

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

May 15, 2014

The Marlboro Township Council held its regularly scheduled Council Meeting on May 15, 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, Councilwoman Marder, Council Vice President Mazzola and Council President Metzger. Councilman LaRocca was absent.

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

Councilman Cantor moved that the minutes of May 1, 2014 be approved. This was seconded by Councilwoman Marder and was passed on a roll call vote of 3 - 0 in favor, with Councilman Cantor abstaining (Absent: LaRocca).

Motion to table Resolution #2014-193/Ordinance #2014-11 (Amending Section 220-99 - Signs - Regulating Temporary Political Signs) and carry the Public Hearing to June 19<sup>th</sup> was made by Councilwoman Marder, seconded by Council President Mazzola and passed on a roll call vote of 3 - 0 in favor, with Councilman Cantor abstaining (Absent: LaRocca). Township Attorney Louis N. Rainone informed the

public that the public hearing will be held on June 19<sup>th</sup> and that no new advertisement is necessary.

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 #2014-194/Ordinance #2014-12 (Fixing Salary of Chief Financial Officer) was introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger and passed on a roll call vote of 4 - 0 in favor (Absent: LaRocca).

RESOLUTION # 2014-194

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

ORDINANCE # 2014-12

AN ORDINANCE FIXING THE SALARY  
OF THE CHIEF FINANCIAL OFFICER

which was introduced on May 1, 2014, public hearing held on May 15, 2014, be adopted on second and final reading this 15th day of May, 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 #2014-195/Ordinance #2014-13 (Appropriating \$470,000 from Capital Surplus for Improvements to Storm Drainage System at 4 Taylor Rd) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Cantor, and passed on a roll call vote of 4 - 0 in favor (Absent: LaRocca).

RESOLUTION # 2014-195

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

ORDINANCE # 2014-13

AN ORDINANCE APPROPRIATING \$470,000.00 FROM CAPITAL  
SURPLUS FOR IMPROVEMENTS TO STORM DRAINAGE SYSTEM  
AT 4 TAYLOR ROAD IN THE TOWNSHIP OF MARLBORO

which was introduced on May 1, 2014, public hearing held on May 15, 2014, be adopted on second and final reading this 15th day of May, 2014.

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

The following Resolution #2014-196 (Authorizing Contract Engineering Services - 4 Taylor Road Storm System) was introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President Mazzola, and passed on a roll call vote of 4 - 0 in favor (Absent: LaRocca).

RESOLUTION # 2014-196

A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH IMPROVEMENTS TO THE TOWNSHIP STORM DRAINAGE SYSTEM IN THE VICINITY OF 4 TAYLOR RD

WHEREAS, the Township of Marlboro suffered damage to the storm drainage infrastructure located in the vicinity of 4 Taylor Road in the wake of Superstorm Sandy; and

WHEREAS, the Township applied to FEMA to fund the necessary improvements and received a notice of award on April 3, 2014; and

WHEREAS, FEMA has committed to funding 90% of the estimated construction cost excluding contingency ("in-kind" replacement option) of \$342,061.10, or \$307,854.99; and

WHEREAS, the Township requires engineering design, bid and construction management services associated with required improvements ("Project"); and

WHEREAS, CME Associates has provided a proposal dated May 8, 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 \$89,000.00 for such Professional Services, as further described and set forth in CME's Proposal, attached hereto and made a part hereof; and

WHEREAS, the 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 # 04-215-14-03B-060288; 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 PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH IMPROVEMENTS TO THE TOWNSHIP STORM

DRAINAGE SYSTEM IN THE VICINITY OF 4 TAYLOR RD ("Professional Services"), at a fee not to exceed \$89,000.00 for such Professional Services, as further described and set forth in CME's Proposal dated May 8, 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 \$89,000.00 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 #2014-197 (Bond Reduction - Morello Properties - Yellowbrook Rd - B 364, L 60 & 63) was introduced by reference, offered by Councilwoman Marder and seconded by Council President Metzger. CME Engineer Trevor Taylor was present, answering Council's questions. After discussion, the resolution was passed on a roll call vote of 4 - 0 in favor (Absent: LaRocca).

RESOLUTION # 2014-197

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR THE SITE KNOWN AS MORELLO PROPERTY, BLOCK 364, LOTS 60 AND 63, YELLOWBROOK ROAD, 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 Antoinette Morello for a reduction in the Township held Performance Guarantees in the form of a Letter of Credit and cash deposit for site improvements ("Public Improvements") on the Site known as "Morello Property" (the "Site"), property known as Block 364, Lots 60 and 63, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Morello Properties, 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 May 2, 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 Letter of Credit and cash deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee Letter of Credit and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated May 2, 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 Letter of Credit and cash deposit posted by the Developer, Morello Properties, LLC, for the site known as Morello Property located on property known as Block 364, Lots 60 and 63, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Letter of Credit (Amboy National Bank, Letter of Credit No. 1823), in the original and present amount of \$40,003.63, shall be reduced by \$25,888.03, so that the remaining amount shall be \$14,115.60.
2. The Cash Deposit, in the original and present amount of \$4,444.85 shall be reduced by \$2,876.45, so that the amount to remain shall be \$1,568.40; 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. Morello Properties, LLC
- b. Amboy National Bank
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer

As the consent agenda, the following resolutions were introduced by reference, offered by Councilman Cantor, seconded by Council Vice President Mazzola, and as there was no objection, the Clerk was asked to cast one ballot (Absent: LaRocca): Res. #2014-198 (Mortgage Subordination - 1011 Tarragon Court), Res. #2014-199 (Exempt Fireman - Marlboro Fire - Thomas B. Jennings), Res. #2014-200 (Exempt Fireman - Marlboro Fire - Martin J. Rabinowitz), Res. #2014-201 (Exempt Fireman - Marlboro Fire - Brian J. Borden), Res. #2014-202 (Authorizing Acceptance of Donated Items from NJ Devils - Marlboro Youth Hockey), Res. #2014-203 (Authorizing License Agreement Marlboro Men's MVP Softball League for Temporary Placement of Shed on Twp Property), Res. #2014-204 (Acceptance of HDSRF Grant from NJEDA and NJDEP for Remedial Investigation and Report Prep for Mun Park Complex Property), Res. #2014-205 (Authorizing Shared Services Agreement with BOE for Rec Busing), Res. #2014-206 (Budget Amendment Chapter 159 - 2014 Click It or Ticket Grant), Res. #2014-207 (Authorizing Replacement of Municipal Park Playground Equipment), Res. #2014-208 (Award of State Contract - Pick-Up Trucks for DPW and UCC) and Res. #2014-210 (Reject Bid - Municipal Complex Soccer Irrigation/Walkway Project).

RESOLUTION # 2014-198

A RESOLUTION OF THE TOWNSHIP OF MARLBORO TOWN COUNCIL  
AUTHORIZING A SUBORDINATION OF A REPAYMENT MORTGAGE DATED  
JUNE 20, 2008, ON A PROPERTY LOCATED AT 1011 TARRAGON COURT,  
MARLBORO, NEW JERSEY, WHICH IS OWNED BY GINA GARAMELLA

WHEREAS, a residential unit commonly known as 1011 Tarragon Court, a/k/a Lot 7C1011, 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 20, 2008, Gina Garamella ("the Homeowner"), as the record owner of the Property, executed a "Repayment Mortgage" ("the Marlboro Mortgage"), in favor of the Department of Community Affairs which was an agency and an instrumentality of the Township of Marlboro; and

WHEREAS, on or about June 19, 2008, the Homeowner (to secure a loan) gave a mortgage to Sovereign Bank in the amount of \$91,553.00 with said mortgage being recorded in the Monmouth County Clerk's Office on July 28, 2008, in Deed Book OR-8733, at Page 3541 et seq. ("the Sovereign Mortgage"); and

WHEREAS, the foregoing Marlboro Mortgage was subsequently recorded in the Monmouth County Clerk's Office on July 28, 2008, in Mortgage Book OR-8733, at Page 3552 et seq.; and

WHEREAS, the Marlboro Mortgage remains of record today; and

WHEREAS, the Homeowner now seeks to refinance the Sovereign Mortgage with Santander Bank, N.A., and a request has been made to the Township of Marlboro to subordinate the Marlboro Mortgage; and

WHEREAS, Santander Bank, N.A., desires—as part of the refinance—to place a first lien priority mortgage on the Property; and

WHEREAS, it has been determined that there is good cause to grant this request to subordinate the Marlboro Mortgage;

NOW, THEREFORE, BE IT RESOLVED that the Hon. Mayor Jonathan L. Hornik is hereby authorized to execute the attached subordination of the Marlboro Mortgage on the Property; and

BE IT FURTHER RESOLVED that subsequent to the signature of the said subordination that this subordination 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:

Township Business Administrator, Jonathan Capp  
Lynn Franco, Municipal Housing Liaison  
Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2014-199

WHEREAS, THOMAS B. JENNINGS has served in the Marlboro Fire Company as a member of the Company for a period of seven years, and

WHEREAS, the Marlboro Fire Company has recommended to the Marlboro Township Council that THOMAS B. JENNINGS be designated an Exempt Fireman pursuant to N.J.S.40A:14-56 and,

WHEREAS, it has been certified to the Township Council that THOMAS B. JENNINGS has met all of the requirements for such designation:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro hereby designates THOMAS B. JENNINGS as a 7 year Exempt Fireman pursuant to N.J.S.40A:14-56.

2. That the Township Council extends its congratulations and thanks to THOMAS B. JENNINGS for his services as a Volunteer during the past 7 years.

RESOLUTION # 2014-200

WHEREAS, MARTIN J. RABINOWITZ has served in the Marlboro Fire Company as a member of the Company for a period of seven years, and

WHEREAS, the Marlboro Fire Company has recommended to the Marlboro Township Council that MARTIN J. RABINOWITZ be designated an Exempt Fireman pursuant to N.J.S.40A:14-56 and,

WHEREAS, it has been certified to the Township Council that MARTIN J. RABINOWITZ has met all of the requirements for such designation:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro hereby designates MARTIN J. RABINOWITZ as a 7 year Exempt Fireman pursuant to N.J.S.40A:14-56.

2. That the Township Council extends its congratulations and thanks to MARTIN J. RABINOWITZ for his services as a Volunteer during the past 7 years.

RESOLUTION # 2014-201

WHEREAS, BRIAN J. BORDEN has served in the Marlboro Fire Company as a member of the Company for a period of seven years, and

WHEREAS, the Marlboro Fire Company has recommended to the Marlboro Township Council that BRIAN J. BORDEN be designated an Exempt Fireman pursuant to N.J.S.40A:14-56 and,

WHEREAS, it has been certified to the Township Council that BRIAN J. BORDEN has met all of the requirements for such designation:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro hereby designates BRIAN J. BORDEN as a 7 year Exempt Fireman pursuant to N.J.S.40A:14-56.

2. That the Township Council extends its congratulations and thanks to BRIAN J. BORDEN for his services as a Volunteer during the past 7 years.

RESOLUTION # 2014-202

A RESOLUTION AUTHORIZING ACCEPTANCE OF DONATIONS OF AUTOGRAPHED MEMORABILIA FROM THE NEW JERSEY DEVILS PROFESSIONAL HOCKEY TEAM

WHEREAS, the New Jersey Devils have donated autographed memorabilia:

2 Hockey Sticks  
1 Hockey Puck

; and

WHEREAS, the memorabilia will be used for the purposes of an auction to raise money for the Street Devil Youth Hockey Program run by the Recreation Department; and

WHEREAS, the funds raised will be used for the purchase of materials and supplies for the Street Devil Program and/or improvements to the Recreation Way Park Hockey Rink; and

WHEREAS, the Recreation Department recommends that the Township accept the donation; and

WHEREAS, there has been no promise of future employment, services, goods or other thing of value exchanged in return for said donation.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the donation of the Autographed Memorabilia from the New Jersey Devils as described above is hereby accepted.

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

- a. Township Administrator
- b. Township Recreation Director

RESOLUTION # 2014-203

A RESOLUTION AUTHORIZING A REVOCABLE PROPERTY USE LICENSE OVER A PORTION OF PROPERTY KNOWN AS BLOCK 263 LOT 20.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, STATE OF NEW JERSEY KNOWN AS UNION HILL RECREATION COMPLEX.

WHEREAS, the Township of Marlboro owns lands known as Block 263, Lot 20.01, Township of Marlboro, New Jersey known as the Union Hill Recreation Complex(the "Township Property"); and

WHEREAS, the Marlboro's Men's Softball League and the Marlboro's Men's MVP Softball League have requested permission to install/erect a shed on the Township Property at their own cost and expense for the purpose of storage of field maintenance material and equipment in the area near the side of the right parking lot near the irrigation control/light control fencing; and

WHEREAS, the Township is willing to grant a Revocable Property Use License to the Marlboro Men's Softball League and the Marlboro Men's MVP Softball League over a portion of the Township Property.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that a Revocable Property Use License Agreement over a portion of Township Property known as Block 263, Lot 20.01 Marlboro, New Jersey, known as the Union Hill Recreation Complex in the area near the side of the right parking lot near the irrigation control/light control fencing is granted to the Marlboro Men's Softball League and the Marlboro Men's MVP Softball League be and is hereby authorized in a form substantially similar to that attached hereto; and

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

- a. Marlboro Men's Soft Ball League & Marlboro Men's MVP Softball League
- b. Mayor Jonathan Hornik
- c. Township Administrator
- d. DeCotiis, FitzPatrick & Cole, LLP

RESOLUTION # 2014-204

RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE  
SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH  
THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY  
AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, Township of Marlboro has applied for and has been awarded a grant in the amount of \$102,179 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for Remedial Investigation along with report preparation of the Municipal Park Complex Property.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Marlboro that the above referenced grant is hereby accepted and Mayor Jonathan Hornik is hereby authorized to execute

grant documents as an authorized representative thereunder, as the representative of the Township of Marlboro.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

RESOLUTION # 2014-205

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE MARLBORO TOWNSHIP BOARD OF EDUCATION FOR BUS TRANSPORTATION SERVICES OF CHILDREN TO AND FROM THE TOWNSHIP OF MARLBORO'S 2014 SUMMER RECREATION CAMP PROGRAM

WHEREAS, the Marlboro Township Board of Education (the "Board") owns/leases a fleet of school buses used to transport children to and from schools that comprise the Marlboro Township School District (the "District"); and

WHEREAS, the Township of Marlboro (the "Township") intends to operate a Summer Camp Recreation Camp Program ("Summer Camp") for the Township's resident children, some of whom shall require transportation to and from home to the various camp sites (schools), as well as some of whom shall require transportation to and from the Township Recreation Center for the pre and after camp program to the various camp sites, as well as all campers who will require transportation to and from the various camp sites to the Aquatics Center, as well as all campers who will require transportation to and from the camp sites to other trip destinations inside and outside of the Township for Summer Camp activities (the "Transportation Services"); and

WHEREAS, pursuant to N.J.S.A. 18A:39-22, the Board is authorized to permit the use of school buses it owns or leases for the purpose of transporting children and adults participating in a recreation or other program operated by the municipality in which the Board's School District is located; and

WHEREAS, the Township and the Board desire to enter into a Shared Services Agreement to provide Transportation Services for the Summer Camp for the period commencing on or about June 30, 2014 and terminating on August 8, 2014; and

WHEREAS, the costs of the Transportation Services for Summer Camp shall be paid by the Township to the Board as follows:

(1) Transportation to and from the camper's home to the various camp sites at the rates specified below for an amount not to exceed \$49,000.00:

- (a) \$285.00 for each six week Summer Camp participant
- (b) \$230.00 for each five week Summer Camp participant
- (c) \$150.00 for each three week Summer Camp participant

(2) For shuttle services comprising transportation of Summer Camp participants not to exceed \$42,000.00:

- (a) to and from the Township Recreation Center for the pre and after camp program to the various camp sites
- (b) to and from the various camp sites to the Aquatic Center

(3) Transportation to and from trip destinations as determined by the Township Recreation Department, \$250.00 per day, per bus plus the cost of tolls and parking fees: for an amount not to exceed \$64,500.00.

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 transportation services contemplated herein; and

WHEREAS, the proposed Shared Services Agreement for the Transportation Services 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 transportation services will be available in the Recreation Trust Account #09-201-55-400-288-480; and

WHEREAS, the Mayor and Marlboro Township Council desire to enter into the proposed Shared Services Agreement with the Board pursuant to the above-described terms and conditions for a total contract amount not to exceed \$155,500.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute and witness, respectively, the proposed Shared Services Agreement in a form substantially similar as that attached hereto for the provision of transportation services for the Marlboro Township Summer Camp Program for the term and conditions described hereinabove; 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. Marlboro Township Board of Education
- b. Recreation Department
- c. Mayor Jonathan L. Hornik
- d. Chief Financial Officer

RESOLUTION # 2014-206

RESOLUTION REQUESTING APPROVAL OF ITEMS OF  
REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

Section 1

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an revenue in the budget of the year 2014 in the sum of \$4,000.00, which has been received by the municipality for the "2014 Click it or Ticket" Grant.

Section 2

BE IT FURTHER RESOLVED that the amount of \$4,000.00 be hereby appropriated under the caption "2014 Click it or Ticket" Grant.

RESOLUTION # 2014-207

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #81411 TO MARTURANO RECREATION CO. AND STATE CONTRACT #81417 TO RUBBERCYCLE, LLC FOR THE PURCHASE AND INSTALLATION OF REPLACEMENT MUNICIPAL PARK PLAYGROUND EQUIPMENT FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT

WHEREAS, the Recreation Department has recommended that the Township purchase replacement playground equipment from MARTURANO RECREATION CO., Brook 35 Park, 2130 Route 35 Building B, Suite 222, Sea Girt, New Jersey 08750 under State Contract #81411 and RUBBERCYCLE, LLC, 1985 Rutgers University Boulevard, Lakewood, NJ 08701 under State Contract #81417 for a combined amount not to exceed \$49,950.00; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Police Department to obtain said playground equipment from MARTURANO RECREATION CO. and RUBBERCYCLE, LLC; and

WHEREAS, funds are available in Account # 01-286-55-013 for a combined amount not to exceed \$49,950.00 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase and installation of replacement playground equipment.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase replacement playground equipment from MARTURANO RECREATION CO., Brook 35 Park, 2130 Route 35 Building B, Suite 222, Sea Girt, New Jersey 08750 under State Contract #81411 in an amount not to exceed \$40,573.00; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase replacement playground equipment from RUBBERCYCLE, LLC, 1985 Rutgers University Boulevard, Lakewood, NJ 08701 under State Contract #81417 in an amount not to exceed \$9,377.00; and

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

- a. MARTURANO RECREATION CO.
- b. RUBBERCYCLE, LLC
- c. Township Administration
- d. Township Recreation Director
- e. Township Chief Financial Officer

RESOLUTION # 2014-208

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #83576 & #85437 TO CHAS S. WINNER INC DBA WINNER FORD FOR THE PURCHASE OF THREE (3) REPLACEMENT 2015 FORD F-250 PICK-UP TRUCKS AND TWO (2) REPLACEMENT 2014 FORD F-150 PICK-UP TRUCKS WITH SNOW REMOVAL RELATED EQUIPMENT FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS, WATER UTILITY DIVISION AND BUILDING DEPARTMENT

WHEREAS, the Township of Marlboro as part of its 2014 capital program (123-19, 500-10 & 850-1) authorized the acquisition of six replacement pick-up trucks with snow plows for the Department of Public Works, Water Utility Division and Building Department; and

WHEREAS, funding for the replacement vehicles for the Building Department is available from dedicated non-tax funds from user fees received by the Building Department; and

WHEREAS, current fleet vehicles #0003 (2000 Ford Ranger) and #0303 (2003 Dodge Dakota) have been recommended for replacement by the Department of Public Works Fleet Maintenance Bureau; and

WHEREAS, the Department of Public Works has recommended that the Township purchase THREE (3) 2015 FORD F-250 PICK-UP TRUCKS AND TWO (2) 2014 FORD F-150 PICK-UP TRUCKS WITH SNOW REMOVAL RELATED EQUIPMENT from CHAS S. WINNER INC DBA WINNER FORD, 250 Berlin Road, Cherry Hill, New Jersey 08034 under State Contract #83576 and #85437 in an amount not to exceed \$142,676.00; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Township of Marlboro to obtain the replacement vehicles from CHAS S. WINNER INC DBA WINNER FORD; and

WHEREAS, funds are available in General Capital Account #04-215-14-03H-123297, Water Capital Account #06-215-14-05A-500297, and #16-201-56-850-297850 for an amount not to exceed \$142,676.00 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of THREE (3) REPLACEMENT 2015 FORD F-250 PICK-UP TRUCKS WITH SNOW PLOWS AND TWO (2) REPLACEMENT 2014 FORD F-150 PICK-UP TRUCKS WITH SNOW REMOVAL RELATED EQUIPMENT; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase THREE (3) REPLACEMENT 2015 FORD F-250 PICK-UP TRUCKS AND TWO (2) REPLACEMENT 2014 FORD F-150 PICK-UP TRUCKS WITH SNOW REMOVAL RELATED EQUIPMENT from CHAS S. WINNER INC DBA WINNER FORD, 250 Berlin Road, Cherry Hill, New Jersey 08034 under State Contract #83576 and #85437 in an amount not to exceed \$142,676.00; and

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

- a. CHAS S. WINNER INC DBA WINNER FORD
- b. Township Business Administrator
- c. Township Department of Public Works
- d. Township Uniform Construction Code Official
- e. Township Chief Financial Officer

RESOLUTION # 2014-210

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR THE  
PROJECT TITLED SOCCER FIELD IRRIGATION IMPROVEMENTS FOR  
THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT

WHEREAS, on May 8, 2014, bids were opened for the project titled SOCCER FIELD IRRIGATION IMPROVEMENTS for the Township of Marlboro Recreation Department; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(a), a contracting unit may reject all bids if the lowest bid substantially exceeds the cost estimates for the goods or services; and

WHEREAS, the sole response received from Down to Earth Landscaping, Inc. exceeded the Township's budgeted cost by more than 78%.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that all bids heretofore received for the project titled SOCCER FIELD IRRIGATION IMPROVEMENTS for the Township of Marlboro Recreation Department are hereby rejected pursuant to N.J.S.A. 40A:11-13.2(a).

BE IT FURTHER RESOLVED, that the Business Administrator is hereby authorized and directed to return the bid bond(s) or other security(ies) to the appropriate bidder(s).

At 7:45PM, Councilwoman Marder moved that the meeting be adjourned. This was seconded by Council Vice President Mazzola, and as there was no objection, the Clerk was asked to cast one ballot (Absent: LaRocca).

MINUTES APPROVED: June 19, 2014

OFFERED BY: Marder

AYES: 2

SECONDED BY: Mazzola

NAYS: 0

ABSTAIN: LaRocca

ABSENT: Cantor, Metzger

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ALIDA MANCO,  
MUNICIPAL CLERK

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SCOTT METZGER,  
COUNCIL PRESIDENT