

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

October 21, 2010

The Marlboro Township Council held its regularly scheduled meeting on October 21, 2010 at 7:00 P.M. at the Marlboro Greens Clubhouse, 1 Ivy Hill Drive, Englishtown, NJ 07726.

Council President LaRocca opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regular 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 11, 2010; mailed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk. Notice of the change in location was given to the above on September 20, 2010.

The Clerk called the Roll.

PRESENT: Councilman Cantor Council Vice President Marder, Councilwoman Mazzola, Councilman Metzger and Council President LaRocca.

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

Councilman Metzger moved that the minutes of September 16 and September 30, 2010 be approved. This motion was seconded by Councilwoman Marder and passed on a roll call vote of 5-0.

Council President LaRocca opened the Public Hearing on Ordinance # 2010-23 (Conveyance of Development Easement B. 155, L. 13.03 - formerly McCarron Farm). As there was no one who wished to speak, the Public Hearing was closed. The following Res. # 2010-379/Ord. # 2010-23 (Conveyance of Development Easement B. 155, L. 13.03 - formerly McCarron

Farm) was introduced by reference, offered by Council Vice President Marder, seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-379

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

ORDINANCE # 2010-23

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO TO AUTHORIZE THE CONVEYANCE OF A DEVELOPMENT EASEMENT OVER THE PROPERTY KNOWN AS BLOCK 155, LOT 13.03, TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY TO THE MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD

which was introduced on September 16, 2010, public hearing held October 21, 2010, be adopted on second and final reading this 21st day of October, 2010.

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

Council President LaRocca opened the Public Hearing on Ordinance # 2010-24 (Authorizing Easement and Right of Way Agreement New Jersey Natural Gas). As there was no one who wished to speak, the Public Hearing was closed. The following Res. # 2010-380/Ord. # 2010-24 (Authorizing Easement and Right of Way Agreement New Jersey Natural Gas) was introduced by reference, offered by Councilman Metzger, seconded by Council President LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-380

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

ORDINANCE # 2010-24

AN ORDINANCE AUTHORIZING THE EXECUTION OF EASEMENT AND RIGHT-OF-WAY AGREEMENTS FROM THE TOWNSHIP OF MARLBORO AS SUCCESSOR-IN-INTEREST TO THE MARLBORO TOWNSHIP MUNICIPAL UTILITIES AUTHORITY TO THE NEW JERSEY NATURAL GAS COMPANY FOR THE PURPOSE OF INSTALLATION,

OPERATION AND MAINTENANCE OF A GAS PIPELINE AND  
TO JERSEY CENTRAL POWER & LIGHT COMPANY AND  
VERIZON OF NEW JERSEY, INC. FOR THE  
INSTALLATION, OPERATION AND MAINTENANCE OF  
UNDERGROUND PRIMARY WIRE

which was introduced on September 30, 2010, public hearing held October 21, 2010, be adopted on second and final reading this 21st day of October, 2010.

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

Council President LaRocca opened the Public Hearing on Ordinance # 2010-26 (Refunding Bond Ordinance). As there was no one who wished to speak, the Public Hearing was closed. The following Res. # 2010-381/Ord. # 2010-26 (Refunding Bond Ordinance) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-381

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

ORDINANCE # 2010-26

REFUNDING BOND ORDINANCE OF THE  
TOWNSHIP OF MARLBORO, IN THE COUNTY OF  
MONMOUTH, NEW JERSEY, PROVIDING FOR THE  
REFUNDING OF CERTAIN BONDS OF THE  
TOWNSHIP AND APPROPRIATING AN AMOUNT  
NOT EXCEEDING \$8,790,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF NOT TO  
EXCEED \$8,790,000 REFUNDING BONDS OF  
THE TOWNSHIP OF MARLBORO FOR FINANCING  
THE COST THEREOF

which was introduced on September 30, 2010, public hearing held October 21, 2010, be adopted on second and final reading this 21st day of October, 2010.

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

ORDINANCE # 2010-26

REFUNDING BOND ORDINANCE OF THE TOWNSHIP  
OF MARLBORO, IN THE COUNTY OF MONMOUTH,  
NEW JERSEY, PROVIDING FOR THE REFUNDING OF  
CERTAIN BONDS OF THE TOWNSHIP AND APPROPRIATING  
AN AMOUNT NOT EXCEEDING \$8,790,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED  
\$8,790,000 REFUNDING BONDS OF THE TOWNSHIP  
OF MARLBORO FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not  
less than two-thirds of all members thereof affirmatively  
concurring), AS FOLLOWS:

Section 1. The Township of Marlboro, in the County  
of Monmouth, New Jersey (the "Township"), is hereby  
authorized to refund all or a part of the Township's (i)  
\$518,000 of the Township's Bonds dated December 1, 1997,  
maturing on December 1 in the year 2011, such bonds being  
subject to redemption on any date on or after December 1,  
2008 at a redemption price of 100% of the maturing  
principal, plus accrued interest to the redemption date;  
(ii) \$3,183,000 of the Township's Bonds dated December 1,  
2001, maturing on December 1 in the years 2012 through  
2016, inclusive, such bonds being subject to redemption on  
any date on or after December 1, 2011 at a redemption price  
of 100% of the maturing principal, plus accrued interest to  
the redemption date; (iii) \$2,282,000 of the Township's  
Bonds dated December 1, 2002, maturing on December 1 in the  
years 2013 through 2018, inclusive, such bonds being  
subject to redemption on any date on or after December 1,  
2012 at a redemption price of 100% of the maturing  
principal, plus accrued interest to the redemption date;  
and (iv) \$1,277,000 of the Township's Bonds dated December  
18, 2003, maturing on December 1 in the years 2014 through  
2018, inclusive, such bonds being subject to redemption on  
any date on or after December 1, 2013 at a redemption price  
of 100% of the maturing principal, plus accrued interest to  
the redemption date.

Section 2. In order to finance the cost of the  
purpose described in Section 1 hereof, negotiable refunding  
bonds are hereby authorized to be issued in the principal  
amount not to exceed \$8,790,000 pursuant to the Local Bond  
Law.

Section 3. An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purpose of the refunding is to provide for savings in the debt service payable by the Township with respect to its outstanding obligations.

Section 5. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

The following Res. # 2010-382 (Soil Removal Bond Release - Commerce Bank) was introduced by reference, offered by Council Vice President Marder and seconded by Councilman Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-382

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES  
FOR THE PROPERTY KNOWN AS TD (Formerly COMMERCE)

BANK, 46 ROUTE 520, BLOCK 176, LOTS 34-36,  
MARLBORO TOWNSHIP, 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 a Township held Performance Guarantee in the form of a surety bond posted for soil removal operations on the property known as TD BANK, 46 Route 520, Block 176, Lots 34-36, Marlboro, New Jersey, (the "Site") posted by COMMERCE BANK (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated September 30, 2010 regarding the completion of the Improvements at the Site, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Performance Guarantee, in the form of a surety bond, No. 103341485 issued by Commerce Bank NA in the original and present amount of \$25,000.00 posted by the Developer and being held by the Township, be released in its entirety, conditioned upon the payment of all outstanding inspection fee charges to the time of bond release ; and

WHEREAS, the Township Council now wishes to accept the recommendation of the Township Engineer concerning the aforesaid Performance 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 current Performance Guarantee for the Site (as defined and described hereinabove), Surety Bond No. 103341485 issued by the Commerce Bank in the original and present amount of \$25,000.00 posted by the Developer (as defined and described hereinabove) and being held by the Township, be released in its entirety, conditioned upon the payment of all outstanding inspection fee charges to the time of bond release ; and

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

- a. Bradford Bohler, Bohler Engineering
- b. Callie Poole, TD Bank
- c. Mayor Jonathan L. Hornik
- d. Township Business Administrator
- e. Township Engineer
- f. Chief Financial Officer
- g. DeCotiis, FitzPatrick & Cole, LLP

The following Res. # 2010-383 (Approve and Endorse Acquisition of Development Easements by Mon. County Agriculture Development Board) was introduced by reference, offered by Council Vice President Marder and seconded by Councilman Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-383

A RESOLUTION AUTHORIZING THE EXPENDITURE OF  
MONIES AND ENDORSING THE ACQUISITION OF TWO  
DEVELOPMENT EASEMENTS WITH THE ASSISTANCE OF THE  
MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD

WHEREAS, the Township Council of the Township of Marlboro desires to preserve and maintain farmland and open space within the Township of Marlboro; and

WHEREAS, in order to preserve and maintain such lands, the Township has the intention of acquiring two (2) development easements ("Development Easements") pursuant to the Right to Farm Act and the Agriculture Retention and Development Act, that shall prevent commercial, residential or industrial development of such properties; and

WHEREAS, the majority of the funds to be used for the acquisition of the Development Easements shall be in the form of grants from the State Agriculture Development Committee ("SADC") and the Monmouth County Agriculture Development Board ("MCADB"), with Marlboro Township's expected share of the acquisition price to be between 16% and 20% for each easement; and

WHEREAS, in order to acquire the Development Easements, it shall be necessary for the Township to expend monies in excess of the cost of the acquisitions for necessary due diligence expenses before the acquisition can be funded by the SADC and the MCADB; and

WHEREAS, the Township Council of the Township of Marlboro deems the acquisition of the Development Easements to preserve and maintain farmland and open space within the Township of Marlboro to be in the interests of the public health and welfare; and

WHEREAS, the Township Council of the Township of Marlboro desires to approve the expenditure of funds in excess of the cost of acquiring the Development Easements in order to complete necessary due diligence investigation(s) so that grant monies from the SADC and the MCADB may be obtained.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Marlboro Township Governing Body intends to acquire two (2) Development Easements pursuant to the Right to Farm Act and the Agriculture Retention and Development Act in order to preserve and maintain farmland and open space within the Township of Marlboro, Monmouth County, New Jersey; and

BE IT FURTHER RESOLVED, that the expenditure of funds in excess of the cost of acquiring the Development Easements to complete necessary due diligence investigation(s) in order to obtain grant monies from the SADC and the MCADB be and is hereby approved and authorized, subject to the review and approval of the Marlboro Township Business Administrator; and

BE IT FURTHER RESOLVED, that such additional funds shall not exceed the bid threshold amount as set forth in the Local Public Contracts Law; and

BE IT FURTHER RESOLVED, that the tax revenues as generated by the Township expressly for the purpose of preserving farmland be made available to assist the County in the purchase of development easements at the rate specified within the Monmouth County Agriculture Development Board's 'Procedures Governing the Funding of Easement Purchases' policy adopted August 7, 2002; and

BE IT FURTHER RESOLVED that certified copies of the Resolution be sent to the Monmouth County Agriculture Development Board office, the Monmouth County Board of Chosen Freeholders, and the Marlboro Township Planning Board.

The following Res. # 2010-384 (Refund of Uniform Construction Code Fees) was introduced by reference, offered by Council Vice President Marder and seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-384

RESOLUTION AUTHORIZING REFUND OF PERMIT FEE FOR  
CONSTRUCTION OF NEW SINGLE FAMILY DWELLING

WHEREAS, in June, 2006, a permit was issued for construction of a new single family dwelling at 441 Edinburgh Pl., Block 193.13 Lot 87; and

WHEREAS, the permit has expired, the construction of the unit was never completed and only a foundation exists at this time; and

WHEREAS, a refund was requested by Yudit LLC, 22 Evan Drive, Morganville, NJ 07751; and

WHEREAS, in accordance with the Department of Community Affairs (DCA) guidelines, the Construction Code Official determined that the refund due is \$1,458.00, consisting of the total fees paid minus the DCA fees, plan review and the volume computation for the foundation; and

WHEREAS, the Construction Code Official recommends that a refund of \$1,458.00 be issued to Yudit, LLC.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the amount of \$1,458.00 be refunded to Yudit, LLC in accordance with DCA guidelines.

The following Res. # 2010-385 (Authorizing Application to Mon. County for Open Space Trust Funds (Amended)) was introduced by reference, offered by Council Vice President Marder and seconded by Council President LaRocca and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-385

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

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Township of Marlboro desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the acquisition of the Smith Farm property, 403 Tennent Road, Block 267, Lots 41 and 42; and

WHEREAS, the total cost of the project including all matching funds is \$1,800,000.00; and

WHEREAS, the Township of Marlboro will be holder of any interest acquired with County Open Space Trust Funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF MARLBORO THAT:

1. The Mayor is hereby authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Township of Marlboro is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal

Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and

4. Mayor Jonathan Hornik is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

The following Res. # 2010-386 (Authorization to Bid - Leaf Collection Service) was introduced by reference, offered by Council Vice President Marder and seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2010-386

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Business Administrator is hereby authorized and directed to advertise for open competitive bids for the following said work, and/or materials as required by law:

LEAF COLLECTION SERVICES

Council President LaRocca recused himself and left the room. As the consent agenda, the following Resolutions were introduced by reference, offered by Council Vice President Marder, seconded Councilman Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: Council President LaRocca): Res. # 2010-387 (Redemption Tax Sale Certs. - Various), #2010-388 (Canceling 2010 Taxes - Midway Mobile Homeowners' Assn.), Res. #2010-389 (Redemption Tax Sale Certs. - Various (2)), Res. #2010-390 (Refunds for Overpayments - Various), Res. #2010-391 (Raffle License Knights of Columbus Father McGivney Council #6392 Off Premise 50/50), Res. #2010-392 (Raffle License Temple Rodeph Torah - Casino Night) and Res. #2010-393 (Raffle License Solomon Schechter - On premise 50-50).

RESOLUTION # 2010-387

WHEREAS, the rightful owners of several properties

have redeemed tax sale certificates totaling \$46,679.79 as per Schedule "A",

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$46,679.79 refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

| <u>LIEN NO</u>              | <u>BLOCK/LOT</u> | <u>LIENHOLDER</u>   | <u>AMOUNT</u> |
|-----------------------------|------------------|---|---------------|
| 10-92<br>16 Jamesworthy Ct. | 214.03/12        | R. Rothman<br>411 Grand Ave.<br>Englewood, NJ 07631                           | \$ 21,355.79  |
| 10-137<br>Route 79          | 355/1            | Royal Tax Lien<br>Services, LLC<br>179 Washington Ln.<br>Jenkintown, PA 19046 | 25,324.00     |
|                             |                  |   | <hr/>         |
| TOTAL:                      |                  |   | \$46,679.79   |

RESOLUTION # 2010-388

RESOLUTION CANCELING 2010 TAXES ON THE PROPERTY LEASED BY THE MIDWAY MOBILE HOMEOWNERS' ASSOCIATION, INC. AT BLOCK 147, LOT 43 ON THE MARLBORO TOWNSHIP TAX MAP

WHEREAS, the Township of Marlboro is the record owner of Block 147, Lot 43 (the "property") on the Marlboro Township Tax Map; and

WHEREAS, the property is leased to the Midway Mobile Homeowner's Association, Inc. (the "tenant"), a Title 15A not for profit corporation, and is the site of the Hamilton Park Mobile Home Community; and

WHEREAS, in accordance with the Agreements executed concerning the said Property, a rental payment is to be made to the Township by the tenant in lieu of the payment

of real estate taxes, and therefore the 2010 real estate taxes assessed against the property must be canceled.

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

1. That the 2010 real estate taxes assessed against Block 147, Lot 43 on the Marlboro Township Tax Map, in the amount of \$19,546.36, are hereby canceled.
2. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Midway Mobile Homeowner's Association, Inc.
  - b. Kelly Hahn, Tax Collector
  - c. Mike Imbriaco, Tax Assessor

RESOLUTION # 2010-389

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$1,138.87 as per Schedule "A",

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$1,138.87 be refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

| <u>LIEN NO</u>             | <u>BLOCK/LOT</u> | <u>LIENHOLDER</u>   | <u>AMOUNT</u> |
|----------------------------|------------------|---|---------------|
| 10-148<br>61 Enclosure Dr. | 176.02/51        | Brian Walsh<br>111 Sandalwood Dr.<br>Marlboro, NJ 07746   | \$ 777.39     |
| 10-168<br>528 Tivoli Ct.   | 176/7 C0528      | US Bank Cust for<br>Pro Capital I, LLC<br>50 S. 16 <sup>th</sup> Street<br>Suite 1950<br>Philadelphia, PA 19102 | 361.48        |

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TOTAL: \$1,138.87

RESOLUTION # 2010-390

WHEREAS, the attached list in t he amount of \$2,452.33 known as Schedule "A", is comprised of amounts representing overpayments for 2010 taxes,

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

SCHEDULE "A"

| <u>BLOCK</u> | <u>LOT</u> | <u>ASSESSED OWNER</u>  | <u>2010 REFUND</u> |
|--------------|------------|--|--------------------|
| 249          | 5          | Goldzweig, Green, Eiger<br>& Biedzynski, LLC<br>4400 Route 9 South<br>Suite 2200<br>Freehold, NJ 07728<br>Former Assessed Owner:<br>Lieblich, Zahava | \$2,452.33         |

RESOLUTION # 2010-391

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 26-2010 (Off-Premise 50/50) be and it is hereby granted to Knights of Columbus Father McGivney Council #6392, P. O. Box 322, Lincroft, NJ 07738.

BE IT FURTHER RESOLVED that said Raffle will be held on December 17, 2010 at 7 PM at St. Gabriel's Church, 100 Main Street, Marlboro, N.J. 07746.

RESOLUTION # 2010-392

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License RL: 27-2010 be and it is hereby granted to Temple Rodeph Torah, 15 Mohawk Drive, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle (Non-draw - Casino Night) will be held on November 13, 2010 from 7:00 to 11:30PM at the Temple Rodeph Torah, 15 Mohawk Drive, Marlboro, New Jersey 07746.

RESOLUTION # 2010-393

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License RL: 28-2010 be and it is hereby granted to Solomon Schechter Day School of Greater Monmouth County, 22 School Road East, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle (On premise 50/50) will be held on November 18, 2010 from 6PM to 12AM at Solomon Schechter Day School, 22 School Road East, Marlboro, New Jersey 07746.

At 8:20PM, Council Vice President Marder moved that the meeting go into executive session for reason of discussing litigation. This was seconded by Councilwoman Mazzola, and as there was no objection, the Clerk was asked to cast one ballot. Recess was called, and the executive session resumed at 8:35 PM.

RESOLUTION # 2010-394

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 21st day of October, 2010 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely litigation.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 10 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 8:45 PM, Council President LaRocca moved that the meeting be opened. This was seconded by Councilman Metzger, and as there was no objection, the Clerk was asked to cast one ballot.

At 8:46 PM, Councilman Cantor moved that the meeting be adjourned. This was seconded by Councilman Metzger, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: November 10, 2010

OFFERED BY: Marder

AYES: 4

SECONDED BY: La Rocca

NAYS: 0

ABSENT: Metzger

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ALIDA MANCO  
MUNICIPAL CLERK

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FRANK LaROCCA  
COUNCIL PRESIDENT