

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

February 20, 2014

The Marlboro Township Council held its regularly scheduled Council Meeting on February 20, 2014 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Metzger opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regular meetings of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 6, 2014; 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, Councilman LaRocca, Councilwoman Marder, Council Vice President Mazzola and Council President Metzger.

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

Councilman Cantor recused himself and left the room. Council President Metzger opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2014-92/Ordinance #2014-1 (Amending Chapter 24 - Emergency Service Providers - LOSAP Point System) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2014-92

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

ORDINANCE # 2014-1

AN ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "EMERGENCY SERVICE PROVIDERS"

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

Council President Metzger opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2014-93/Ordinance #2014-2 (Amending Various Fees - Alcoholic Beverages; Recreation; Water Charges) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-93

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

ORDINANCE # 2014-2

AN ORDINANCE AMENDING AND SUPPLEMENTING LICENSING AND PERMITTING FEES FOR: ALCOHOLIC BEVERAGES; PARKS AND RECREATION; AND PARKS AND RECREATION FACILITIES AND WATER CUSTOMERS CHARGES OF THE CODE OF THE TOWNSHIP OF MARLBORO

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

Council President Metzger opened the Public Hearing on the ordinance. Dan Matarese - 485 Texas Road - asked various questions regarding the useful life and cost of the bond. After the Public Hearing was held and closed, the following Resolution #2014-94/Ordinance #2014-3 (Bond Ordinance - General Capital Improvements) was introduced by reference, offered by Councilman Cantor and

seconded by Councilman LaRocca and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-94

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

ORDINANCE # 2014-3

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$3,343,449 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,176,278 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

ORDINANCE # 2014-3

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$3,343,449 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,176,278 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively 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, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,343,449, and further including the

aggregate sum of \$167,171 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,176,278 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. 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 estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
<u>A) Central Computer Office</u> The Annual PC and Laptop Replacement Program and MS Licensing Enterprise Agreement and the acquisition of video distribution and display devices, rack mount servers and firewall and network improvement hardware, including all related costs and expenditures incidental thereto.	\$142,740	\$135,603	5 years

<p><u>B) Engineering Department</u> 1) The Road Improvement Program, sidewalk improvements to Monmouth County Route 520 and Wyncrest (East Side) from Route 79 to 520, and improvements to Texas Road and Amboy Road, including all work and materials necessary therefor and incidental thereto.</p>	\$1,764,014	\$1,675,813	10 years
<p>2) Improvements and inspection of Rockwell Circle Dam and improvements to 19 Freneau Drive Head wall, including all work and materials necessary therefor and incidental thereto.</p>	\$291,200	\$276,640	40 years
<p><u>C) Police Department</u> 1) The acquisition of personal protective gas masks, weapons systems and accessories, ballistic protective equipment and defibrillators, including all related costs and expenditures incidental thereto.</p>	\$48,981	\$46,533	5 years
<p>2) The acquisition of traffic control and enforcement equipment, including all related costs and expenditures incidental thereto.</p>	\$11,700	\$11,115	10 years
<p>3) The acquisition of vehicle fleet equipment and Sports Utility Vehicle equipment, including all related</p>	\$170,758	\$162,220	15 years

costs and expenditures incidental thereto.			
D) <u>Emergency Management Service Civil Defense</u> Traffic control emergency power upgrade, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$21,840	\$20,748	15 years
E) <u>Road Maintenance</u> The acquisition of a dump truck and plow/spreader, a backhoe and a claw bucket, including all related costs and expenditures incidental thereto.	\$338,000	\$321,100	5 years
F) <u>Vehicle Maintenance</u> 1) The refurbishment of trucks, including all work and materials necessary therefor and incidental thereto.	\$15,600	\$14,820	5 years
2) The acquisition of various mechanic's equipment, including but not limited to a tire changer, a tire balancer, an air compressor, a tire pressure monitoring kit, a plasma cutter, a heavy duty truck scan kit, and a diesel fuel storage tank, including all related costs and	\$119,600	\$113,620	15 years

expenditures incidental thereto.			
G) <u>Buildings and Grounds</u> 1) Building improvements to public properties: HVAC upgrades, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$156,000	\$148,200	15 years
2) Building improvements to public properties: Roof repairs to Municipal Complex, including all work and materials necessary therefor and incidental thereto.	\$93,600	\$88,920	20 years
H) <u>Parks and Recreation</u> 1) The acquisition of a truck and plow, including all related costs and expenditures incidental thereto.	\$62,400	\$59,280	5 years
2) The acquisition of a landscape trailer and a zero turn mower, including all related costs and expenditures incidental thereto.	\$23,400	\$22,230	15 years
I) <u>Municipal Court</u> The acquisition of a digital recording annotation system, including all related costs and expenditures	\$5,741	\$5,454	10 years

incidental thereto.			
J) <u>911 Expenses</u> 1) The acquisition of mobile and portable radios, a base station SPEN network, and pagers and the relocation of the radio antenna, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$46,675	\$44,342	10 years
2) The acquisition of workstations, including all related costs and expenditures incidental thereto.	<u>\$31,200</u>	<u>\$29,640</u>	7 years
TOTALS:	<u>\$3,343,449</u>	<u>\$3,176,278</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation 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 bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that 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 benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.69 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 \$3,176,278, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$598,094 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 purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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 ARule@) 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. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this 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 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council President Metzger opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2014-95/Ordinance #2014-4 (Bond Ordinance - Recreation and Swim Capital Improvements) was introduced by reference, offered by Councilwoman Marder and seconded by Council President Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-95

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

ORDINANCE # 2014-4

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE RECREATION AND SWIM UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$773,530 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$773,530 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

ORDINANCE # 2014-4

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE RECREATION AND SWIM UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$773,530 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$773,530 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

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

Section 1. The improvement 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"). For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$773,530, including a grant from the Monmouth County Municipal Open Space Grant Program in the amount of \$250,000 (the "Grant"). No down payment is required as the purpose authorized herein is deemed 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 and in anticipation of receipt of the Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$773,530 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 improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various improvements to the Swim Club, including, but not limited to, reconstruction of the ballfield and tennis courts, coating and striping of the handball courts and installation of chain link fence around the handball court, 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 bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation 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 bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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. It is an improvement or purpose that the Township may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted 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 bond anticipation notes provided in this bond ordinance by

\$773,530, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$113,530 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 purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for purposes 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:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose 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 but not issued hereunder shall be reduced to the extent that such funds are so used.

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. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this 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 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council President Metzger opened the Public Hearing on the ordinance. As there was no who wished to speak, the Public Hearing was closed. The following Resolution #2014-96/Ordinance #2014-5 (Bond Ordinance - Water Capital Improvements) was introduced by reference, offered by Councilman LaRocca, seconded by Council Vice President Mazzola and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-96

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

ORDINANCE # 2014-5

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$770,440 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$770,440 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

ORDINANCE # 2014-5

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$770,440 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$770,440 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

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

Section 1. The improvements 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"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$770,440. No down payment is required as the purposes authorized herein are deemed 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 improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$770,440 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. 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 estimated maximum amount of bonds or bond anticipation notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of a pickup truck and plow, including all related costs and expenditures incidental thereto.	\$41,200	\$41,200	5 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
b) The replacement of meters, GIS mapping of water infrastructure and regulatory and risk management water engineering projects, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$375,950	\$375,950	15 years
c) The rehabilitation and redevelopment of wells, the upgrade/rehabilitation of Tennent Road water tank and Nolan Road water tank, in-house materials for repairs, including, but not limited to, hydrants, valves and pipes, and emergency repairs (outside contractors), including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$353,290	\$353,290	40 years
TOTALS	\$770,440	\$770,440	

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation 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 bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 25.92 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 \$770,440, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$137,440 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 purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose 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 but not issued hereunder shall be reduced to the extent that such funds are so used.

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. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this 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 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council President Metzger opened the Public Hearing on the ordinance. As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2014-97/Ordinance #2014-6 (Bond Ordinance - Construction of New Water Treatment Plant) was introduced by reference, offered by Council Vice President Mazzola and seconded by Councilwoman Marder and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-97

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

ORDINANCE # 2014-6

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE CONSTRUCTION OF A NEW WATER TREATMENT PLANT IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$11,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$11,500,000 IN WATER UTILITY BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

ORDINANCE # 2014-6

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE CONSTRUCTION OF A NEW WATER TREATMENT PLANT IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$11,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$11,500,000 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 \$11,500,000. No down payment is required in connection with the improvement or purpose for which obligations are authorized as provided in Section 3 hereof as said purpose is 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 \$11,500,000 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 the construction of a new water treatment plant on Harbor Road in the

Township to replace the existing facility, 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 40 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 \$11,500,000, 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 \$2,425,000 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).

(f) The Township reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose 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.

Council President Metzger opened the Public Hearing on the ordinance. After the Public Hearing was held and closed, the following Resolution #2014-98/Ordinance #2014-8 (Authorizing Acquisition of Tennent Road Parcel - Block 172, Lot 48) was introduced by reference, offered by Councilwoman Marder, seconded by Council President Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-98

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

ORDINANCE # 2014-8

AN ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY LOCATED ON TENNENT ROAD, MARLBORO, NEW JERSEY, ALSO KNOWN AS BLOCK 172, LOT 48 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO,

MONMOUTH COUNTY, NEW JERSEY, FOR THE PURPOSE OF OPEN SPACE
PRESERVATION AND FOR RECREATION

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

Council President Metzger opened the Public Hearing on the ordinance. After the public hearing was held and closed, the following Resolution #2014-99/Ordinance #2014-9 (Ordinance Fixing the Salary of Superintendent of Public Works) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilwoman Marder and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-99

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

ORDINANCE # 2014-9

AN ORDINANCE FIXING THE SALARY OF
THE SUPERINTENDENT OF PUBLIC WORKS

which was introduced on February 6, 2014, public hearing held on February 20, 2014, be adopted on second and final reading this 20th day of February, 2014.

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

The following Resolution #2014-100 (Authorizing Contract - Phase I Environmental Study - Tennent Road Parcel - B 172, L 48) was introduced by reference, offered by Councilman Cantor, seconded by Council President Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-100

A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP

OF MARLBORO FOR THE PROVISION OF ENVIRONMENTAL ENGINEERING
SERVICES IN CONNECTION WITH BLOCK 172 LOT 48
LOCATED ON TENNENT ROAD

WHEREAS, the Township authorized the purchase of the property on Tennent Road, Marlboro, New Jersey, also known as Block 172, Lot 48 ("Property"), for the public purposes of open space preservation and for recreation within the Township of Marlboro; and

WHEREAS, the Township is required to complete a Preliminary Assessment and Site Inspection (PASI) in order for the acquisition to be eligible for 50% reimbursement under the Planning Incentive Grant program; and

WHEREAS, CME Associates has provided a proposal dated January 7, 2014 (the "Proposal") for such Professional Services in connection with the Project; and

WHEREAS, the Township of Marlboro and CME Associates have entered into a Professional Services Contract, awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services (as defined hereinabove) for the Project at a fee not to exceed \$6,500.00 for such Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

WHEREAS, the Township desires to meet the Green Acres grant conditions by completing the Preliminary Assessment and Site Inspection (PASI); and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose from Account # 04-215-11-04A-140291; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with CME Associates to provide the required additional Professional Services for the Project in accordance with the Proposal; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, CME has previously completed and submitted a Business Entity Disclosure Certificate certifying that CME Associates has not made any reportable contributions that would bar the award of a contract N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate the law will be made during the term of the contract.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include BLOCK 172 LOT 48 LOCATED ON TENNENT ROAD ("Professional Services"), at a fee not to exceed \$6,500.00 for such Professional Services, as further described and set forth in CME's Proposal dated January 7, 2014, be and is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Clerk to witness, in a form legally acceptable to the Township Attorney, the Professional Services Contract described herein; and

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$6,500.00 for such additional Professional Services for the Project as described in the Proposal; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that a copy of the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED, notice of award of the Professional Services Contract shall be published pursuant to law, and a certified copy of this Resolution shall be provided to each of the following:

- a. CME Associates, 1460 Route 9 South, Howell, NJ 07731
- b. Township Administrator
- c. Township Chief Financial Officer

The following Resolution #2014-101 (Bond Reduction Chelsea Square) was introduced by reference, offered by Councilman LaRocca, and seconded by Council President Metzger. CME Engineer Trevor Taylor addressed Council's questions, after which the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-101

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES
FOR THE SITE KNOWN AS CHELSEA SQUARE, BLOCK 132, LOT 12.01,
NJ STATE HIGHWAY ROUTE 79, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Dan Werbler for a reduction in the Township held Performance Guarantees in the form of a Bond and cash deposit for site improvements ("Public Improvements") on the Site known as "Chelsea Square" (the "Site"), property known as Block 132, Lot 12.01, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Chelsea Commons, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated February 10, 2014, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a partial reduction be made in the current Bond and cash deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee Bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated February 10, 2014.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Bond and cash deposit posted by the Developer, Chelsea Commons, LLC, for the site known as Chelsea Square located on property known as Block 132, Lot 12.01, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Bond (Bond Safeguard Insurance Company, Bond No. 5016275), in the original amount of \$2,970,831.59, and present value of \$2,271,034.31, shall be reduced by \$718,536.42, so that the remaining amount shall be \$1,552,497.89.
2. The Cash Deposit, in the original amount of \$330,092.40, and present amount of \$252,337.15 (excludes accrued interest) shall be reduced by \$79,837.38, so that the amount to remain shall be \$172,499.77;
3. The Bond (Bond Safeguard Insurance Company, Bond No. 5016276, in the original amount of \$2,681,691.62, and present value of \$1,387,629.00, shall be reduced by \$374,561.19, so that the remaining amount shall be \$1,013,067.81.
4. The Cash Deposit, in the original amount of \$290,965.73, and present amount of \$154,181.00 (excludes accrued interest) shall be reduced by \$41,617.91, so that the amount to remain shall be \$112,563.09; and

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the posting of any and all outstanding review and/or inspections fees required by the Planning Board and/or Township and the resolution of any valid homeowners' complaints; and

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

- a. Chelsea Commons
- b. Bond Safeguard Insurance Company
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer

The following Resolution #2014-102 (Authorizing Contract Concord Engineering for Municipal Facility Energy Audit (BPU Grant)) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman LaRocca and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-102

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT
BETWEEN CONCORD ENGINEERING GROUP AND THE TOWNSHIP OF
MARLBORO FOR THE PROVISION OF AN ENERGY AUDIT OF THE
MARLBORO TOWNSHIP FACILITIES IN CONNECTION WITH THE NJ
BOARD OF PUBLIC UTILITIES' LOCAL GOVERNMENT
ENERGY AUDIT PROGRAM

WHEREAS, on July 18, 2013 (R.2013-235) the Governing Body of the Township of Marlboro approved the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities; and

WHEREAS, on November 27, 2013 the Township of Marlboro requested sealed proposals from the five (5) audit firms prequalified by the State of New Jersey to be received no later than December 12, 2013 and subsequently received four (4) proposals as follows; and

AUDIT FIRM	TOTAL
Concord Engineering Group, Voorhees, NJ	\$21,465.00
CDM Smith, Woodbury, NY	\$27,310.00
Clough Harbour and Associates, LLP ("CHA"), Parsippany, NJ	\$41,138.00
Steven Winter Associates, Inc., North Brunswick, NJ	\$54,166.00

; and

WHEREAS, the Township has reviewed the proposals received and selected the low quote responder, CONCORD ENGINEERING GROUP to perform an energy audit of various Township facilities; and

WHEREAS, as required under the Local Government Energy Audit Program, the Township has received written approval to award to CONCORD ENGINEERING GROUP to perform the energy audit services (attached); and

WHEREAS, payment for services under this contract will be made directly by the Local Government Energy Audit Program, and, as such, no certification of funds is required.

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 Contract to the firm of CONCORD ENGINEERING GROUP, 520 SOUTH BURNT MILL ROAD, VOORHEES, NJ 08043 for the provision of an energy audit of the Marlboro Township facilities; and

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

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

- a. CONCORD ENGINEERING
- b. New Jersey's Clean Energy Program
c/o TRC Energy Services
- c. Township Administrator
- d. Township Chief Financial Officer

The following Resolution #2014-103 (Confirming Appointment of Superintendent of Public Works) was introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-103

A RESOLUTION CONFIRMING THE MAYOR'S
APPOINTMENT OF ANTHONY R. ARECCHI AS SUPERINTENDENT
OF PUBLIC WORKS FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro is in need of a Superintendent of Public Works; and

WHEREAS, Mayor Jonathan L. Hornik has appointed ANTHONY R. ARECCHI as the Superintendent of Public Works for the Township of Marlboro; and

WHEREAS, ANTHONY R. ARECCHI is qualified to perform the services as Superintendent of Public Works in accordance with the Township Code and State law; and

WHEREAS, pursuant to law, the appointment of ANTHONY R. ARECCHI as Superintendent of Public Works of the Township of Marlboro is subject to the advice and consent of the Township Council; and

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

1. The aforesaid recitals are incorporated herein by reference as if set forth at length.

2. The Township Council of the Township of Marlboro hereby confirms and gives its advice and consent to the appointment of ANTHONY R. ARECCHI as the Superintendent of Public Works for the Township of Marlboro; and

3. A certified copy of this resolution shall be provided to Mayor Jonathan Hornik.

As the consent agenda, the following resolutions were introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and as there was no objection, the Clerk was asked to cast one ballot: Res. #2014-104 (Confirming No Passing Zone Route 34), Res. #2014-105 (Authorizing Shared Services Agreement Mon. County - Disposal of Millings/Street Sweepings), Res. #2014-106 (Authorizing Application 2014 Distracted Driver Crackdown Grant), Res. #2014-107 (Authorizing 2014 Safety Contract Mon. County Municipal Joint Insurance Fund), Res. #2014-108 (Discharge of Mortgage - 931 Lily Court), Res. #2014-109 (Discharge of Mortgage - 933 Lily Court), Res. #2014-110 (Discharge of Mortgage - 797 Banyan Court), Res. #2014-111 (Authorizing Emergency Contract(s) for Snow Removal Services), Res. #2014-112 (Authorizing 2014 Temporary Emergency Appropriations) and Res. #2014-113 (Redemption Tax Sale Certs - Various).

RESOLUTION # 2014-104

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on NJ Route 34 in the Township of Marlboro; and

WHEREAS, NJDOT investigation revealed the current centerline pavement marking on NJ Route 34 meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current No Passing Zone conditions along NJ Route 34;

NOW, THEREFORE, BE IT RESOLVED by the Marlboro Township Council of the Township of Marlboro, County of Monmouth, in the State of New Jersey, that it supports the use of a "No Passing Zone" on NJ Route 34 in the Township of Marlboro as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

RESOLUTION # 2014-105

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY OF
MONMOUTH RECLAMATION CENTER FOR THE DISPOSAL OF DEBRIS FOR 2014 FOR
THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, The Board of Chosen Freeholders of the County of
Monmouth (hereinafter, "the County") has established the Monmouth
County Reclamation Center; and

WHEREAS, the Township of Marlboro wishes to enter into a Shared
Services Agreement with the County to dispose of debris including
that collected through street sweeping at the Monmouth County
Reclamation Center; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes local units to
enter into shared services agreements for the provision of services,
including the services contemplated herein; and

WHEREAS, the proposed shared services agreement in the form of
the County's posted Rules and Regulations is on file in the Township
Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-
5(b); and

WHEREAS, funds for the aforesaid purpose estimated at an amount
not to exceed \$51,500.00 have been certified by the Chief Financial
Officer in Budget Account 01-201-32-170-233.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township
Clerk are hereby authorized and directed to execute the proposed
shared services agreement for the disposal of debris with the
Monmouth County Reclamation Center, 6000 Asbury Avenue, Tinton
Falls, NJ 07753; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b),
a copy of the shared services agreement authorized herein shall be
filed with the Division of Local Government Services in the
Department of Community Affairs for informational purposes; and

BE IT FURTHER RESOLVED, that a copy of the shared services
agreement authorized herein shall be open to the public for
inspection in the Township Clerk's Office; and

BE IT FURTHER RESOLVED that a duly certified copy of this
resolution be forwarded to:

- a. Monmouth County Reclamation Center
- b. Township Business Administrator
- c. Department of Public Works

RESOLUTION # 2014-106

RESOLUTION AUTHORIZING APPLICATION TO 2014 DISTRACTED
DRIVING GRANT PROGRAM THROUGH THE NEW JERSEY DEPARTMENT
OF TRANSPORTATION DIVISION OF HIGHWAY TRAFFIC SAFETY

WHEREAS, distracted driving is a dangerous epidemic on America's roadways. In 2012 alone, 3,328 people were killed in distracted driving crashes. An estimated 421,000 people were injured in motor vehicle crashes involving a distracted driver. This was a nine percent increase from the estimated 387,000 people injured in 2011; and

WHEREAS, distracted driving is any activity that diverts a person's attention away from the primary task of driving. All distractions endanger driver, passenger, and bystander safety. These distractions include:

- Texting
- Using a cell phone or smartphone
- Eating and drinking
- Talking to passengers
- Grooming
- Reading, including maps
- Using a navigation system
- Watching a video
- Adjusting a radio, CD player, or MP3 player

; and

WHEREAS, because using a hand held cell phone while driving or sending text messages requires visual, manual, and cognitive attention from the driver, they are by far the most alarming distraction; and

WHEREAS, April is National Distracted Driver Month, which is a time to remind New Jersey motorists of the state's distracted driving laws, which include a ban on hand-held cell phone use and text messaging by all drivers and a ban on all cell phone use (hand held or hands free) by novice drivers; and

WHEREAS, from April 1-21, 2014, police officers, on an overtime basis, will conduct special enforcement patrols targeting distracted

drivers. The patrols will consist of roving patrols and fixed checkpoints; and

WHEREAS, the objectives of the program are to reduce the number of motor vehicle fatalities in the state with a distracted driver contributing cause by five percent from the 2010-2012 calendar base year average through targeted distracted driving enforcement and education during the 2014 Distracted Driving Crackdown.

NOW, THEREFORE, BE IT RESOLVED THAT the Municipal Council of the Township of Marlboro hereby authorizes that an application be made to the 2014 Distracted Driving Grant Program through the New Jersey Department of Transportation, Division of Highway Traffic Safety.

BE IT FURTHER RESOLVED, that if awarded, the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Marlboro and that their signatures constitutes acceptance of the terms and conditions of the grant agreement.

RESOLUTION # 2014-107

RESOLUTION ACCEPTING AND ADOPTING THE MONMOUTH COUNTY
MUNICIPAL JOINT INSURANCE FUND'S 2014 SAFETY
AND COMPLIANCE PROGRAM

WHEREAS, the Township of Marlboro is a member of the Monmouth County Municipal Joint Insurance Fund (MONMOUTH JIF); and

WHEREAS, it is the policy of the MONMOUTH JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the MONMOUTH JIF's Safety Committee is made up of volunteers representing many of the Fund's Municipalities along with professionals employed by the Fund; and

WHEREAS, over the past year, the MONMOUTH JIF's Safety Committee has worked hard to develop a new Safety and Compliance Program like none other in the State that will better represent the needs of the members of Fund; and

WHEREAS, the new Program will assist all the members of the MONMOUTH JIF in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the MONMOUTH JIF has adopted the new 2014 Safety and Compliance Program which should succeed in providing a safe and healthy environment; and

WHEREAS, the Administrator of the Township of Marlboro has reviewed the Safety and Compliance Program and has recommended its adoption by the Governing Body;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of Marlboro Township, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund Safety and Compliance Program be adopted by the Township of Marlboro.

RESOLUTION # 2014-108

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL
AUTHORIZING A DISCHARGE OF A REPAYMENT MORTGAGE DATED
MARCH 22, 2002, WHICH WAS RECORDED AGAINST A RESIDENTIAL
PROPERTY LOCATED AT 931 LILY COURT, MARLBORO, NEW JERSEY

WHEREAS, a residential unit commonly known as 931 Lily Court, a/k/a Lot C-0931, Block 176, Marlboro, New Jersey ("the Property"), is an affordable unit and its affordability controls are governed by the provisions of New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the substantive and procedural rules of the Council on Affordable Housing (N.J.A.C. 5:96-1 and 5:97-1 et seq.); and

WHEREAS, on or about March 22, 2002, Dawn Kingston, as the record owner of the Property at that time, executed a "Repayment Mortgage" on or about March 22, 2002 ("the Mortgage"), in favor of the Department of Community Affairs which was an agency and an instrumentality of the Township of Marlboro; and

WHEREAS, the foregoing Mortgage was subsequently recorded in the Monmouth County Clerk's Office on March 25, 2002, in Mortgage Book OR-8093, at Page 5714 et seq.; and

WHEREAS, on or about September 28, 2013, the current record owner, Donna J. Cramer, purchased the Property for a stated consideration with said deed being recorded on October 9, 2013, in Deed Book OR-9040, at Page 2904 et seq.; and

WHEREAS, despite the sale of the Property to Donna J. Cramer

the Mortgage remains of record and it needs to be discharged; and

WHEREAS, Donna J. Cramer requests that the foregoing Mortgage be discharged of record; and

WHEREAS, the Marlboro Township Council finds that there is good cause for the release and discharge of the foregoing Mortgage for the reasons sets forth herein and because of the change in ownership to Donna J. Cramer;

NOW THEREFORE BE IT RESOLVED that the Honorable Mayor Jonathan L. Hornik is hereby authorized to sign the attached discharge of Mortgage as aforesaid;

BE IT FURTHER RESOLVED that subsequent to Mayor Hornik's signature of said discharge of the foregoing Mortgage and Agreement that it will be recorded in the Monmouth County Clerk's Office;

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

- a. Township Business Administrator, Jonathan Capp;
- b. Thomas P. Howley, Municipal Housing Liaison; and
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2014-109

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL
AUTHORIZING A DISCHARGE OF A REPAYMENT MORTGAGE DATED
JUNE 29, 1994, WHICH WAS RECORDED AGAINST A RESIDENTIAL
PROPERTY LOCATED AT 933 LILY COURT, MARLBORO, NEW JERSEY

WHEREAS, a residential unit commonly known as 933 Lily Court, a/k/a Lot 7.27/Unit 210A, Block 176, Marlboro, New Jersey ("the Property"), is an affordable unit and its affordability controls are governed by the provisions of New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the substantive and procedural rules of the Council on Affordable Housing (N.J.A.C. 5:96-1 and 5:97-1 et seq.); and

WHEREAS, on or about June 29, 1994, Salvatore Della Valle and Grace Della Valle, as the record owners of the Property at that time, executed a "Repayment Mortgage" ("the Mortgage"), in favor of the Department of Community Affairs which was an agency and an instrumentality of the Township of Marlboro; and

WHEREAS, the foregoing Mortgage was subsequently recorded in

the Monmouth County Clerk's Office on July 26, 1994, in Mortgage Book MB-5655, at Page 0681 et seq.; and

WHEREAS, on or about September 19, 2013, the current record owner, Galina Brimshan, purchased the Property for a stated consideration with said deed being recorded on September 25, 2013, in Deed Book OR-9038, at Page 1371 et seq.; and

WHEREAS, despite the sale of the Property to Galina Brimshan the Mortgage remains of record and it needs to be discharged; and

WHEREAS, Galina Brimshan requests that the foregoing Mortgage be discharged of record; and

WHEREAS, the Marlboro Township Council finds that there is good cause for the release and discharge of the foregoing Mortgage for the reasons sets forth herein and because of the change in ownership to Galina Brimshan;

NOW THEREFORE BE IT RESOLVED that the Honorable Mayor Jonathan L. Hornik is hereby authorized to sign the attached discharge of Mortgage as aforesaid;

BE IT FURTHER RESOLVED that subsequent to Mayor Hornik's signature of said discharge of the foregoing Mortgage and Agreement that it will be recorded in the Monmouth County Clerk's Office;

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

- a. Township Business Administrator, Jonathan Capp;
- b. Thomas P. Howley, Municipal Housing Liaison;
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2014-110

A RESOLUTION OF THE TOWNSHIP OF MARLBORO TOWN COUNCIL
AUTHORIZING A DISCHARGE OF A REPAYMENT MORTGAGE DATED
JANUARY 25, 2011, WHICH WAS RECORDED AGAINST A RESIDENTIAL
PROPERTY LOCATED AT 797 BANYAN COURT, MARLBORO, NEW JERSEY

WHEREAS, a residential unit commonly known as 797 Banyan Court, Marlboro, New Jersey, Block 176, Lot 7, Qualifier C0797 ("the Property"), is an affordable unit located in the Pointe De Jardin condominium complex and its affordability controls are governed by the provisions of New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301

et seq.) and the substantive and procedural rules of the Council on Affordable Housing (N.J.A.C. 5:96-1 and 5:97-1 et seq.); and

WHEREAS, Fallon Quiles became the record owner of the Property by way of a purchase of same on or about January 25, 2011; and

WHEREAS, on or about this same date Fallon Quiles executed a "Repayment Mortgage" ("the Mortgage"), in favor of the Department of Community Affairs who at that time was the agency and an instrumentality of the Township of Marlboro; and

WHEREAS, the Mortgage was recorded in the Monmouth County Clerk's Office on February 8, 2011, in Mortgage Book OR-8877, at Page 5202 et seq.; and

WHEREAS, on or about January 21, 2014, Fallon Quiles sold and transferred her interest in the Property to Cathyjean Borowsky, for a stated consideration; and

WHEREAS, the Mortgage was not discharged at the time of the sale and transfer of the Property from Quiles to Borowsky; and

WHEREAS, the current owner, Borowsky, now desires to have the Mortgage discharged as a matter of record because it remains as a cloud on title; and

WHEREAS, the Marlboro Township Council finds that there is good cause for the release and discharge of the foregoing Mortgage for the reasons sets forth herein and because of the change in ownership from Quiles to Borowsky;

NOW THEREFORE BE IT RESOLVED that the Honorable Mayor Jonathan L. Hornik is hereby authorized to sign the attached discharge of the Mortgage as aforesaid;

BE IT FURTHER RESOLVED that subsequent to Mayor Hornik's signature of said discharge of the foregoing Mortgage that it will be recorded in the Monmouth County Clerk's Office;

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

- a. Township Business Administrator, Jonathan Capp;
- b. Thomas P. Howley, Municipal Housing Liaison;
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2014-111

A RESOLUTION CONFIRMING EMERGENCY CONTRACTS WITH L.J. PESCE, INC., LUCAS CONSTRUCTION GROUP, PREMIUM GROWERS, INC. AND TRIPLE C NURSERIES FOR THE SUPPLY OF CONTRACT SNOW REMOVAL SERVICES PURUSANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Governor issued Executive Order No. 147, 148, and 150 and declared multiple states of emergency in response to the snow and ice events and frigid temperatures between January and February, 2014; and

WHEREAS, N.J.S.A. 40A:11-6 states that "Any contract may be ... awarded for a contracting unit without public advertising for bids and bidding therefor ... when an emergency affecting the public health, safety or welfare requires the immediate ... performance of services"; and

WHEREAS, N.J.S.A. 40A:11-6(b) states that "Upon the furnishing of such goods or services ... the contractor furnishing such goods or services shall be entitled to be paid therefor and the contracting unit shall be obligated for said payment ..."; and

WHEREAS, on February 3, 2014 the Department of Public Works advised that contract snow plow services would be required in order to remove the snow from the roadways prior to temperatures falling below the freezing mark; and

WHEREAS, the storms between February 3 and 13, 2014 led to a substantial amount of snow accumulating on the roadways posing a serious threat to the public health, safety and welfare, constituting an emergency under the terms of N.J.S.A. 40A:11-6; and

WHEREAS, the Township is bracing for the potential of an additional winter storm forecast for February 15, 2014 and wishes to secure the necessary resources for the possibility of additional storm activity in February in order to protect the health, safety and welfare of the public; and

WHEREAS, the Township of Marlboro accepted bids for the Supply of Contract Snow Removal Services for the Township of Marlboro Department of Public Works, and on October 18, 2012 (R. 2012-366) authorized the award of one year contracts with an option to extend an additional year to the lowest responsible bidders as follows:

LJ Pesce Inc.	31,320.00
Lucas Construction Group	56,650.00
Premium Growers Inc.	86,486.00
Triple C Nurseries	148,207.00

WHEREAS, the Township of Marlboro authorized a one year extension for the Supply of Contract Snow Removal Services for the Township on September 12, 2013 (R. 2013-284); and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized the contract vendors to perform snow removal services at their contract pricing in excess of the contract not to exceed amounts, estimated at \$24,000.00 for L.J. Pesce Inc., PO Box 88, 19 Windswept Rd., Holmdel, NJ 07733, \$44,000.00 for Lucas Construction Group, Inc., 173 Amboy Road, Morganville, NJ 07751, \$67,000.00 for Premium Growers, Inc., 178 Highway 34, Holmdel, NJ 07733, and \$114,000.00 for Triple C Nurseries, PO Box 306, 915 B Holmdel Rd, Holmdel, NJ 07733; and

WHEREAS, additional emergency services to be required through the month of February, 2014 are estimated at \$17,000.00 for L.J. Pesce Inc., PO Box 88, 19 Windswept Rd., Holmdel, NJ 07733, \$30,000.00 for Lucas Construction Group, Inc., 173 Amboy Road, Morganville, NJ 07751, \$46,000.00 for Premium Growers, Inc., 178 Highway 34, Holmdel, NJ 07733, and \$80,000.00 for Triple C Nurseries, PO Box 306, 915 B Holmdel Rd, Holmdel, NJ 07733, all at current contract pricing; and

WHEREAS, the Chief Financial Officer will certify the availability of funds upon adoption of the 2014 budget.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that emergency contract awards pursuant to N.J.S.A. 40A:11-6 be confirmed for snow plowing services required, and estimated to be required, as follows:

LJ Pesce Inc.	41,000.00
Lucas Construction Group	74,000.00
Premium Growers Inc.	113,000.00
Triple C Nurseries	194,000.00

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

- a. Premium Growers, Inc.
- b. Triple C Nurseries

- c. Lucas Construction Group
- d. LJ Pesce, Inc.
- e. Township Business Administrator
- f. Township Chief Financial Officer
- g. Township Director of Public Works
- h.

RESOLUTION # 2014-112

EMERGENCY TEMPORARY APPROPRIATION
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of the fiscal year and before the adoption of the 2013 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2013 appropriations with the exception of debt service and obligations associated with seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2013 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$ 19,726,592.54 for the municipal budget, \$1,616,191.95 for the operations of the recreation and swim utility and \$5,916,689.21 for the operations of the water utility; and

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

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation will be provided for in the CY 2014 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

CURRENT FUND	Description	2014 Temporary Budget incl Emergencies
Account Number	CURRENT FUND	
01-201-20-010-100	MAYOR'S OFFICE S&W	28,650.00
01-201-20-010-200	MAYOR'S OFFICE O/E	1,498.50
01-201-20-020-100	CLERK'S OFFICE S&W	105,247.50
01-201-20-020-200	CLERK'S OFFICE O/E	25,839.00
01-201-20-021-100	TOWNSHIP COUNCIL - SALARIES & WAGES	9,000.00

01-201-20-021-200	TOWNSHIP COUNCIL - OTHER EXPENSES	512.50
01-201-20-030-100	ADMINISTRATION S&W	106,774.50
01-201-20-030-200	ADMINISTRATION O/E	78,819.50
01-201-20-033-100	CENTRAL COMPUTER OFFICE - SALARIES & WAG	52,771.50
01-201-20-033-200	CENTRAL COMPUTER OFFICE - OTHER EXPENSES	29,804.00
01-201-20-035-200	ETHICS COMMISSION - OTHER EXPENSES	3,397.00
01-201-20-040-100	FINANCE S&W	93,909.00
01-201-20-040-200	FINANCE O/E	6,590.50
01-201-20-043-200	ANNUAL AUDIT O/E	17,874.50
01-201-20-045-100	TAX ASSESSOR S&W	67,832.50
01-201-20-045-200	TAX ASSESSOR O/E	43,248.50
01-201-20-046-100	TAX COLLECTOR S&W	68,510.00
01-201-20-046-200	TAX COLLECTOR O/E	17,161.00
01-201-20-050-200	LEGAL SERVICES O/E	278,039.50
01-201-20-055-200	CABLE - OTHER EXPENSES	35,135.00
01-201-20-060-100	ENGINEERING S&W	90,528.00
01-201-20-060-200	ENGINEERING O/E	102,317.50
01-201-20-083-200	ECONOMIC DEVELOPMENT - OTHER EXPENSES	10,000.00
01-201-20-092-200	INTERGOVT. RELATIONS O/E	1,650.00
01-201-20-093-200	HISTORIC SITES COMMITTEE - OTHER EXPENSE	975.00
01-201-20-140-200	Open Space Comm - OTHER EXPENSES	180.50
01-201-20-158-200	POSTAGE - OTHER EXPENSES	25,423.00
01-201-21-070-100	PLANNING BOARD S&W	32,748.50
01-201-21-070-200	PLANNING BOARD O/E	23,331.50
01-201-21-071-200	PLANNING BOARD CONTRAC. O/E	83,200.00
01-201-21-075-100	ZONING S&W	80,343.50
01-201-21-075-200	ZONING O/E	18,084.50
01-201-21-209-100	AFFORDABLE HOUSING S&W	2,000.00
01-201-23-099-200	UNEMPLOYMENT INSURANCE - OTHER EXPENS	12,500.00
01-201-23-100-200	EMPLOYEE INSURANCE - OTHER EXPENSES	1,507,893.70
01-201-23-101-200	LIABILITY INSURANCES - OTHER EXPENSES	400,000.00
01-201-23-102-200	WORKER'S COMPENSATION O/E	400,000.00
01-201-23-103-200	HEALTH INSURANCE WAIVERS	11,655.00
01-201-25-052-100	MUNICIPAL PROSECUTOR - SALARIES & WAGE	15,000.00
01-201-25-104-100	FIRE PREVENTION BUREAU S&W	74,052.00
01-201-25-104-200	FIRE PREVENTION BUREAU O/E	5,445.00
01-201-25-106-100	POLICE S&W	4,202,722.00
01-201-25-106-200	POLICE O/E	154,473.50
01-201-25-108-100	EMERGENCY MANAGEMENT S&W	11,500.00
01-201-25-108-200	EMERGENCY/CIVIL DEFENSE O/E	3,542.50
01-201-25-110-200	CONTRIBUTIONS	30,000.00
01-201-25-178-200	LOSAP	45,000.00
01-201-25-212-100	911 EXPENSES S&W	365,296.00
01-201-25-212-200	911 EXPENSES O/E	98,052.50
01-201-25-226-200	S.F.S.P. O/E	5,291.50
01-201-26-117-100	RECYCLING - S&W	1,500.00
01-201-26-117-200	RECYCLING - OTHER EXPENSES	345,858.50
01-201-26-119-100	SNOW REMOVAL S&W	110,000.00
01-201-26-119-200	SNOW REMOVA - OTHER EXPENSES	825,000.00
01-201-26-120-100	ROAD MAINTENENANCE S&W	686,094.50

01-201-26-120-200	ROAD MAINTENANCE O/E	56,925.50
01-201-26-121-100	VEHICLE MAINTENANCE S&W	189,895.00
01-201-26-121-200	VEHICLE MAINTENANCE O/E	117,983.00
01-201-26-122-100	GROUNDS MAINTENANCE S&W	100,629.50
01-201-26-122-200	GROUNDS MAINTENANCE O/E	104,881.00
01-201-26-125-100	PUBLIC WORKS S & W	138,223.00
01-201-26-125-200	PUBLIC WORKS O/E	67,292.00
01-201-26-126-200	CONDOMINIUM SERVICES ACT - OTHER	44,575.50
01-201-26-129-200	SHADE TREE - OTHER EXPENSES	1,185.00
01-201-27-130-100	REGISTRAR S&W	10,750.00
01-201-27-130-200	REGISTRAR O/E	982.00
01-201-27-134-100	DRUG ABUSE S&W	4,856.00
01-201-27-134-200	DRUG ABUSE CONTROL O/E	7,575.50
01-201-27-136-100	ANIMAL REGULATIONS S & W	11,955.90
01-201-27-136-200	ANIMAL REGULATIONS O/E	13,478.11
01-201-27-138-100	ENVIRONMENTAL COMMITTEE S&W	1,000.00
01-201-27-138-200	ENVIRONMENTAL PROTEC. O/E	493.00
01-201-28-123-100	PARKS & RECREATION - S&W	220,901.00
01-201-28-123-200	PARKS OTHER EXPENSES	31,395.50
01-201-28-145-100	RECREATION S & W	193,006.50
01-201-28-145-200	RECREATION O/E	61,650.50
01-201-28-146-200	RECREATION TEEN PROGRAMS O/E	2,500.00
01-201-29-150-200	PUBLIC LIBRARY O/E	5,000.00
01-201-30-173-200	PRIOR YEARS BILLS	3,550.84
01-201-30-184-100	ACCUMULATED ABSENCES	500.00
01-201-31-160-200	STREET LIGHTING O/E	349,257.50
01-201-31-161-200	ELECTRIC O/E	143,253.50
01-201-31-162-200	TELEPHONE O/E	81,267.00
01-201-31-164-200	WATER O/E	15,995.00
01-201-31-165-200	SEWER O/E	5,017.00
01-201-31-167-200	NATURAL GAS O/E	26,547.50
01-201-31-168-200	GASOLINE	224,646.50
01-201-32-170-200	LANDFILL DISPOSAL COSTS	133,590.50
01-201-35-180-200	Contingent	5,000.00
01-201-36-174-200	POLICE & FIREMENS RETIREMENT	1,951,000.00
01-201-36-175-200	PUBLIC EMPLOYEES RETIREMENT	906,499.00
01-201-36-176-200	EMPLOYER'S PORTION FICA	561,381.50
01-201-36-179-200	DEFINED CONTRIBUTION RETIREMENT PROGRAM	500.00
01-201-41-313-000	Drunk Driving Enforc Grant	0.00
01-201-41-343-000	Clean Communities Grant	0.00
01-201-41-347-000	Recycling Tonnage Grant	0.00
01-201-41-361-000	Municipal Drug Alliance	15,763.00
01-201-41-363-000	COPS IN SHOPS	0.00
01-201-41-365-000	Body Armor Grant	0.00
01-201-41-366-000	Drive Sober or get Pulled Over Grant	0.00
01-201-41-367-000	Chap 159 - 2013 Highway Safety Fund	0.00
01-201-41-368-000	Chap 159 - 2013 NRCS Grant	0.00
01-201-41-369-000	Chapter 159 - 2013 DDEF	0.00
01-201-41-370-000	Chapter 159 - Clean Communities Grant	0.00
01-201-43-207-100	MUNICIPAL COURT S&W	161,680.50

01-201-43-207-200	MUNICIPAL COURT O/E	22,066.50
01-201-43-211-100	PUBLIC DEFENDER S&W	8,285.00
01-201-44-222-200	CAPITAL IMPROVEMENT FUND	150,000.00
01-201-45-220-200	BOND PRINCIPAL	1,570,000.00
01-201-45-221-200	LEASE PRINCIPAL	96,000.00
01-201-45-230-200	BOND-INTEREST - OTHER EXPENSES	721,000.00
01-201-45-231-200	DEBT SERVICE LEASE - INTEREST	6,000.00
01-201-45-235-200	NOTE INTEREST	87,500.00
01-201-45-240-200	GREEN TRUST DEBT SERVICE	28,885.00
01-201-46-335-200	Deferred Charges Unfunded	212,000.00
01-201-50-299-200	RESERVE FOR UNCOLLECTED TAXES	

TOTALS 19,726,592.54

	WATER UTILITY FUND	
05-201-55-500-100	SALARY & WAGES	390,747.52
05-201-55-500-200000	WATER UTILITY OE	2,722,009.50
05-201-55-501-200000	WATER CAPITAL OUTLAY	2,500.00
05-201-55-503-254010	SOCIAL SECURITY - WATER EMPLOYEE BENEFIT	29,892.19
05-201-55-503-261010	Unemployment	0.00
05-201-55-503-287010	PENSION - WATER EMPLOYEE BENEFITS	0.00
05-201-55-504-000	Emergency Approp - NJEIT Financing	0.00
	Deferred Charges Unfunded	201,000.00
05-201-55-509-200000	Emergency Approp - Hurricane Sandy	0.00
05-201-55-520-260040	Bond Principal	1,545,000.00
05-201-55-530-290040	Interest on Bonds	612,340.00
05-201-55-535-290040	Interest on Notes	12,500.00
	NJEIT Loan Principal	320,400.00
	NJEIT Loan Interest	58,300.00
	NJEIT Loan Fees	22,000.00

TOTALS 5,916,689.21

	RECREATION & SWIM UTILITY FUND	
09-201-55-400-101000	RECREATION - SALARY & WAGES	709,620.06
09-201-55-400-200020	RECREATION - OE	844,799.42
09-201-55-451-000000	Capital Outlay	0.00
09-201-55-452-250	Interest on Notes	5,000.00
09-201-55-487-	Social Security Payment	54,271.97

254413		
09-201-55-487-261413	Unemployment	2,500.50
09-201-55-487-287413	Pension	0.00
TOTALS		1,616,191.95

RESOLUTION # 2014-113

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$56,774.68 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 \$56,744.68 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>
2013-013	122/12 1-A Orchard Parkway	Bulkwark Systems 22 Emily Road Manalapan, NJ 07726 Assessed Owner: Santiago, Viriato & Janice	1,267.19
2012-087	288/29C0354 354 Sunshine Court	Ridgeback Ventures P.O. Box 503 Mount Freedom, NJ 07970 Assessed Owner: Cheng, Kuan-Chun & Hua Ying	1,258.63
2012-030	147/37 164 Tennent Road	Stuart Lasher P.O. Box 83 Milltown, NJ 08850 Assessed Owner: Glowacka, Gregory	3,948.03
2013-116	364/41.04 3 Serenity Place	US Bank as Cust for Tower DBW III 50 South 16 th Street, Suite 1950 TOW Philadelphia, PA 19102	41,570.14

Assessed Owner:
Valley National Bank

2013-098 288/29/C0126 MTAG Services Cust ACTF II NJ 6,574.68
126 Sunnymede Street P.O. Box 54292
New Orleans, LA 70154
Assessed Owner:
Semegram, Annabel (Estate)

2013-100 295/13 Bulkwark Systems, LLC 657.31
23 Marc Drive Manalapan, NJ 07726
Assessed Owner:
Girone, Rodolfo

2013-062 193/19 Bulkwark Systems, LLC 1,468.70
44 Amagansett Dr. Manalapan, NJ 07726
Assessed Owner:
Brown, Julett

TOTAL: \$56,774.68

At 8:10PM, Councilwoman Marder moved that the meeting go into executive session for reason of litigation. This was seconded by Council Vice President Mazzola, and the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2014-114

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 20th day of February, 2014 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. Action may be taken following the executive session.

At 8:30 PM, Councilwoman Marder moved that the meeting be opened. This was seconded by Council President Metzger, and as there was no objection, the Clerk was asked to cast one ballot.

At 8:31 PM, Councilwoman Marder moved that the meeting be adjourned. This was seconded by Council President Metzger, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: March 6, 2014

OFFERED BY: MAZZOLA

AYES: 4

SECONDED BY: MARDER

NAYS: 0

ABSENT: Cantor

ALIDA MANCO,
MUNICIPAL CLERK

SCOTT METZGER,
COUNCIL PRESIDENT