

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

December 5, 2013

The Marlboro Township Council held its regularly scheduled Council Meeting on December 5, 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: Louis N. Rainone, Esq., Business Administrator Jonathan Capp, Municipal Clerk Alida Manco and Deputy Municipal Clerk Deborah Usalowicz.

The following Resolution #2013-336/Ordinance #2013-21 (Adopting N.J.S.A. 19:44A-1 et seq) was introduced by reference, offered by Council President LaRocca and seconded by Councilman Metzger. As there was no one who wished to speak, the Public Hearing was closed. Res. #2013-336/Ord.#2013-21 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-336

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

ORDINANCE # 2013-21

AN ORDINANCE ADOPTING N.J.S.A 19:44A-1 ET SEQ.

which was introduced on November 14, 2013, public hearing held November 14, 2013, be adopted on second and final reading this 5th day of December, 2013.

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

The following Resolution #2013-337 (Setting 2014 Reorganization Meeting - January 2, 2014 - 6 PM) was introduced by reference, offered by Council Vice President Marder and seconded by Councilwoman Mazzola and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-337

BE IT RESOLVED by the Township Council of the Township of Marlboro that it will hold its Reorganization Meeting on January 2, 2014 at 6 PM at the Town Hall, 1979 Township Drive, Marlboro, New Jersey 07746.

Council Vice President Marder recused herself and left the room. The following Resolution #2013-338 (Amend Contract Legal Services Ethics Board) was introduced by reference, offered by Councilwoman Mazzola and seconded by Councilman Cantor and was passed on a roll call vote of 4 - 0 in favor (Absent: Marder).

RESOLUTION # 2013-338

RESOLUTION AMENDING A PROFESSIONAL SERVICES CONTRACT WITH KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC FOR ETHICS BOARD COUNSEL SERVICES FOR THE TOWNSHIP OF MARLBORO FOR THE YEAR 2013

WHEREAS, on January 3, 2013, the Township Council adopted resolution 2013-012 authorizing a contract for ETHICS BOARD ATTORNEY for the period of January 1, 2013 through December 31, 2013; and

WHEREAS, said contract was awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, in a letter dated September 23, 2013, the Chairman of the Ethics Board has requested an increase in the contract amount of \$2,850.00 due to ongoing proceedings regarding the case of Dean v. Marder; and

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves an amendment to the Professional Services Contract with KENNETH BIEDZYNSKI, ESQ. OF THE FIRM GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4, increasing the contract not to exceed amount by \$2,850.00; and

2. The Chief Financial Officer has certified that sufficient funds in the amount of \$2,850.00 are available for the aforesaid contract in current account 01-201-20-050-226; and

3. That a certified copy of this Resolution shall be provided to each of the following:

- a. Goldzweig, Green, Eiger & Biedzynski, LLC
- b. Township Chief Financial Officer
- c. Township Ethics Board

The following Resolution #2013-339 (Approve and Endorse the Acquisition of an Agricultural Development Easement by the Monmouth County Agriculture Development Board - Baymar Farm) was introduced by reference, offered by Council Vice President Marder and seconded by Councilman Cantor and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-339

RESOLUTION OF THE TOWNSHIP OF MARLBORO TO APPROVE AND ENDORSE THE ACQUISITION OF AN AGRICULTURAL DEVELOPMENT EASEMENT BY THE MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD SMITH (BAYMAR) - BLOCK 171 LOT 52.02

WHEREAS, the Monmouth County Agriculture Development Board is considering the purchase of an agricultural development easement on a property located in the Township of Marlboro, more specifically identified as:

James and Elvira Smith, Block 171 Lot 52.02 in Marlboro Township, comprising approximately 27.5 acres, with one

proposed 3-acre nonseverable exception, one single-family residence, and 0 agriculture labor housing units

WHEREAS, N.J.A.C. 2:76-6.7 requires the governing body to review applications for the purchase of agricultural development easements as a condition of receiving State Agriculture Development Committee grant funds; and

WHEREAS, the Municipal Council of the Township of Marlboro is aware of the future restrictions on property protected from development as a result of the purchase of an agricultural development easement in accordance with the Right to Farm Act and the Agriculture Retention and Development Act; and

WHEREAS, on August 9, 2012, the Municipal Council of the Township of Marlboro adopted Resolution 2012-286 endorsing the acquisition of this agricultural development easement; and

WHEREAS, the Monmouth County Agriculture Development Board has established a policy of requiring local cost share commitment for all easement purchases; and

WHEREAS, the purchase price of the agricultural easement is \$18,500 per acre and the certified market value is \$14,000 per acre; and

WHEREAS, Marlboro's anticipated cost share would be 36.43% of the total consideration, or \$6,740.00 per acre; and

WHEREAS, the landowners will be requesting an application amendment to shift the nonseverable exception area to the east, further away from the utility right of way; and

WHEREAS, no installment purchase is anticipated; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # in the amount of \$185,350.00; and

NOW, THEREFORE, BE IT RESOLVED that the Township of Marlboro, County of Monmouth, State of New Jersey does hereby approve and endorse the acquisition of the development easement on Block 171 Lot 52.02, comprising 27.5 acres with one proposed nonseverable exception, one single-family residence and zero agricultural labor housing units.

BE IT FURTHER RESOLVED that the Municipal Council hereby approves of the use of funds dedicated to the preservation of farmland and open space to assist the County in the purchase of the agricultural development easement on the property specifically identified as "James and Elvira Smith, Block 171 Lot 52.02 in Marlboro Township" 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 that the estimated cost and Municipal Share is subject to adjustment.

BE IT FURTHER RESOLVED that two certified copies of the Resolution be sent to the Monmouth County Agriculture Development Board office and one copy each to the Marlboro Township Planning Board, Tax Assessor and Tax Collector.

As the consent agenda, the following resolutions were introduced by reference, offered by Councilman Metzger, seconded by Council President LaRocca and passed on a roll call vote of 5 - 0 in favor: Res. #2013-340 (Authorizing the Sale of Surplus Municipal Personal Property not needed for Public Use by Public On-Line Auction); Res. #2013-341 (Authorizing application Drive Sober or Get Pulled Over Grant), Res. #2013-342 (One Year Contract Renewal - Curbside Bulk Pick-up). Res. #2013-343 (One Year Contract Renewal - Water Meters), Res. #2013-344 (One Year Contract Renewal - Sodium Chloride/Solar Salt), Res. #2013-345 (One Year Contract Renewal - Printing Services), Res. #2013-346 (Award of County Coop Contract - De-Icing Material), Res. #2013-347 (Renewal 2014 Monmouth JIF Membership), Res. #2013-348 (Redemption Tax Sale Certs - Various), Res. #2013-349 (Authorizing Lien for Overgrown Vegetation - 72 Church Road), Res. #2013-350 (Authorizing Lien for Overgrown Vegetation - 23 Woodbrook Drive). Res/ #2013-351 (Authorizing Lien for Overgrown Vegetation - 14 Molly Pitcher Road), Res. #2013-352 (Authorizing Lien for Overgrown Vegetation - 7 Park Lane), Res. #2013-353 (Authorizing Lien for Overgrown Vegetation - 71 Wyncrest Road), Res. #2013-354 (Authorizing Lien for Overgrown Vegetation - 12 Colony Drive) and #2013-355 (Authorizing Lien for Overgrown Vegetation - 42 Wicker Place), Res. #2013-356 (Authorizing Lien for Overgrown Vegetation - 18 Whistler Way), Res. #2013-357 (Authorizing Lien for Overgrown Vegetation - 319 Bayview Drive), Res. #2013-359 (Authorizing Lien for Overgrown Vegetation - 28 Collingwood Road), Res. #2013-360 (Authorizing Lien for Overgrown Vegetation - 30 Duncan Drive) and Res. #2013-361 (Authorizing Lien for Overgrown Vegetation - 35 Stony Hill Drive).

RESOLUTION # 2013-340

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS  
MUNICIPAL PERSONAL PROPERTY NOT NEEDED FOR  
PUBLIC USE BY PUBLIC ON-LINE AUCTION

WHEREAS, pursuant to N.J.S.A. 40A:11-36, a municipality may, by resolution, authorize the sale of its personal property not needed for public use; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services ("DCA") has issued Local Finance Notice 2008-9 ("LFN-2008-9") which permits a municipality to sell its personal property not needed for public use on-line; and

WHEREAS, LFN-2008-9 sets forth procedural guidelines regarding the use of a on-line public auction for the sale of such municipal personal property not needed for public use; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro deem that it is in the best interests of the Township of Marlboro to sell the Township's personal property not needed for public use using the on-line auction process set forth in LFN-2008-9; and

WHEREAS, govdeals.com is one of the internet based vendors approved by the DCA to carry out on-line auctions of municipal property not needed for public use.

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:

1. The Township hereby determines that its personal property described on Exhibit "A" attached hereto and made a part hereof and entitled "Surplus Property of the Township of Marlboro" and dated December 5, 2013 is personal property no longer needed for public use by the Township of Marlboro; and
2. The Township further determines that such surplus personal property listed on Exhibit "A" shall be sold by auction on-line by govdeals.com; and

3. The sale of such surplus property listed on Exhibit "A" shall be conducted pursuant to the procedures set forth in Local Finance Notice 2008-9; and
4. The terms and conditions of the Agreement between the Township of Marlboro and govdeals.com are available for public viewing at the website of govdeals.com and on file in the Clerk's Office of the Township of Marlboro; and
5. The Mayor or Business Administrator and Township Clerk are hereby authorized to execute and witness, respectively, the On-Line Auction Agreement and any other documents required to effectuate the sale of the Township's surplus personal property described in Exhibit "A"; and
6. The Township Clerk shall, pursuant to the terms of N.J.S.A. 40A:11-36, publish a legal newspaper advertisement informing the public as to the nature of the surplus property being sold and how to obtain more information on the internet based sale in the official newspaper of the Township of Marlboro as follows:
  - a. An announcement of the auction and that the item(s) shall be sold on-line;
  - b. the internet address for the sale being advertised;
  - c. the date and time of the auction and a general description of the surplus personal property intended to be sold, however specific
  - d. information for particular items, such as the VIN number for vehicles, is not required is not required in the newspaper advertisement; and
  - e. a statement that bidders must pre-register with the approved internet based vendor and the internet address with registration information.

7. Pursuant to N.J.S.A. 40A:11-36, sales shall be held not less than seven (7) nor more than fourteen (14) days after the latest publication of the advertisement.

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

- a. govdeals.com
- b. Mayor Jonathan Hornik

- c. Chief Financial Officer
- d. Division of Local Government Services,  
Department of Community Affairs

RESOLUTION # 2013-341

SUPPORTING THE DRIVE SOBER OR GET PULLED OVER  
2013 YEAR END STATEWIDE CRACKDOWN GRANT

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 19% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2013 Year End Statewide Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 6, 2013 through January 2, 2014; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadway.

NOW, THEREFORE, BE IT RESOLVED that Marlboro Township declares its support for the *Drive Sober or Get Pulled Over 2013 Year End Holiday Statewide Crackdown* from December 6, 2013 through January 2, 2014; and pledges to increase awareness of the dangers of drinking and driving.

RESOLUTION # 2013-342

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO FREEHOLD CARTAGE,  
INC. FOR COMMUNITY SPRING BULK PICK-UP AND DISPOSAL FOR  
THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on April 12, 2012 (R.2012-163) the Municipal Council of the Township of Marlboro awarded a contract to

FREEHOLD CARTAGE, INC. for COMMUNITY SPRING BULK PICK-UP AND DISPOSAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, the bid specifications included the option to renew said contract for two additional one-year periods; and

WHEREAS, on January 24, 2013 (R.2013-057) the Township renewed the contract for the first optional one-year renewal period for the term beginning January 1, 2013 through December 31, 2013; and

WHEREAS, FREEHOLD CARTAGE, INC.'S bid price for optional year 2014 is \$131,000.00 for Pick-Up and Transport and \$77,500.00 for Disposal for a total not to exceed \$208,500.00; and

WHEREAS, the Director of the Department of Public Works has recommended that the Township approve a one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to FREEHOLD CARTAGE, INC. whose address is 825 Highway 33, Freehold, NJ 07728 for a period of one year beginning on January 1, 2014 through December 31, 2014, in a total amount not to exceed \$208,500.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with FREEHOLD CARTAGE, INC. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that funds in the amount of \$208,500.00 will be certified from account number 01-201-26-117-233112 at the time of the adoption of the 2014 municipal budget; and

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

- a. FREEHOLD CARTAGE, INC.
- b. Township Business Administrator
- c. Department of Public Works

RESOLUTION # 2013-343

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO HD SUPPLY WATERWORKS, LTD. FOR THE SUPPLY OF WATER METERS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on December 8, 2011 (R.2011-390) the Municipal Council of the Township of Marlboro awarded a contract to HD SUPPLY WATERWORKS, LTD. for the SUPPLY OF WATER METERS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

WHEREAS, the bid specifications included the option to renew said contract for an additional one-year period on the same terms and conditions as specified in the bid proposal; and

WHEREAS, the Director of the Department of Public Works has recommended that the Township approve a one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to HD SUPPLY WATERWORKS, LTD. whose address is 61 Gross Avenue, Edison, NJ 08837 for a period of one year beginning on January 1, 2014 through December 31, 2014, in a total amount not to exceed \$210,000.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with HD SUPPLY WATERWORKS, LTD. in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that funds in the amount of \$210,000.00 will be certified from at the time of the adoption of the 2014 municipal budget; and

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

- a. HD SUPPLY WATERWORKS, LTD.
- b. Township Business Administrator
- c. Department of Public Works

RESOLUTION # 2013-344

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO OCEANPORT, LLC FOR THE SUPPLY OF SODIUM CHLORIDE (SOLAR SALT) FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on December 8, 2011 (R.2011-394) the Municipal Council of the Township of Marlboro awarded a contract to OCEANPORT, LLC for the SUPPLY OF SODIUM CHLORIDE (SOLAR SALT) FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

WHEREAS, the bid specifications included the option to renew said contract for an additional one-year period on the same terms and conditions as specified in the bid proposal; and

WHEREAS, the Director of the Department of Public Works has recommended that the Township approve a one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to OCEANPORT, LLC whose address is 6200 Philadelphia Pike, PO Box 608, Claymont, DE 19703 for a period of one year beginning on January 1, 2014 through December 31, 2014, in a total amount not to exceed \$27,345.00; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with OCEANPORT, LLC in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that funds in the amount of \$27,345.00 will be certified from account number 05-201-55-500-293020 at the time of the adoption of the 2014 municipal budget; and

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

- a. OCEANPORT, LLC
- b. Township Business Administrator
- c. Department of Public Works

RESOLUTION # 2013-345

A RESOLUTION AWARDING YEAR 2 OF CONTRACT TO CRAFTMASTER PRINTING, INC., MGL PRINTING SOLUTIONS, AND URNER BARRY PUBLICATIONS FOR PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro authorized the acceptance of bids for PRINTING-DIRECT MAILING SERVICES FOR THE TOWNSHIP OF MARLBORO, and on January 24, 2013 (R. 2013-054) authorized the award of contracts to the lowest responsible bidders as follows:

	MGL Printing Solutions New Providence, NJ	Craftmaster Printing, Inc., Neptune City, NJ	Urner Barry Publications, Inc., Bayville, NJ
SECTION A: ENVELOPES	0.00	8,132.75	12,457.00
SECTION B: BUSINESS CARDS	0.00	2,209.00	2,949.00
SECTION C: LETTERHEAD	0.00	183.75	270.00
SECTION D: FORMS (ALL DEPTS EXCEPT TAX COLLECTOR, WATER & COURT ITEMS D25 & D26)	0.00	11,333.50	23,812.25
SECTION D: FORMS (TAX COLLECTOR)	2,895.00	3,217.00	4,739.00
SECTION D: FORMS (COURT ITEMS D25 & D26 & WATER)	1,905.00	457.20	5,194.00
SECTION E: BOOKLETS/BROCHURES (REC SR, RECREATION ITEMS E4 & E5 & DRUG ALLIANCE)	0.00	1,680.00	1,065.00
SECTION E: BOOKLETS/BROCHURES (RECREATION ITEMS E2 & E3, POLICE & MAYOR)	0.00	6,514.00	3,923.00
SECTION F: POSTERS/SIGNS	0.00	2,051.00	144.00
SECTION G: STICKERS	0.00	1,553.75	1,647.00
SECTION H: COPIES	0.00	1,941.00	4,050.00
SECTION I: MISCELLANEOUS (ASSESSOR, COLLECTOR, RECREATION ITEMS I8 & I9, & SWIM)	0.00	8,546.50	6,915.00
SECTION I: MISCELLANEOUS (EDC, POLICE, ENGINEERING, MAYOR & RECREATION ITEMS I14, I15 & I16)	0.00	1,760.00	1,266.00
SECTION J: PRINT/MAILING	0.00	0.00	27,887.50
NOT TO EXCEED:	2,895.00	37,631.25	38,270.50

; and

WHEREAS, the bid specifications included the option to renew said contracts for one two-year or two one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, the Department of Administration recommends that the Township extend the contracts for an additional year for the period of January 1, 2014 through December 31, 2014 at the contract unit prices; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Craftmaster Printing, Inc. in an amount not to exceed \$37,631.25, MGL Printing Solutions in an amount not to exceed \$2,895.00, and Urner Barry Publications, Inc. in an amount not to exceed \$38,270.50 for PRINTING-DIRECT MAILING SERVICES for the period January 1, 2014 through December 31, 2014; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with Craftmaster Printing, Inc. 2024 Corlies Avenue, Neptune City, NJ 07753, MGL Printing Solutions, 154 South Street, New Providence, NJ 07974, and Urner Barry Publications, Inc., 182 Queens Blvd., Bayville, NJ 08721, in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that funds will be certified by the Chief Financial Officer in 2014 upon adoption of the 2014 budget; and

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

- a. Craftmaster Printing, Inc.
- b. MGL Printing Solutions
- c. Urner Barry Publications, Inc.
- d. Township Business Administrator
- e. Township Chief Financial Officer

RESOLUTION # 2013-346

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION OF DE-ICING MATERIAL (SODIUM CHLORIDE) THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township is authorized to purchase de-icing material (sodium chloride) from bids obtained from a cooperative pricing system such as the Monmouth County Cooperative Purchasing Program pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded a contract to

International Salt Company of Clarks Summit, PA, for the provision of de-icing material (sodium chloride) at a price of \$54.68 per ton; and

WHEREAS, the Public Works Department has indicated that International Salt Company has agreed to extend the pricing provided to Monmouth County to Marlboro Township through the Monmouth County Cooperative Purchasing Program; and

WHEREAS, at this time, the Public Works Department has recommended the award of contract for 2,000 tons of material at the contract price for a total not to exceed \$109,360.00; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase de-icing material (sodium chloride); and

WHEREAS, funds in the amount of \$109,360.00 for this purpose will be certified by the Chief Financial Officer in Account 01-201-26-119-292106 at the time of adoption of the 2014 budget; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of 2,000 tons of de-icing material (sodium chloride) from the International Salt Company, at a price of \$54.68 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$109,360.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 2,000 tons of de-icing material (sodium chloride) from the International Salt Company, at a price of \$54.68 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$109,360.00; and

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

- a. International Salt Company, Clarks Summit, PA
- b. Township Administrator
- c. Township Public Works Department

RESOLUTION # 2013-347

A RESOLUTION AUTHORIZING THE RENEWAL OF MEMBERSHIP  
IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Township of Marlboro ("Municipality") is a member of the Monmouth Municipal Joint Insurance Fund ("Fund"); and

WHEREAS, said renewed membership terminates as of December 31, 2013 unless renewed earlier by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership.

WHEREAS, the Monmouth County Joint Insurance Fund has issued an endorsement to the policy effective January 1, 2014; and

WHEREAS, the Municipality desires to accept the endorsement for the 2014 year for the terms and conditions set forth in the annexed Schedule "A".

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Township of Marlboro agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages and operating procedures thereof of as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk are hereby authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

RESOLUTION # 2013-348

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$106,555.38 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 \$106,555.38 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>
2013-135 4 Ike Court	412.01/63	US BANK FOR TOWER DBW 50 S. 16 <sup>TH</sup> ST. Suite 1950 TOW Philadelphia, PA 19102 Assessed Owner: Two Thousand Twenty Properties, LLC	60,569.95
2013-078 25 Girard Street	225/214	Bulwark Systems, LLC 22 Emily Road Manalapan, NJ 07726 Assessed Owners: Rosenburg, Vicki S.	2,778.25
11-63 4 Dickinson Lane	283/2	Income One 1350 Beverly Road Suite 115-316 McLean, VA 22101 Assessed Owners: Schone, Dennis J. & Donna A	43,207.18
TOTAL:			106,555.38

RESOLUTION # 2013-349

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 72 CHURCH ROAD, (BLOCK 304, LOT 9), MORGANVILLE, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 72 Church Road (Block 304, Lot 9) and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a

nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 72 Church Road (Block 304, Lot 9) at a total cost of \$118.66; and

WHEREAS, it is recommended that the amount of \$118.66 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 72 Church Road (Block 304, Lot 9) in the amount of \$118.66 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-350

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS  
OVERGROWN VEGETATION AND THE RECORDING OF A LIEN  
BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT  
23 WOODBROOK DRIVE (BLOCK 143, LOT 17),  
MARLBORO TWP., NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 23 Woodbrook Drive (Block 143, Lot 17); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278 Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 23 Woodbrook Drive (Block 143, Lot 17) at a total cost of \$166.49; and

WHEREAS, it is recommended that the amount of \$166.49 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 23 Woodbrook Drive (Block 143, Lot 17) in the amount of \$166.49 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-351

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 14 MOLLY PITCHER ROAD (BLOCK 392, LOT 28.09), MARLBORO TWP., NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 14 Molly Pitcher Road, Block 392, Lot 28.09); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278 Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 14 Molloy Pitcher Road, (Bock 392, Lot 28.09) at a total cost of \$140.03; and

WHEREAS, it is recommended that the amount of \$140.03 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 14 Molly Pitcher Road (Block 392, Lot 28.09) in the amount

of \$140.03 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-352

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 7 PARK LANE (BLOCK 299, LOT 141), MORGANVILLE, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 7 Park Lane (Block 299, Lot 141); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 7 Park Lane (Block 299, Lot 141) at a total cost of \$199.79; and

WHEREAS, it is recommended that the amount of \$199.79 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 7 Park Lane (Block 299, Lot 141) in the amount of \$199.79 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-353

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 71 WYNCREST ROAD, (BLOCK 243, LOT 16), MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 71 Wyncrest Road (Block 243, Lot 16); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 71 Wyncrest Road (Block 243, Lot 16) at a total cost of \$166.81; and

WHEREAS, it is recommended that the amount of \$166.81 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 71 Wyncrest Road (Block 243, Lot 16) in the amount of \$166.81 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-354

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 12 COLONY DRIVE (BLOCK 420, LOT 28), MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 12 Colony Drive (Block 420, Lot 28); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278 Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 12 Colony Drive (Block 420, Lot 28) at a total cost of \$520.72; and

WHEREAS, it is recommended that the amount of \$520.72 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 12 Colony Drive (Block 420, Lot 28) in the amount of \$520.72 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-355

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS  
OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX  
COLLECTOR ON THE PROPERTY LOCATED AT 42 WICKER PLACE  
(BLOCK 109, LOT 5), MORGANVILLE, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 42 Wicker Place (Block 109, Lot 5); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 42 Wicker Place (Block 109, Lot 5) at a total cost of \$193.03; and

WHEREAS, it is recommended that the amount of \$193.03 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 42 Wicker Place, (Block 109, Lot 5 in the amount of \$193.03 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-356

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 18 WHISTLER WAY (BLOCK 392.02, LOT 6), MORGANVILLE, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 18 Whistler Way, Block 392.02, Lot 6); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278 Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 18 Whistler Way, Bock 392.02, Lot 6) at a total cost of \$131.63; and

WHEREAS, it is recommended that the amount of \$131.63 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 18 Whistler Way, (Block 392.02, Lot 6) in the amount of \$131.63 reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-357

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 319 BAYVIEW DRIVE (BLOCK 153, LOT 62.06), MORGANVILLE, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 319 BAYVIEW DRIVE (BLOCK 153, LOT 62.06); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 319 BAYVIEW DRIVE (BLOCK 153, LOT 62.06) at a total cost of \$453.54; and

WHEREAS, it is recommended that the amount of \$453.54 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 319 BAYVIEW DRIVE (BLOCK 153, LOT 62.06) in the amount of \$453.54 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-359

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 28 COLLINGWOOD ROAD (BLOCK 346, LOT 1), MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 28 Collingwood Road (Block 346, Lot 1); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at Collingwood Road (Block 346, Lot 1) at a total cost of \$315.04; and

WHEREAS, it is recommended that the amount of \$315.04 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as Collingwood Road (Block 346, Lot 1) in the amount of \$315.04 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which

shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-360

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 30 DUNCAN DRIVE (BLOCK 301, LOT 36), MORGANVILLE, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 30 Duncan Drive (Block 301, Lot 36); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 30 Duncan Drive (Block 301, Lot 36) at a total cost of \$428.19; and

WHEREAS, it is recommended that the amount of \$428.19 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 30 Duncan Drive (Block 301, Lot 36) in the amount of \$428.19 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION # 2013-361

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX

COLLECTOR ON THE PROPERTY LOCATED AT 35 STONY HILL DRIVE  
(BLOCK 192, LOT 4), MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Zoning Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 35 Stony Hill Road (Block 192, Lot 4); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 188 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 35 Stony Hill Road (Block 192, Lot 4) at a total cost of \$166.49; and

WHEREAS, it is recommended that the amount of \$ 166.49 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 35 Stony Hill Road (Block 192, Lot 4) in the amount of \$166.49 the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

At 8:00PM, Council Vice President Marder moved that the meeting go into executive session for reason of discussing litigation. This was seconded by Councilman Metzger, and the following resolution #2013-362 (Closed Session) was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2013-362

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 5th day of December, 2013 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 20 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. No action will be taken following the executive session.

At 8:20PM, Councilman Metzger 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.

At 8:21PM, Councilman Metzger 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: December 19, 2013

OFFERED BY: Metzger                      AYES:              5

SECONDED BY: Cantor                      NAYS:              0

---

ALIDA MANCO,  
MUNICIPAL CLERK

---

FRANK LaROCCA,  
COUNCIL PRESIDENT