

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

April 4, 2013

The Marlboro Township Council held its regularly scheduled Council Meeting on April 4, 2013 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President LaRocca 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 January 7, 2013; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building, filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

The Clerk called the Roll.

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

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

Councilman Metzger moved that the minutes of March 14, 2013 be approved. This was seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor.

The following Resolution #2013-138/Ordinance #2013-7 (Exceed Municipal Budget Appropriation Limits and to Establish a CAP Bank) was introduced by reference, offered by Council Vice President Marder and seconded by Councilman Metzger. Council President LaRocca opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. Res. #2013-138/Ord. #2013-7 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-138

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

ORDINANCE # 2013-7

CALENDAR YEAR 2013

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

which was introduced on March 14, 2013, public hearing held on April 4, 2013, be adopted on second and final reading this 4th day of April, 2013.

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

The following Resolution #2013-139/Ordinance #2013-8 (Bond Ordinance - General Capital Improvements) was introduced by reference, offered by Councilman Metzger and seconded by Council President LaRocca. Council President LaRocca opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. Res. #2013-139/Ord.#2013-8 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-139

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

ORDINANCE # 2013-8

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$3,081,900 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,927,800 IN BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

which was introduced on March 14, 2013, public hearing held on April 4, 2013, be adopted on second and final reading this 4th day of April, 2013.

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

ORDINANCE # 2013-8

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$3,081,900 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,927,800 IN BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$3,081,900, and including the aggregate sum of \$154,100 as the down payments for the improvements or purposes pursuant to the Local Bond Law. The down payments have been made available by virtue of the provision in a previously adopted budget or budgets for down payment or for capital improvement purposes.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,927,800 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (1) Purpose: acquisition of information and telecommunication equipment with a unit cost of less than \$5,000 for Central Computer Office, including, but not limited to, MS Licensing Enterprise Agreement, rack mount servers, server rack and UPS unit, firewall and network improvements hardware, annual PC and laptop replacement program, fiber optic link improvements,

replacement of laser printers and CAD/RMS bar code reader, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$230,685
Amount of Down Payment:	\$ 11,536
Maximum Amount of Bonds or Notes:	\$219,149
Period of Usefulness	5 years

- (2) Purpose: the reconstruction of various roads to a Class B standard, as provided in the Local Bond Law, including, but not limited to, improvements to Vanderburg Road, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$488,250
Amount of Down Payment:	\$ 24,413
Maximum Amount of Bonds or Notes:	\$463,837
Period of Usefulness	10 years

- (3) Purpose: inspection of and improvements to Rockwell Circle Dam, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$26,250
Amount of Down Payment:	\$ 1,313
Maximum Amount of Bonds or Notes:	\$24,937
Period of Usefulness	15 years

- (4) Purpose: improvements to Wyncrest Road sidewalk and bicycle lanes and Route 79 sidewalk, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$536,550
Amount of Down Payment:	\$ 26,828
Maximum Amount of Bonds or Notes:	\$509,722
Period of Usefulness	10 years

- (5) Purpose: miscellaneous capital drainage projects, including, but not limited to, submission of stream cleaning permit and drainage improvements on Nolan Road and up to Freneau, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$105,000
Amount of Down Payment:	\$ 5,250
Maximum Amount of Bonds or Notes:	\$ 99,750
Period of Usefulness	15 years

- (6) Purpose: acquisition of ambulance for Emergency Medical Services and SUV and emergency equipment for Police Department, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$236,250
Amount of Down Payment:	\$ 11,813
Maximum Amount of Bonds or Notes:	\$224,437
Period of Usefulness	5 years

- (7) Purpose: acquisition of traffic control and enforcement equipment and removable up-fitting costs for police vehicles, including, but not limited to, siren, LED marker lights, prisoner partitions and consoles, computer mounts and computers and modems, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$106,634
Amount of Down Payment:	\$ 5,332
Maximum Amount of Bonds or Notes:	\$101,302
Period of Usefulness	15 years

- (8) Purpose: acquisition of equipment and upgrades to emergency shelter, including but not limited to, generator and equipment for emergency operations response, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$287,700
Amount of Down Payment:	\$ 14,385
Maximum Amount of Bonds or Notes:	\$273,315
Period of Usefulness	15 years

- (9) Purpose: acquisition of automotive vehicles for the Public Works Department, excluding passenger cars and station wagons, including, but not limited to, dump truck and plow and spreader and refurbished packer dump body, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$199,500
Amount of Down Payment:	\$ 9,976
Maximum Amount of Bonds or Notes:	\$189,524
Period of Usefulness	5 years

- (10) Purpose: acquisition of equipment for the Public Works Department, including, but not limited to, front end loader, zero turn mower and infield grooming machine, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$338,100
Amount of Down Payment:	\$ 16,905
Maximum Amount of Bonds or Notes:	\$321,195
Period of Usefulness	15 years

- (11) Purpose: various improvements to Class B (as provided in the Local Bond Law) municipal buildings, including, but not limited to, replacement of HVAC motors, boilers and package units, installation of new circulating motors, new boilers, new package units and air handlers, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$217,017
Amount of Down Payment:	\$ 10,851
Maximum Amount of Bonds or Notes:	\$206,166
Period of Usefulness	15 years

- (12) Purpose: improvements to H and L Soccer Fields, including, but not limited to, acquisition, installation and construction of an irrigation system and well, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$300,935
Amount of Down Payment:	\$ 15,047
Maximum Amount of Bonds or Notes:	\$285,888
Period of Usefulness	15 years

- (13) Purpose: acquisition of replacement pagers, and including all work and materials necessary therefore and incidental thereto.

Appropriation and Estimated Cost:	\$9,029
Amount of Down Payment:	\$ 451
Maximum Amount of Bonds or Notes:	\$8,578
Period of Usefulness	5 years

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than

one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.14 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local

Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,927,800, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$522,415 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this 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 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is approved.

The following Resolution #2013-140/Ordinance #2013-9 (Bond Ordinance - Recreation and Swim Utility Capital Improvements) was introduced by reference, offered by Council President LaRocca and seconded by Council Vice President Marder. Council President LaRocca opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. Res. #2013-140/Ord. #2013-9 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-140

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

ORDINANCE # 2013-9

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO THE RECREATION AND SWIM UTILITY IN THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$71,085 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$71,085 IN BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

which was introduced on March 14, 2013, public hearing held on April 4, 2013, be adopted on second and final reading this 4th day of April, 2013.

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

ORDINANCE # 2013-9

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO THE RECREATION AND SWIM UTILITY IN THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$71,085 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$71,085 IN BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$71,085. No down payment is required in connection with the improvements or purposes for which obligations are authorized as provided in Section 3 hereof as said purposes are deemed to be self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$71,085 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for improvements to the Swim Club, including, but not limited to, replacement of 3-bay sink, replacement of cracked cement squares, installation of hot water in bathrooms, installation of swim lanes, acquisition of pool chemical analyzers, replacement of filter pumps, construction of storage shed for camp, replacement of awning, replacement of building siding, replacement of electric grill, improvements to pool lighting and installation of electric meter, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such

rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$71,085, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$3,385 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-46 and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this 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 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The following Resolution #2013-141/Ordinance #2013-10 (Bond Ordinance - Water Utility Capital Improvements) was introduced by reference, offered by Council Vice President Marder and seconded by Council President LaRocca. Council President LaRocca opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. Res. #2013-141/Ord.#2013-10 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-141

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

ORDINANCE # 2013-10

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO THE WATER UTILITY SYSTEM IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$682,550 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$682,550 IN WATER UTILITY BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

which was introduced on March 14, 2013, public hearing held on April 4, 2013, be adopted on second and final reading this 4th day of April, 2013.

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

ORDINANCE # 2013-10

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO THE WATER UTILITY SYSTEM IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$682,550 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$682,550 IN WATER UTILITY BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$682,550. No down payment is required in connection with the improvements or purposes for which obligations are authorized as provided in Section 3 hereof as said purposes are deemed to be self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$682,550 pursuant to the Local

Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.(a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued are rehabilitation of water treatment plant lagoon, well redevelopment and rehabilitation, major capital emergency repairs (outside contractors), in-house materials for major capital repairs, including, but not limited to, hydrants, valves, and pipes, and upgrade electric service and install generator at Harbor Road Treatment Plant, and including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the

Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$682,550, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$100,050 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-46 and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this 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 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is approved.

The following Resolution #2013-142/Ordinance #2013-11 (Amending Chapter 320 - Solid Waste Services - Hours of Operation) was introduced by reference, offered by Councilman Cantor and seconded by Council Vice President Marder. Council President LaRocca opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. Res. #2013-142/ordinance #2013-11 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-142

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

ORDINANCE # 2013-11

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 320 "SOLID WASTE SERVICES", ARTICLE II "SOLID WASTE HAULERS", SECTION 8(B) "REQUIREMENTS FOR VEHICLES USED FOR COLLECTION AND TRANSPORT OF SOLID WASTES" OF THE CODE OF THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

which was introduced on March 14, 2013, public hearing held on April 4, 2013, be adopted on second and final reading this 4th day of April, 2013.

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

The following Resolution #2013-143 (Authorizing Professional Services Contract - Appraiser for Tax Appeals) 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 # 2013-143

A RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT BETWEEN SOCKLER REALTY
SERVICES AND THE TOWNSHIP OF MARLBORO FOR VARIOUS
APPRAISAL SERVICES

WHEREAS, the Township of Marlboro is in need of professional appraisal services in connection with the defense of tax appeals; and

WHEREAS, the Township has requested proposals through a fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township received a proposal dated November 27, 2012 for appraisal services (the "Proposal") from Sockler Realty Services (the "Business Entity") which sets forth the terms and conditions under which such services are to be rendered by the Business Entity under a contract to be awarded pursuant to a fair and open process; and

WHEREAS, the Business Entity provided a breakdown of fees in a letter dated March 28, 2013 in response to the Tax Assessor's request; and

WHEREAS, in a letter dated March 28, 2013, the Tax Assessor recommends the selection of Sockler Realty Services, and a budget for appraisal services in support of the defense of tax appeals in the amount of \$15,000.00 for 2013; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # 01-201-20-045-288; and

WHEREAS, the Business Entity has completed and submitted a Business Entity Disclosure Certification certifying that the Business Entity has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Chapter 18 or to N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate Marlboro Township Code Chapter 18 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 the 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 awards a Professional Services Contract to the firm of SOCKLER REALTY SERVICES, 299 WARD STREET, SUITE C, HIGHTSTOWN, NJ 08520 to provide appraisal services to the Township of Marlboro pursuant to a 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 the rates specified in the Proposal in a total amount not to exceed \$15,000.00; 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. That notice of the award of this contract shall be published as required by law; and

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

- a. SOCKLER REALTY SERVICES
- b. Township Administrator
- c. Township Tax Assessor
- d. Township Chief Financial Officer

The following Resolution #2013-144 (Amending Fees for Long Term Special Duty Assignments for Police Officers - through end of school year) was introduced by reference, offered by Councilman Cantor, seconded by Council Vice President Marder, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-144

A RESOLUTION AMENDING FEES FOR LONG TERM SPECIAL
DUTY ASSIGNMENTS FOR POLICE OFFICERS

WHEREAS, various entities operating within the Township of Marlboro from time to time request assistance from members of the Township of Marlboro Division of Police to perform special duty assignment services; and

WHEREAS, it is deemed to be in the interest of the public safety that personnel specially trained to undertake such policing activities be used in performance of such duties; and

WHEREAS, such services are considered a "special duty assignment from independent contractors" pursuant to Section 4-98(E) of the Code of the Township of Marlboro and as such is exempt from the Fair Labor Standards Act; and

WHEREAS, Section 4-98(E)(6) of the Code of the Township of Marlboro provides that the charges for all extra duty services provided by the Police shall be set forth in a resolution adopted by the Township Council; and

WHEREAS, said charges were initially established by Resolution #2000-105, amended by Resolutions #2007-81, #2008-125 and #2013-50; and

WHEREAS, the Division of Police has recommended that the hourly billing rates for special duty assignments for long term on-going police services for the Marlboro Board of Education through June 30, 2013 shall be amended as follows:

\$29.75 per hour; and

WHEREAS, the Chief of Police has reported that these amended rates have been agreed to by the collective bargaining units of the affected employees; and

WHEREAS, such assignments are to be approved through the Chief of Police or his designee and are subject to all other provisions of Section 4-98(C) of the Code of the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that effective upon passage hereof, the rates for special duty assignments for long term on-going police services for the Marlboro Board of Education through June 30, 2013 shall be amended and established at \$29.75 per hour; and

BE IT FURTHER RESOLVED, that the same rates and services will be made available for such special duty assignments for long term on-going police services to other similarly situated applicants, subject to available manpower and the at the direction of the Chief of Police; and

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

- a. Business Administrator
- b. Chief Financial Officer
- c. Chief of Police
- d. Marlboro Board of Education

As the consent agenda, the following resolutions were introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Marder and passed on a roll call vote of 5 - 0 in favor: Res. #2013-145 (Authorizing State Contract Purchase of Dell Equipment), Res. #2013-146 (Authorizing Contract - Police Uniform Dry Cleaning), Res. #2013-147 (Authorizing Reimbursement/ Police Cars/MCIA 2013), Res. #2013-148 (Authorizing Water Install. Payment Agreement - Arpaia), Res. #2013-149 (Redemption Tax Sale Certs - Various), Res. #2013-150 (Refunds to WMUA).

RESOLUTION # 2013-145

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #70256
TO DELL MARKETING L.P. FOR THE PURCHASE OF COMPUTERS
FOR THE TOWNSHIP OF MARLBORO IT DEPARTMENT

WHEREAS, the Township of Marlboro Division of Information Technology ("IT") is in need of new computers, servers, laptops and related equipment, approved as part of the 2011 (033-1) and 2012 capital programs (033-2,3,6,7,8); and

WHEREAS, Marlboro IT has recommended that the Township purchase the needed equipment from Dell Marketing L.P., One Dell Way, RR8 - Box 8724, Round Rock, Texas 78682 under State Contract #70256 in an amount not to exceed \$155,979.47; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Building Department to obtain the computers from Dell Marketing L.P.; and

WHEREAS, funds are available in Accounts 04-215-05-36A-033297, 04-215-07-12I-033297, 04-215-11-02I-033297, 04-215-12-08C-033297, 04-215-12-08D-033297 for an amount not to exceed \$155,979.47 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 IT 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 the IT equipment from Dell Marketing L.P., One Dell Way, RR8 - Box 8724, Round Rock, Texas 78682 under State Contract #70256 in an amount not to exceed \$155,979.47; and

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

- a. Dell Marketing, L.P.
- b. Township Administration
- c. Township Chief Information Officer
- d. Township Chief Financial Officer

RESOLUTION # 2013-146

A RESOLUTION AWARDING CONTRACT TO SUNRISE CLEANERS FOR
MAINTENANCE OF POLICE UNIFORMS FOR THE MARLBORO
TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Township of Marlboro is contractually obligated to maintain the uniforms of its uniformed officers; and

WHEREAS, the Township of Marlboro authorized the acceptance of bids for MAINTENANCE OF POLICE UNIFORMS, and on June 19, 2012, received no bids therefore; and

WHEREAS, the Township of Marlboro authorized the acceptance of bids for MAINTENANCE OF POLICE UNIFORMS, and on July 17, 2012, received no bids therefore; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), if bids have been advertised pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4) on two occasions and no bids have been received on both occasions in response to the advertisement, such contract may then be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract; and

WHEREAS, the Township solicited quotations for the MAINTENANCE OF POLICE UNIFORMS, and received three (3) responses as follows:

COMPANY	QUOTATION
Sunrise Cleaners, 460 County Road 520, Marlboro, NJ Incumbent	\$1,820/mo. plus alterations
My Greener Dry Cleaner, 87 South Main Street, Marlboro, NJ	\$2,311/mo. plus alterations
Marlboro Cleaners, 81C South Main Street, Marlboro, NJ	\$3,500/mo. plus alterations

WHEREAS, Sunrise Cleaners is the incumbent vendor and has performed satisfactorily to date according to the Chief of Police; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Police Department as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Sunrise Cleaners whose address is 460 County Road 520, Marlboro, NJ FOR THE MAINTENANCE OF POLICE UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT for a period of one year in an amount not to exceed \$22,320.00.

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

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$9,300.00 are available for the aforesaid contract in 2-01- -106-288.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$13,020.00 are available for the aforesaid contract in 01-201-25-106-288641.

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

- a. Sunrise Cleaners
- b. Township Business Administrator
- c. Chief of Police
- d. Chief Financial Officer

RESOLUTION # 2013-147

RESOLUTION OF THE TOWNSHIP OF MARLBORO, IN
THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
AUTHORIZING PARTICIPATION IN THE BOND
FINANCING PROGRAM OF THE MONMOUTH COUNTY
IMPROVEMENT AUTHORITY AND DECLARING THE
TOWNSHIP'S OFFICIAL INTENT TO BE REIMBURSED
FROM BOND PROCEEDS

WHEREAS, the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Local Unit"), desires to finance the cost of five (5) police cars (the "Local Unit Project"); and

WHEREAS, the Local Unit desires to enter into a lease agreement (the "Lease Agreement") with The Monmouth County Improvement Authority (the "MCIA") to acquire and permanently finance the Local Unit Project; and

WHEREAS, the Local Unit has reviewed the Bond Financing Program proposed by the MCIA, whereby the Local Unit would enter into the Lease Agreement through the Bond Financing Program of the MCIA; and

WHEREAS, the Local Unit believes that participation in the MCIA's Bond Financing Program will benefit the Local Unit due to reduced interest costs as a result of a guaranty by the County of Monmouth, State of New Jersey (the "County Guaranty") on the debt service of the MCIA Bond Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of economic crisis, is of utmost importance to its community and accordingly, the Local Unit desires to enter into the Lease Agreement through the Bond Financing Program of the MCIA.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF MARLBORO THAT:

Section 1. The Local Unit hereby authorizes the Local Unit's participation in the MCIA Bond Financing Program.

Section 2. The Local Unit consents to the MCIA's application to the Local Finance Board in the Division of Local Government Services of the New Jersey Department of Community Affairs in connection with the Bond Financing Program.

Section 3. (a) The Local Unit reasonably expects to reimburse its expenditure of costs of the Local Unit Project paid

prior to the issuance of the bonds to be issued by MCIA pursuant to the MCIA's Bond Financing Program (the "MCIA's Bonds") with proceeds of the MCIA's Bonds.

(b) This resolution is intended to be and hereby is a declaration of official intent to reimburse the expenditures for Project Costs paid prior to the issuance of the MCIA's Bonds with the proceeds of the MCIA's Bonds in accordance with Treasury Regulations Section 1.150-2.

(c) The maximum principal amount of the MCIA's Bonds expected to be issued to finance the Local Unit Project is \$170,000, which Bonds may be issued in one or more series and in one or more transactions over the next three years.

(d) The costs of the Local Unit Project to be reimbursed with the proceeds of the MCIA's Bonds will be "capital expenditures" in accordance with the meaning of the Internal Revenue Code of 1986, as amended (the "Code").

(e) No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the MCIA's Bonds used to reimburse costs of the Local Unit Project, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds," including "sinking funds," "pledged funds," or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations Section 1.148-1) of the MCIA's Bonds or another issue of debt obligations of the MCIA or the Township, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations Section 1.148-1).

(f) All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the MCIA's Bonds is paid, or (ii) the date the Local Unit Project is "placed in service" (within the meaning of Treasury Regulations Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 4. This resolution shall take effect immediately.

RESOLUTION # 2013-148

RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE TOWNSHIP OF MARLBORO TO ENTER INTO AN INSTALLMENT PAYMENT AGREEMENT FOR THE COLLECTION/PAYMENT OF DELINQUENT WATER SERVICE CHARGES

WHEREAS, the provisions of *N.J.S.A. 40A:31-12* empower the governing body of a local municipal unit to authorize the payment and liquidation of delinquent water service charges on an installment basis in accordance with the provisions of *N.J.S.A. 54:5-19*; and

WHEREAS, the provisions of *N.J.S.A. 54:5-19* authorize installment payment agreements to be entered into between a municipal tax collector and the owner or owners of real property for the payment of property tax arrears and other charges that would constitute a lien against real property, including delinquent water service charges, provided that any such agreement is authorized by a general or special resolution, duly adopted by the municipal governing body, and provided, further, that the terms of any such agreement comply with the requirements and limitations set forth in *N.J.S.A. 54:5-19*; and

WHEREAS, MICHAEL ARPAIA, the owner of 20 Quebec Road, which is designated as Block 334, Lot 7 on the Official Tax Map of the Township of Marlboro (hereinafter referred to as "Customer"), is a customer of the Marlboro Township Water Utility Division, receiving water service under Account Number C05190 and Account ID Number 17205; and

WHEREAS, Customer has a delinquent Account balance of \$2,249.11, which is attributable to water service for the quarterly bills commencing as of December 1, 2012 through March 1, 2013; and

WHEREAS, Customer has asserted a financial hardship with respect to the payment of the aforementioned past due water charges and has made a request for an installment payment plan in order to retire and fully pay said obligation; and

WHEREAS, Kelly A. Hahn, the Marlboro Township Tax Collector has requested approval from the Township Council of the Township of Marlboro to enter into an installment payment agreement with Customer and has presented a proposed form of agreement to the Township Council for review and consideration; and

WHEREAS, the aforesaid installment payment agreement, a copy of which is attached hereto as Exhibit A, complies with the provisions of *N.J.S.A. 54:5-19*, in that the agreement makes adequate provision for:

- The complete payment of all arrearages within the maximum period of time specified in the statute;
- The accrual, assessment, and payment of all statutory interest, as well as all administrative and delinquent charges, to which the Township of Marlboro is entitled;

- The prompt payment of all installments of arrears, as well as the prompt payment of future water service charges as same become due and owing;
- The termination of the installment payment arrangement in the event of any default by the Customer in complying with the terms of the agreement, including failure to remit all payments promptly, in which event the lien for outstanding water service charges shall be enforced as provided by law; and
- The right and entitlement of the Township of Marlboro to pursue all statutory and lawful remedies against the Customer in the event of a default, including, without limitation, the discontinuance of water service to the Customer's real property; and

WHEREAS, the Township of Marlboro wishes to acknowledge and accept the Customer's declaration of financial hardship, with the goal of collecting 100% of the amount due and owing to the Township in a reasonable, practical, and efficient manner;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Marlboro that authorization is hereby given to Kelly A. Hahn, the Tax Collector of Marlboro Township, to enter into an installment payment agreement with Customer for the payment of past due water service charges totaling \$9,021.30, with the form of the agreement being substantially similar to that attached hereto and made a part hereof as Exhibit A; and

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

- a. Jonathan A. Capp, Business Administrator
- b. Kelly A. Hahn, Tax Collector
- c. Michael Arpaia (Customer)

RESOLUTION # 2013-149

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$ 17,044.42 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 \$ \$ 17,044.42 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>
2012-095 18 Susan Drive	312/43	Jack or Inna Gelin 1662 East 24 th Street Brooklyn, NY 11229 Assessed Owners: Fierro, Ralph A. & Roberta R.	1,887.74
2012-051 189 Nantucket Place	178/2 C0189	Bulkwark Systems, LLC 22 Emily Road Manalapan, NJ 07726 Assessed Owners: Lee, Kyung K.	1,590.04
10-138 11 S. Main Street	355/16	Royal Tax Lien Services 179 Washington Lane Jenkintown, PA 19046 Assessed Owners: Bernstein, Todd	13,566.64
TOTAL:			17,044.42

RESOLUTION # 2013-150

WHEREAS, delinquent sewer charges totaling \$ 1,605.61 has been paid to the township on behalf of Western Monmouth Utilities Authority to avoid tax sale 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 \$ 1,605.61 be refunded to Western Monmouth Utilities Authority.

Schedule "A"

<u>SEWER ACCT#</u>	<u>BLOCK/LOT</u>	<u>PAYEE/PROPERTY LOC.</u>	<u>AMT.</u>
10548	125/4	Phoenix Funding, Inc. 16 Wilson Avenue	162.69
23518	253/38	Marlboro Twp. BOE 1980 Township Drive	233.00
22717	214.03/4	MTAG Cust. for ATCF II NJ 2 Lowery Lane	540.53
13751	268/79	Arky's Auto Sales 77 Route 520	299.32

23916	219/3	Stuart H. Lasher 26 Hudson Street	205.63
21968	412/307/C0037	Stuart H. Lasher 37 Thrasher Street	164.44
TOTAL:			1,605.61

At 8:20PM, Councilwoman Mazzola moved that the meeting go into executive session for reason of contract negotiations. This was seconded by Councilman Metzger, and the following resolution #2013-151 (Closed Session) was passed on a roll call vote of 5 - 0 in favor. Recess was called and the closed session resumed at 8:30 PM.

RESOLUTION # 2013-151

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 4th day of April, 2013 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely contract negotiations.

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 5 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action will be taken following the executive session.

At 8:35 PM, Council President LaRocca moved that the meeting be opened. This was seconded by Council Vice President Marder and as there was no objection, the Clerk was asked to cast one ballot.

The following Resolution #2013-152 (Authorizing Memorandum of Agreement - FOP Lodge 15 - Sgts & Lts) was introduced by reference, offered by Councilman Cantor, seconded by Council President LaRocca, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-152

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND FOP LODGE 15 (SERGEANTS AND LIEUTENANTS)

WHEREAS, the Township and Fraternal Order of Police Lodge 15 Sergeants and Lieutenants ("FOP") are parties to a collective bargaining agreement that expired on December 31, 2012; and

WHEREAS, the Township and FOP engaged in negotiations for a successor collective bargaining agreement to cover employees in the FOP; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement that expired on December 31, 2012, for an extended term of January 1, 2013 through December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and FOP, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that expired on December 31, 2012; and

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement; and

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

- a. FOP (SERGEANTS AND LIEUTENANTS) LODGE 15
- b. Chief Financial Officer
- c. Chief of Police

At 8:37PM, Councilwoman Mazzola moved that the meeting be adjourned. This was seconded by Council Vice President Marder, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: MAY 2, 2013

OFFERED BY: Mazzola AYES: 5

SECONDED BY: Metzger NAYS: 0

ALIDA MANCO,
MUNICIPAL CLERK

FRANK LaROCCA,
COUNCIL PRESIDENT