.04/4	JACBOVICH, RONNIE M.	177.66	08-43
122/2	FOLGORE, MELISSA	396.13	08-44
123/2	WALSH, JOHN	611.45	08-45
173/7 C0386	TUTTLE, JASON	257.54	08-46
176/7 C0538	GREENE, JOAN	474.65	08-47
176/7 C0839	HIDALGO, JORGE	536.25	08-48
178/2 C0147	KROMP, THOMAS	613.49	08-49
178/290 C2140	CUMMINGS, PAUL	295.78	08-50
207/22.12	ABOUD, ELIAHU & VICTORIA	173.97	08-51
214/3.09	PAGLIO, THOMAS & DINA	386.17	08-52
223/12	ALARIO, CHARLES P.	806.48	08-53
255/21	ETKIN, JILL	386.17	08-54
299/106	KREGER, JACQUELINE& ARCHER, E	3,001.99	08-55
300/55	FILOMENO, MICHAEL & BRIDGETT	422.77	08-56
305/93	CIOFALO, JOHN T.	410.00	08-57
314/3	KLIMASHEVSKY, VALDIMIR & S.	215.75	08-58
315/9	BIRBACH, STEVEN	519.70	08-59
346/1	MOSKOWITZ, STEVEN & RONA	521.75	08-60
349/10	NAPOLI, JOSEPH & COLLEEN	506.82	08-61
359.01/19	OMANI, EMMANUEL KOFI PEPRA	346.67	08-62
360.02/18.11	BLEMAHDOO, COLUMBUS	356.77	08-63
392/27.03	SUKHMAN, ROBERT & GREGORY	296.25	08-64

396/1 C0234	CRUZ, JOSE G.	494.55	08-65
412/260	NOH, TAI & YOUNG	133.82	08-66
171/36.11	VELITSCHKOW, CRYSTAL	615.11	08-67
	TOTAL:	18,856.34	

RESOLUTION # 2008-183

WHEREAS, current sewer charges totaling \$3,701.43 have been paid by the lienholder of the Tax Sale certificates as per Schedule "A",

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$3,701.43 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

<u>CERT#</u>	<u>BLOCK/LOT</u>	<u>LIENHOLDER</u>	<u>AMOUNT</u>
TSC#07-32	202/4	Elliot Loeb - Keogh Plan	\$113.92
	75 Rockwell Circle		
TSC#08-3	116/2	Plymouth Park	153.80
	4 Nolan Road	Tax Services, LLC	
TSC#08-13	173/7 C0008	Plymouth Park	123.93
	8 Vassar Place	Tax Services, LLC	
TSC#08-32	392/28.04	Plymouth Park	155.75
	7 Molly Pitcher Road	Tax Services, LLC	
TSC#08-33	395/12	Plymouth Park	123.93
	5 Marigold Lane	Tax Services, LLC	
TSC#08-34	412.04/12	Edison Tax Services	123.93
	40 Kingfisher Court		
TSC#08-41	116/18	Approved Realty Group, LLC	237.82
	11 Lloyd Road		
TSC#08-42	120/20	Nasdom, LLC	153.31
	58 Tennent Road		
TSC#08-43	120.04/4	Approved Realty Group, LLC	192.58
	107 Bramble Drive		

TSC#08-45	123/2	Approved Realty Group, LLC	150.85
3 Tennent Road			
TSC#08-46	173/7 C0386	Approved Realty Group, LLC	123.93
386 Hampton Place			
TSC#08-48	176/7 C0839	Nasdom, LLC	197.69
839 Mariposa Court			
TSC#08-52	214/3.09	Approved Realty Group, LLC	123.93
3 Lee Court			
TSC#08-53	223/12	Approved Realty Group, LLC	123.92
13 North Main Street			
TSC#08-55	299/106	CCTS Tax Liens I, LLC	189.18
11 Clayton Road			
TSC#08-57	305/93	Nasdom, LLC	225.42
212 Tracy Drive			
TSC#08-58	314/3	CCTS Tax Liens I, LLC	155.75
31 Ottawa Road South			
TSC#08-59	315/9	CCTS Tax Liens I, LLC	123.93
50 Ottawa Road South			
TSC#08-60	346/1	Approved Realty Group, LLC	188.13
28 Collingwood Road			
TSC#08-61	349/10	Approved Realty Group, LLC	152.04
2 Eaton Court			
TSC#08-62	359.01/19	CCTS Tax Liens I, LLC	154.05
28 Witherspoon Way			
TSC#08-63	360.02/18.11	CCTS Tax Liens I, LLC	153.90
7 Clymer Court			
TSC#08-64	392/27.03	CCTS Tax Liens I, LLC	123.93
5 Rodeo Drive			
TSC#08-67	171/36.11	Elliot Loeb	135.81
4 Carmel Court			

TOTAL:	\$3,701.43
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