

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

November 13, 2014

The Marlboro Township Council held its regularly scheduled Council Meeting on November 13, 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.

Councilwoman Marder moved that the minutes of October 23, 2014 be approved. This was seconded by Council President Metzger and was passed on a roll call vote of 3 - 0 in favor with Councilman Cantor abstaining (Absent: LaRocca).

The following Resolution #2014-367 (Award of Bid - Plenary Retail Consumption License) 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 # 2014-367

A RESOLUTION AWARDING A PLENARY RETAIL CONSUMPTION LICENSE TO ANTHONY'S COAL FIRED PIZZA OF MARLBORO, LLC

WHEREAS, in accordance with the provisions of Resolution # 2014-303, the Township of Marlboro authorized the acceptance of bids for One (1) Plenary Retail Consumption License and on October 21, 2014 at 10:30 a.m. received one (1) bid therefor; and

WHEREAS, in accordance with the established procedures, the bid was opened on October 23, 2014 at 10:30 a.m., at which time the one bid was publicly announced as follows:

ANTHONY'S COAL FIRED PIZZA OF MARLBORO,
LLC, c/o Samuel Weiss, Esq., 200 West
Cypress Creek Road, Suite 220 Fort
Lauderdale FL 33309 for the amount of
\$735,000.00; and

WHEREAS, the Township Administration has reviewed the said bid received and recommended that same be awarded to ANTHONY'S COAL FIRED PIZZA OF MARLBORO, LLC as the ostensible highest qualified bidder; and

WHEREAS, the Mayor and Township Council have indicated their desire to award one (1) Plenary Retail Consumption License to the highest qualified bidder ANTHONY'S COAL FIRED PIZZA OF MARLBORO, LLC, for the sum of \$735,000.00, in accordance with the Bid Specifications issued by the Township.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that, subject to compliance with the Alcoholic Beverage Control Statutes, *N.J.S.A. 33:1-1 et seq*, and the approval of the New Jersey Division of Alcoholic Beverage Control and the provisions of Resolution #2014-303, one (1) Plenary Retail Consumption License is hereby awarded to ANTHONY'S COAL FIRED PIZZA OF MARLBORO, LLC, subject to the following terms and conditions:

(a) Payment of the balance of the bid by certified check made payable to the "Township of Marlboro" by April 29, 2015. Failure to make timely payment of such balance shall, at the option of the Township, result in voiding of the license award and forfeiture of the successful bidder's deposit whereupon the Township may award the license to the remaining highest qualified bidder or determine to take no action;

(b) Payment of the State License Application Fee;

(c) Payment of the Annual Municipal Retail License Fee;

(d) Satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license;

(e) Receipt of favorable State and/or Federal criminal background checks; and

(f) Compliance with the publication, hearing and Resolution requirements under *N.J.A.C. 13:2-2.1 et seq.*

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

- a. Anthony's Coal Fired Pizza Of Marlboro, LLC
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2014-368 (Authorizing Sale of Plenary Retail Distribution License) 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 # 2014-368

RESOLUTION OF THE TOWNSHIP OF MARLBORO AUTHORIZING THE ISSUANCE OF ONE (1) ADDITIONAL PLENARY RETAIL DISTRIBUTION LICENSE.

WHEREAS, pursuant to *N.J.S.A. 33:1-12.14*, a municipality is permitted to issue new plenary retail distribution licenses in ratio to a municipality's population; and

WHEREAS, in accordance with the information from the 2010 federal census counts, the Township of Marlboro has a population of 40,191; and

WHEREAS, in light of such census information, the Township of Marlboro is permitted to issue up to four (4) plenary retail distribution licenses, and three (3) have been issued; and

WHEREAS, the Mayor and Township Council, having considered the same, desire to authorize the issuance of one (1) additional plenary retail distribution license and the advertisement for the receipt of sealed bids therefor as set forth hereinbelow.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, in the County of Monmouth and State of New Jersey, that the issuance of one (1) plenary retail distribution license and the advertisement for the receipt of sealed bid(s) therefor is hereby authorized pursuant to *N.J.S.A. 33:1-19, et seq.*; and

BE IT FURTHER RESOLVED, that the Township of Marlboro shall hold a public sealed bid sale for the aforesaid plenary retail distribution license.

BE IT FURTHER RESOLVED, that the following requirements and conditions must be met by any and all prospective bidders:

1. Only the bids of bidders qualified to have an interest in a plenary retail distribution license under the standards set forth in the *Alcoholic Beverage Control Act*, the regulations promulgated thereunder and any applicable provisions of the Code of the Township of Marlboro will be opened.

2. To pre-qualify, a prospective bidder must, on or before 10:00 AM on January 13, 2015, submit the following to the Township Clerk at 1979 Township Drive in Marlboro, New Jersey:

(a) A full and complete twelve (12) page Alcoholic Beverage Control License Application form, including the required municipal license fee of \$2,220.00 (the municipal license fee of an unsuccessful bidder shall be returned after the award of the license, less an administrative fee of ten percent (10%) of such license fee), and the required State license fee of \$200.00;

(b) A separate signed Certification of Proof of Compliance by the prospective bidder that it/he/she meets any and all conditions or requirements contained in this Resolution, and that the prospective bidder knows of no reason why it/he/she would be disqualified from having an interest in a plenary retail distribution license in New Jersey under the standards set forth in the *Alcoholic Beverage Control Act* and the rules and regulations promulgated thereunder; and

(c) a separately sealed envelope with the prospective bidder's deposit fee of \$77,500 (by bank check or certified check) which shall be non-refundable to the successful bidder after the award of bid.

3. The minimum bid for the plenary retail distribution license is \$775,000. The Mayor and Township Council reserve the right to reject all bids if the highest bid is not accepted.

4. Sealed bids shall be received on or before 10:00 AM on January 13, 2015 at the office of the Marlboro Township Clerk, 1979 Township Drive, Marlboro, New Jersey. The outside of the sealed envelope shall state:

- (a) "2015 Liquor Distribution License bid"; and
- (b) Name of the Bidder.

5. At 3:00 P.M. on January 14, 2015, the Township Clerk shall publicly announce those prospective bidders who have pre-qualified. A list of such pre-qualified bidders shall also be posted on the public announcements bulletin board in the Municipal Building.

6. The Clerk of the Township of Marlboro will open any and all sealed bids received from pre-qualified bidders at 10:00 AM on January 21, 2015 at the office of the Marlboro Township Clerk, 1979 Township Drive, Marlboro, New Jersey. No bid will be opened from or on behalf of any bidder who does not pre-qualify or has not submitted proof of qualification. Immediately after opening the sealed bids of the pre-qualified bidders, the Township Clerk shall publicly announce the amount of each bid received and the name of each bidder.

7. The Township Council, shall, by written Resolution, adopted at a public meeting, either award the license to the highest qualified bidder or reject all bids. If the award is made to the highest qualified bidder, the ultimate issuance of the license shall be subject to each of the following terms and conditions:

(a) Payment of the balance of the bid by certified check made payable to the "Township of Marlboro" by July 31, 2015. Failure to make timely payment of such balance shall, at the option of the Township, result in voiding of the license award and forfeiture of the successful bidder's deposit whereupon the Township may award the license to the remaining highest qualified bidder or determine to take no action;

(b) Payment of the State License Application Fee;

(c) Payment of the annual municipal plenary retail distribution license fee;

(d) Satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the plenary retail distribution license;

(e) Receipt of favorable State and/or Federal criminal background checks; and

(f) Compliance with the publication, hearing and Resolution requirements under *N.J.A.C. 13:2-2.1 et seq.*

The deposit(s) of all unsuccessful bidders shall be returned within ten (10) days of the date of the award.

8. The Township hereby reserves the right to reject all bids when the highest qualified bid is not accepted.

9. The sale of the plenary retail distribution license may be postponed or canceled at any time prior to the opening of the bids.

10. Prospective bidders shall also comply with all other provisions of *N.J.A.C. 13:2-2.1 et seq.*, including, but not limited to, publication of the Notice of Application.

11. If no new plenary retail distribution license has been issued pursuant to this Resolution by July 31, 2015, no new plenary retail distribution license shall thereafter be issued without a further Resolution of the Township Council determining to issue a new plenary retail distribution license.

BE IT FURTHER RESOLVED, that notice of the public sale of the plenary retail distribution license shall be in conformance with *N.J.S.A. 33:1-19.4*; and

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

- a. Township Administrator
- b. Township Chief Financial Officer
- c. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2014-369 (Cash Bond Release 9 Station Road - B 171 L 73 - Road Improvements) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: LaRocca).

RESOLUTION # 2014-369

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR THE
PROPERTY KNOWN AS, BLOCK 171, LOT 73
9 STATION ROAD, MARLBORO TOWNSHIP, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for the release of a Township held Performance Guarantee in the form of a cash deposit posted to guarantee the installation of roadway improvements adjacent to the property known as 9 STATION ROAD, Block 171, LOT 73, Morganville, New Jersey, (the "Site") posted by Anil and Rupali Jain, (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated October 21, 2014 regarding the completion of the Improvements at the Site, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Performance Guarantee, in the form of a cash deposit in the original and present amount of \$1,000.00 plus accrued interest posted by the Developer and being held by the Township, be released in its entirety with no restrictions; and

WHEREAS, the Township Council now wishes to accept the recommendation of the Township Engineer concerning the aforesaid Performance Guarantee.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the current Performance Guarantee for the Site (as defined and described hereinabove), a cash deposit in the original and present amount of \$1,000.00 plus accrued interest posted by the Developer (as defined and described hereinabove) and being held by the Township shall be released in its entirety, and

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

- a. Anil and Rupali Jain
- b. Mayor Jonathan L. Hornik
- c. Township Business Administrator
- d. Township Engineer
- e. Chief Financial Officer
- f. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2014-370 (Cash Bond Release 9 Station Road - B 171 L 73 - Demolition) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: LaRocca).

RESOLUTION # 2014-370

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR THE
PROPERTY KNOWN AS, BLOCK 171, LOT 73
9 STATION ROAD, MARLBORO TOWNSHIP, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request for the release of a Township held Performance Guarantee in the form of a cash deposit posted to guarantee the demolition of certain pre-existing structures on the property known as 9 STATION ROAD, Block 171, LOT 73, Morganville, New Jersey, (the "Site") posted by Anil and Rupali Jain, (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated October 21, 2014 regarding the completion of the

Improvements at the Site, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the report recommends that the current Performance Guarantee, in the form of a cash deposit in the original and present amount of \$1,000.00 plus accrued interest posted by the Developer and being held by the Township, be released in its entirety with no restrictions; and

WHEREAS, the Township Council now wishes to accept the recommendation of the Township Engineer concerning the aforesaid Performance Guarantee.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the current Performance Guarantee for the Site (as defined and described hereinabove), a cash deposit in the original and present amount of \$1,000.00 plus accrued interest posted by the Developer (as defined and described hereinabove) and being held by the Township shall be released in its entirety, and

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

- a. Anil and Rupali Jain
- b. Mayor Jonathan L. Hornik
- c. Township Business Administrator
- d. Township Engineer
- e. Chief Financial Officer
- f. DeCotiis, FitzPatrick & Cole, LLP

The following Resolution #2014-371 (Authorizing 2014 Budget Transfers) was introduced by reference, offered by Councilman Cantor, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: LaRocca).

RESOLUTION # 2014-371

RESOLUTION AUTHORIZING 2014 BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over the above the amount deemed to be necessary to fulfill the purpose of such appropriation,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Calendar Year 2014 Municipal Budget as follows:

CURRENT FUND

FROM

Administration	01-201-20-030-226	25,000.00
Legal Services	01-201-20-050-226	30,000.00
Road Maintenance	01-201-26-120-101	40,000.00
Public Works	01-201-26-125-101	75,000.00

170,000.00

TO

Recycling	01-201-26-117-288	100,000.00
Municipal Garage	01-201-26-121-252	55,000.00
Recreation	01-201-28-145-218	15,000.00

170,000.00

WATER UTILITY FUND

FROM

Water - Water Operating	05-201-55-500-234	50,000.00
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50,000.00

TO

Capital Outlay	05-201-55-501-297	50,000.00
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50,000.00

As the consent agenda, the following resolutions were introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger, and as there was no objection, the Clerk was asked to cast one ballot: Res. #2014-372 (Authorizing Application 2014 NJ DOT Highway Safety Grant), Res. #2014-373 (Authorizing Participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperative Initiative), Res. #2014-374 (Amendment to State Contracts for Auto/Truck Parts), Res. #2014-375 (Amendment to Mon County Contracts for Auto/Truck Parts), Res. #2014-376 (Authorizing Change Order - Emergency Water Main Repairs), Res. #2014-377 (Authorizing Final Close Out Change Order and Acceptance of Swim Club Tennis Court Resurfacing Project), Res. #2014-378 (Consenting to Proposed WQM Plan Amendment Entitled Marlboro Township Harbor Road Water Treatment Plant), Res. #2014-379 (Authorizing Award of Bid - On-Site Brush Grinding), Res. #2014-380 (Authorizing Award of Bid - Asphalt Hot Patcher Recycling Dump Trailer), Res. #2014-381 (Authorizing Amendment of State Contract Award for Additional Replacement Police Vehicle), Res. #2014-382 (Authorizing Engineering Design & Bid

Services - Various Stream Cleaning Projects), Res. #2014-383 (Authorizing Engineering Services for Update of Fuel Spill Prevention Plan), Res. #2014-384 (Authorizing Shared Services Agreement with Fire District 2 for Provision of Computer Aided Dispatch (CAD)-Based Volunteer Emergency Recall Services), Res. #2014-385 (Authorizing Contract Change Order - Pool Maintenance), Res. #2014-386 (Authorizing SCAT Agreement with Mon County), Res. #2014-387 (Authorizing Amendment to Contract - Referee Services - Soccer Boosters), Res. #2014-388 (Redemption Tax Sale Certs - Various), Res. #2014-389 (Refunds to MTWUD - Various) and Res. #2014-390 (Refund for Water Charges - MTWUD).

RESOLUTION # 2014-372

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Highway Safety Fund project.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of Marlboro formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as HSF-2014-Marlboro Township-00002 to the New Jersey Department of Transportation on behalf of The Township of Marlboro.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Marlboro Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION # 2014-373

TOWNSHIP OF MARLBORO, NEW JERSEY
(the "Issuer")

RESOLUTION AUTHORIZING
PARTICIPATION IN THE SECURITIES
AND EXCHANGE COMMISSION'S
MUNICIPALITIES CONTINUING
DISCLOSURE COOPERATION INITIATIVE

WHEREAS, the above-defined Issuer has previously issued one or more series of bonds, including in the past five (5) years pursuant to one or more preliminary and final official statements (collectively, the "Bonds"); and

WHEREAS, in connection with the issuance of such Bonds, the Issuer covenanted with Bondholders to provide certain secondary market disclosure information on an annual basis to the Nationally Recognized Municipal Securities Information Repositories (pre-2009) and to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access Data Port (2009 to present) ("EMMA"), which secondary market disclosure information may consist of one or more of the following: audited financial statements, municipal budgets, other financial and operating data and ratings changes; and

WHEREAS, the Securities and Exchange Commission (the "SEC") has recently focused attention on what it alleges is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentation through material misstatements in an official statement (innocently, inadvertently or otherwise) of past compliance with continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "SEC Initiative"), a limited-time program ending on December 1, 2014, that encourages issuers of municipal bonds, including the Issuer, to self-report possible material misstatements or omissions, made in the past five (5) years in an official statement regarding compliance with prior continuing disclosure obligations; and

WHEREAS, should the SEC determine than an issuer has made material misstatements in an official statement regarding compliance with prior continuing disclosure obligations, issuers participating in the SEC Initiative agree to accept certain non-monetary penalties, in lieu of unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not participate in the SEC Initiative; and

WHEREAS, by participating in the SEC Initiative, issuers agree to accept the following penalties, if imposed by the SEC (i) compliance with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC, (ii) implementation of policies, procedures and training regarding continuing disclosure obligations, (iii) compliance with all existing continuing disclosure undertakings, (iv) cooperation with any further SEC investigation, (v) disclosure of settlement terms in any final official statement issued within five years of the date of institution of the proceedings, and (vi) production to the SEC of a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

WHEREAS, on July 24, 2014, the Division of Local Government Services issued Local Finance Notice 2014-9 (i) alerting local governments to the SEC Initiative, (ii) strongly recommending that

local governments examine their continuing disclosure contractual obligations and past official statements in order to determine if it is advisable for an issuer to participate in the SEC Initiative and (iii) cautioning local governments that fail to complete a disclosure assessment in connection with the SEC Initiative will likely have difficulty accessing capital markets, difficulty in receiving timely approvals of the Local Finance Board or Director of the Division of Local Government Services, as applicable, and decreased scores on the future "Best Practices Questionnaires"; and

WHEREAS, the Issuer has conducted an internal disclosure audit which (i) summarizes the results of the Issuer's prior compliance with its secondary market disclosure obligations and (ii) compares those results to the statements made by the Issuer in its official statements regarding past compliance (the "Disclosure Audit"); and

WHEREAS, based on the results of the Disclosure Audit, and weighing heavily the known, non-monetary penalties that may come through the Issuer's participation in the SEC Initiative versus the unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not self-report, the Issuer authorizes and directs the Chief Financial Officer, in consultation with the Issuer's general counsel, bond counsel, auditor and other finance professionals, to prepare and submit all documentation required to enter the Issuer's Bond issues into the SEC Initiative, as necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE ISSUER, AS FOLLOWS:

Section 1. The Issuer hereby declares its desire and intent to enter the Issuer's applicable Bond issues into the SEC Initiative. The Issuer hereby authorizes and directs the Chief Financial Officer to prepare and submit all documentation necessary to enter the Issuer's applicable Bond issues into the SEC Initiative and further authorizes and directs the Chief Financial Officer to work cooperatively with the SEC and to deliver, enter into and execute any additional document, certificate or agreement necessary in connection with the SEC Initiative.

Section 2. Any action taken by the Chief Financial Officer, or any other officer of the Issuer, with respect to the Disclosure Audit and participation in the SEC Initiative prior to the date hereof is hereby ratified and confirmed.

Section 3. This resolution shall take effect immediately.

RESOLUTION # 2014-374

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACTS TO VARIOUS VENDORS FOR PURCHASE OF AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VEHICLE MAINTENANCE

WHEREAS, the Township of Department of Public Works Division of Vehicle Maintenance is in need of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES in order to maintain the Township vehicle fleet; and

WHEREAS, the Township Council previously granted authorization to utilize vendors approved under the State Cooperative Purchasing Program pursuant to R.2014-60; and

WHEREAS, the Division of Vehicle Maintenance has recommended that the Township purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under various State contracts as follows:

	State Contract ID	Original	Proposed Amend	Total
NAPA Auto Parts (F&C Auto)	73733	40,000.00	12,000.00	52,000.00
NAPA Auto Parts (Capitol Supply, Inc./Bridge Auto Supply)	80071	2,500.00	(1,821.51)	678.49
Mid Atlantic Truck Center	73939	7,000.00	32,500.00	39,500.00
Hudson County Motors	73715, 81177	3,500.00	5,100.00	8,600.00
Greenfield Dodge	73709	5,500.00	(4,622.32)	877.68
D&W Diesel (Fleetsource)	76447	1,700.00	0.00	1,700.00
Norman's Auto Services	77926	3,000.00	(1,000.00)	2,000.00
Jim Curley Auto Parts	73699	1,500.00	2,000.00	3,500.00
Norcia	73514, 74177, 73713	1,500.00	0.00	1,500.00
Perth Amboy Springs	73777	2,500.00	0.00	2,500.00
Craft Oil (Petro Choice)	81514	15,000.00	0.00	15,000.00
Harter Equipment	76919	8,000.00	(6,270.40)	1,729.60
Trius, Inc.	74175	2,500.00	13,000.00	15,500.00
Storr Tractor	76921	500.00	6,000.00	6,500.00
Foley Equipment	70790, 84365	11,500.00	1,500.00	13,000.00
Aurora	75554	5,500.00	(4,000.00)	1,500.00
Hoover Truck Center	73702	5,000.00	(5,000.00)	0.00
Cambria Auto	73711	6,500.00	3,010.84	9,510.84
Varga Auto Repair and Transmission	76436	17,000.00	(14,405.00)	2,595.00
		140,200.00	37,991.61	178,191.61

; 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

Department of Public Works to obtain AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under various State contracts in order to maintain the Township vehicle fleet; and

WHEREAS, funds will be certified by the Chief Financial Officer at the time of order; and

WHEREAS, the Township Council desires to approve the purchase of said AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from the vendors and under the State Contracts identified above in an amount not to exceed \$37,991.61; and

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

- a. Township Administrator
- b. Township Acting Director of Public Works
- c. Township Chief Financial Officer

RESOLUTION # 2014-375

RESOLUTION AUTHORIZING AWARD OF CONTRACTS TO VARIOUS VENDORS FOR PURCHASE OF AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VEHICLE MAINTENANCE THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township is authorized to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from bids obtained from a cooperative pricing system such as the Monmouth County Cooperative Purchasing Program pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded contracts to Freehold Dodge, Freehold Ford and Edwards Tire Company, Inc. for the provision of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES; and

WHEREAS, the Public Works Department has indicated that Freehold Dodge, Freehold Ford and Edwards Tire Company, Inc. have agreed to extend the pricing provided to Monmouth County to Marlboro Township through the Monmouth County Cooperative Purchasing Program; and

WHEREAS, the Township Council previously granted authorization to utilize vendors approved under the Monmouth County Cooperative

Purchasing Program pursuant to R.2014-61; and

WHEREAS, the Township of Department of Public Works Division of Vehicle Maintenance is in need of additional auto and truck parts and supplies in order to maintain the Township vehicle fleet for the remainder of 2014; and

WHEREAS, at this time, the Public Works Department has recommended the award of contracts as follows:

Vendor ID	County Contract ID	Original	Proposed Amend	Total
Edwards Tire Company Inc	F-42-2014	55,000.00	(5,000.00)	50,000.00
Freehold Dodge	F-24-2012	2,200.00	12,000.00	14,200.00
Freehold Ford	F-23-2012	15,500.00	2,000.00	17,500.00
		72,700.00	9,000.00	81,700.00

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Department of Public Works to obtain AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under the Monmouth County Cooperative Purchasing Program in order to maintain the Township vehicle fleet; and

WHEREAS, funds will be certified by the Chief Financial Officer at the time of order; and

WHEREAS, the Township Council desires to approve the purchase of said AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from Freehold Dodge, Freehold Ford and Edwards Tire Company, Inc. pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$9,000.00; and

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

- a. Township Administration
- b. Township Acting Director of Public Works
- c. Township Chief Financial Officer

RESOLUTION # 2014-376

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH LUCAS CONSTRUCTION GROUP, INC. FOR THE PROVISION OF EMERGENCY WATER MAIN REPAIRS FOR THE TOWNSHIP OF MARLBORO WATER UTILITY DIVISION

WHEREAS, on January 24, 2013 (R.2013-055), the Township Council of the Township of Marlboro awarded a contract to LUCAS CONSTRUCTION GROUP, INC., the lowest responsible bidder, for the PROVISION OF EMERGENCY WATER MAIN REPAIRS AND OTHER EMERGENCY WATER SYSTEM REPAIRS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION through the acceptance of bids in an amount not to exceed \$111,014.00, for a term ending January 31, 2014; and

WHEREAS, on January 16, 2014 (R.2014-058), the Township of Marlboro renewed the contract with LUCAS CONSTRUCTION GROUP, INC. for a term of one year, beginning on February 1, 2014 and ending on January 31, 2015, for an amount not to exceed \$111,014.00; and

WHEREAS, the Acting Director of Public Works is rewriting the bid specifications and has advised that additional emergency water main repairs will be needed during the term of the contract with LUCAS CONSTRUCTION GROUP, INC. in an amount which will exceed the existing authorization by \$21,595.06; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a change order to the contract with LUCAS CONSTRUCTION GROUP, INC. whose address is 173 Amboy Road, Morganville, NJ 07751 be authorized in a total amount not to exceed \$21,595.06; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$21,595.06 are available for the aforesaid change order in 06-215-13-10A-500288; and

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

- a. LUCAS CONSTRUCTION GROUP, INC.
- b. Township Administrator
- c. Department of Public Works

RESOLUTION # 2014-377

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND AMERICAN TENNIS COURTS, INC. AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF SWIM CLUB COURT RESURFACING

WHEREAS, on July 17, 2014 (R.2014-259) the Township of Marlboro authorized the award of a contract to AMERICAN TENNIS COURTS, INC. for the SWIM CLUB COURT RESURFACING project (the "Project"); and

WHEREAS, Closeout Change Order has been requested resulting in a decrease in the original contract amount of \$404,384.00 to \$403,848.80, a net decrease of \$535.20; and

WHEREAS, in a Letter dated October 10, 2014, the Township Engineer has confirmed that the Project has been completed in accordance with the approved plans and specifications and has recommended approval of the Closeout Change Order, acceptance of the Project improvements, and issuance of final payment in the amount of \$127,993.54; and

WHEREAS, pursuant to the terms of the contract, AMERICAN TENNIS COURTS, INC. has provided a two-year maintenance bond in an amount equal to 15% of the final contract amount or \$60,577.32; and

WHEREAS, the Township Council of the Township of Marlboro has reviewed the Township Engineer's October 10, 2014 letter and is amenable to approving Closeout Change Order, accepting the Project improvements and issuing a final payment to AMERICAN TENNIS COURTS, INC. in the amount of \$127,993.54.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Closeout Change Order to the existing contract with AMERICAN TENNIS COURTS, INC., be and is hereby approved, decreasing the original contract amount of \$404,384.00 to \$403,848.80, a net decrease of \$535.20.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$127,993.54 for work completed by AMERICAN TENNIS COURTS, INC. is hereby approved.

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

- a. AMERICAN TENNIS COURTS, INC.
- b. Township Business Administrator
- c. Township Engineer
- d. Township Recreation Director
- e. Township Chief Financial Officer

RESOLUTION # 2014-378

A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY
MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED MARLBORO TOWNSHIP
HARBOR ROAD WATER TREATMENT PLANT

WHEREAS, the Township of Marlboro desires to provide for the orderly development of wastewater facilities within Marlboro Township; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

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; and

WHEREAS, following a review of the bids, as described in a memo dated October 31, 2014 from the Acting Director of Public Works, it has been determined that the submission of the apparent lowest responsible bidder for the PROVISION OF ON-SITE BRUSH GRINDING SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS is responsive; and

WHEREAS, the Acting Director of Public Works has recommended the award of contract for Item #1 - Grinding and Removal of entire stockpile of material to Greenscape Landscape Contractors, the apparent lowest responsible bidder; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Acting Director of Public Works as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Greenscape Landscape Contractors, whose address is 3809 E. Thompson Street, Philadelphia, PA 19138 in an amount not to exceed \$100,000.00 for the PROVISION OF ON-SITE BRUSH GRINDING SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness a contract with Greenscape Landscape Contractors, whose address is 3809 E. Thompson Street, Philadelphia, PA 19138 in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that funds in the amount of \$100,000.00 will be certified by the Chief Financial Officer upon execution of the budget transfer.

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

- a. Greenscape Landscape Contractors
- b. Township Business Administrator
- c. Township Acting Director of Public Works
- d. Township Chief Financial Officer

RESOLUTION # 2014-380

A RESOLUTION AWARDING CONTRACT TO H.A. DEHART & SON, INC. FOR THE PROVISION OF ONE (1) NEW AND UNUSED 2014 OR NEWER FOUR (4) TON ASPHALT HOT PATCHER RECYCLING DUMP TRAILER FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the PROVISION OF ONE (1) NEW AND UNUSED 2014 OR NEWER FOUR (4) TON ASPHALT HOT PATCHER RECYCLING DUMP TRAILER FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS, and on October 15, 2014, received three (3) bids, as follows:

#	Item Description	Qty	H.A. DeHart & Son, Inc.	McGrath Municipal Equipment	Trius, Inc.
			Thorofare, NJ	Springfield, NJ	Bohemia, NY
			Bid Price	Bid Price	Bid Price
1	Four (4) Ton Asphalt Hot Patcher Recycling Dump Trailer	1	23,349.18	23,549.00	28,701.00
Opt.1	Dual Burner Recycling System	1	768.40	3,720.00	0.00
Opt.2	Hoist/Compactor Basket	1	1,008.53	836.00	1,404.00
Opt.3	Gravity Fed Tack Tank	1	1,296.68	3,330.00	3,422.00
	Grand Total		26,422.79	31,435.00	33,527.00

; and

WHEREAS, the bid was comprised of a base bid, option 1, option 2 and option 3; and

WHEREAS, following a review of the bids, as described in a memo dated October 27, 2014 from the Acting Director of Public Works, it has been determined that the submission of the apparent lowest bidder for the PROVISION OF ONE (1) NEW AND UNUSED 2014 OR NEWER FOUR (4) TON ASPHALT HOT PATCHER RECYCLING DUMP TRAILER FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS is responsive; and

WHEREAS, the Acting Director of Public Works has recommended the award of contract to H.A. DEHART & SON, INC., the apparent lowest bidder for the base bid plus options 1 through 3; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Acting Director of Public Works as set forth herein;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to H.A. DEHART & SON, INC., whose address is 311 Crown Point Road, Thorofare, NJ 08086 in an amount not to exceed \$26,422.79 for the PROVISION OF ONE (1) NEW AND UNUSED 2014 OR NEWER FOUR (4) TON ASPHALT HOT PATCHER RECYCLING DUMP TRAILER FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness a contract with H.A. DEHART & SON, INC., 311 Crown Point Road, Thorofare, NJ 08086 in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds in the amount of \$26,422.79 are available for the aforesaid contract in Capital Accounts #04-215-14-03E-120297 and #04-215-14-03F-120297 and Water Utility Account 05-201-55-500-297020.

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

- a. H.A. DEHART & SON, INC.
- b. Township Business Administrator
- c. Township Acting Director of Public Works
- d. Township Chief Financial Officer

RESOLUTION # 2014-381

A RESOLUTION AUTHORIZING AMENDMENT TO THE PURCHASE OF SIX (6) EQUIPPED 2014 DODGE CHARGER POLICE VEHICLES UNDER STATE CONTRACT #82927 FROM CARMAN DODGE INC. FOR THE TOWNSHIP OF MARLBORO DIVISION OF POLICE

WHEREAS, the Police Department submitted its 2014 capital plan (106-3, 3.1) which included a request for the replacement of police vehicles; and

WHEREAS, on February 6, 2014, the Municipal Council of the Township of Marlboro approved Resolution #2014-083 which authorized Township officials to secure financing for the purchase of police vehicles; 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, Carman Dodge, Inc. ("Carman") was awarded State Contract #82927 for the Dodge Charger Pursuit Vehicle equipped with all options for a price of \$27,075.80, with the exception of the following:

Black & White	1,295.00
80Amp Power Source	175.50
All-Wheel Drive	2,105.84
Total Options Not Covered Under State Contract	3,576.34

WHEREAS, while impractical to purchase the above-listed vehicle options separately from the vehicles themselves, the Township attempted to solicit pricing on those options not covered under the State Contract, and determined that the prices quoted by Carman Dodge were the lowest and most advantageous; and

WHEREAS, by Resolution #2014-310, dated September 4, 2014, the Township of Marlboro authorized the purchase of six (6) equipped 2014 Dodge Charger Police Vehicles under state contract #82927 from Carman Dodge Inc. for the Township of Marlboro Division of Police; and

WHEREAS, the Division of Police has advised that one (1) additional replacement 2014 Dodge Charger Police Vehicle will be needed to replace vehicle number #1304 in an amount which will exceed the original authorization by \$30,652.14; and

WHEREAS, the Township of Marlboro has proposed to utilize existing insurance reimbursement proceeds towards the replacement of vehicle number #1304; and

WHEREAS, funds in the amount of \$30,652.14 have been certified to by the Chief Financial Officer in Current Fund Insurance Reserve Account 01-286-55-004; and

WHEREAS, the Township Council desires to approve the amendment to the purchase of said vehicles.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to amend the purchase of replacement Dodge Charger Police Vehicles from Carman Dodge Inc., 196 S. DuPont Hwy., New Castle, DE 19720, under State Contract #82927 in an amount not to exceed \$30,652.14; and

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

- a. Carman Dodge, Inc.
- b. Township Administrator
- c. Township Chief of Police
- d. Township Chief Financial Officer

RESOLUTION # 2014-382

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 VARIOUS STREAM CLEANING, DE-SNAGGING and DRAINAGE PROJECTS

WHEREAS, the Township of Marlboro as part of its 2013 capital program (060-08) authorized various stream cleaning, de-snagging and drainage projects; and

WHEREAS, the Township is in need of professional engineering services in connection with these projects; and

WHEREAS, CME Associates has provided a proposal dated November 7, 2014 (the "Proposal") for the professional services required 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 \$17,900.00 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 in the amount of \$17,900.00 are available for this purpose from Capital Account #04-215-13-08E-120288; 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 Proposals; 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 Political Contribution Disclosure Form certifying that CME Associates has not made any reportable contributions that would bar the award of a contract pursuant to 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 engineering services in connection with various stream cleaning, de-snagging and drainage

projects by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$17,900.00 for such Professional Services, as further described and set forth in CME's Proposal dated November 7, 2014 ("Proposal"), 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 \$17,900.00 for such additional Professional Services for the Project as described in the Proposal; 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 Business Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2014-383

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 THE PREPARATION OF SPILL PREVENTION, CONTROL AND COUNTERMEASURE ("SPCC") PLANS FOR VARIOUS FACILITIES

WHEREAS, the Township is in need of professional engineering services in connection with the preparation of new Spill Prevention, Control and Countermeasure ("SPCC") plans for the Harbor Road Treatment Plant, the Tennent Road Treatment Plant and to update an existing SPCC plan for the Public Works Facility; and

WHEREAS, CME Associates has provided a proposal dated November 4, 2014 (the "Proposal") for the professional services required 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 \$18,000.00 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 in the amount of \$18,000.00 are available for this purpose from Capital Accounts #04-215-14-03G-122288 and #06-215-13-10A-500288; 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 Proposals; 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 Political Contribution Disclosure Form certifying that CME Associates has not made any reportable contributions that would bar the award of a contract pursuant to 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 THE PREPARATION OF SPILL PREVENTION, CONTROL AND COUNTERMEASURE ("SPCC") PLANS FOR VARIOUS FACILITIES by way of its Township Engineers ("Professional Services"), at a fee not to exceed \$18,000.00 for such Professional Services, as further described and set forth in CME's Proposal dated November 4, 2014 ("Proposal"), 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 \$18,000.00 for such additional Professional Services for the Project as described in the Proposal; 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 Business Administrator
- c. Township Chief Financial Officer

RESOLUTION # 2014-384

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY,
NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE
MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC SAFETY AND MARLBORO FIRE
DISTRICT 2 TO PROVIDE COMPUTER AIDED DISPATCH (CAD) -BASED
EMERGENCY RECALL SERVICES FOR VOLUNTEER FIREFIGHTERS

WHEREAS, the Township of Marlboro (the "Township") Department of Public Safety, Division of Police currently provides emergency dispatching services for the Township of Marlboro which includes volunteer emergency medical services and the independent fire districts; and

WHEREAS, Marlboro Fire District 2 ("District 2") has requested that the Marlboro Township Department of Public Safety, Division of Police acquire an add-on module to the existing computer aided dispatch software application which provides for automated emergency recall of volunteer firefighters; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Township of Marlboro ("Marlboro") and Fire District 2 ("District 2") are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the Township has the facilities to provide computer aided dispatch (CAD)-based emergency recall services for volunteer firefighters; and

WHEREAS, the Township and District 2 have negotiated a Shared Services Agreement, a copy of which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

WHEREAS, the Marlboro Chief of Police has recommended the proposed agreement as representing the best value and public safety solution for Marlboro taxpayers; and

WHEREAS, the Mayor and Municipal Council have indicated their desire to accept the recommendation of the Chief of Police.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Marlboro as follows:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.
3. The Mayor and Township Clerk are hereby authorized to execute the Shared Services Agreement annexed hereto as EXHIBIT A.

RESOLUTION # 2014-385

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH AQUATIC SERVICE INC. FOR THE PROVISION OF POOL MAINTENANCE SERVICES FOR THE TOWNSHIP OF MARLBORO SWIM CLUB AND THE MARLBORO RECREATION AQUATIC CENTER

WHEREAS, on April 3, 2014 (R.2014-158), the Township of Marlboro authorized a contract with AQUATIC SERVICE, INC., the lowest responsible bidder, for the PROVISION OF POOL MAINTENANCE SERVICES FOR THE TOWNSHIP OF MARLBORO SWIM CLUB AND THE MARLBORO RECREATION AQUATIC CENTER; and

WHEREAS, the Recreation Director has advised that additional POOL MAINTENANCE SERVICES will be needed prior to the expiration of the contract in an amount which will exceed the existing authorization by approximately \$3,868.82; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a change order to the contract with AQUATIC SERVICE, INC. whose address is 170 Burlington Avenue, Spotswood, NJ 08884 be authorized in a total amount not to exceed \$3,868.82; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$3,868.82 are available for the aforesaid change order in Utility Account #09-201-55-400-288452; and

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

- a. AQUATIC SERVICE INC.
- b. Township Administration
- c. Department of Recreation

RESOLUTION # 2014-386

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY
OF MONMOUTH, FOR SPECIAL CITIZENS AREA TRANSPORTATION
SYSTEM (SCAT) SERVICES TO ELIGIBLE PERSONS

WHEREAS, The Board of Chosen Freeholders of the County of Monmouth (hereinafter, "the County") has established the Special Citizens Area Transportation System (hereinafter, "SCAT"); and

WHEREAS, the Township of Marlboro has requested that the County provide services to eligible residents and wishes to enter into a Shared Services Agreement with the County for the provision of transportation services to eligible residents of Marlboro Township for the year 2015; 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 transportation services contemplated herein; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the proposed shared services agreement in a form similar as that attached hereto for the provision of transportation services pursuant to the "Special Citizens Area Transportation System" ("SCAT") to eligible residents of Marlboro Township for the year 2015; 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
- b. Business Administrator
- c. Ted Ernst, Recreation Director
- d. Chief Financial Officer

RESOLUTION # 2014-387

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT
WITH MARLBORO SOCCER ASSOCIATION BOOSTERS, INC.
(BOOSTER CLUB) FOR THE PROVISION OF REFEREEING
SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF
RECREATION SOCCER LEAGUES

WHEREAS, on June 19, 2014 (R.2014-238), the Township of Marlboro authorized an agreement with Marlboro Soccer Association Boosters, Inc. (Booster Club) to provide refereeing services for the 2014 Spring and Fall soccer seasons in the amount of \$60,000.00; and

WHEREAS, in a memo dated November 4, 2014, the Director of Recreation has advised that additional refereeing services will be needed from the Booster Club to finish out the season in an amount which will exceed the original authorization by \$1,826.00; and

WHEREAS, funds in the amount of \$1,826.00 have been certified to by the Chief Financial Officer in Utility Account #09-201-55-400-296409; and

WHEREAS, the Township Council desires to approve the amendment to the agreement for refereeing services.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to amend the agreement for refereeing services with Marlboro Soccer Association Boosters, Inc. (Booster Club), in an amount not to exceed \$1,826.00; and

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

- a. Township Administrator
- b. Township Director of Recreation
- c. Township Chief Financial Officer

RESOLUTION # 2014-388

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$ 75,304.62 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 \$ 75,304.62 be refunded to the certificate holders as per Schedule "A".

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIENHOLDER</u>	<u>AMOUNT</u>
2013-135	412.01/63	US BANK FOR TOWER DBW	60,569.95
4 Ike Court		50 S. 16 TH ST. Suite 1950 TOW Philadelphia, PA 19102 Assessed Owner: Two Thousand Twenty Properties, LLC	
2013-009	116/2	Bulwark Systems, LLC	2,286.43
4 Nolan Road		22 Emily Road Manalapan, NJ 07726 Assessed Owners: Sims, Cary	
2013-099	288/29/C0455	US Bank Cust for Pro Cap II	1,263.80
455 Bayberry Court		50 S. 16 TH ST. Suite 1950 TOW Philadelphia, PA 19102 Assessed Owner: Colnick, Miriam C/O Allan	
11-24	146/13	Stephen Gale	11,184.44
Wooleytown Road		121 Warren Street Keyport, NJ 07735 Assessed Owner: Woods, James M. & Ethel D.	
TOTAL:			75,304.62

RESOLUTION # 2014-389

WHEREAS, tax sale certificates sold at the 2014 Tax Lien Sale included delinquent water charges in the amount of \$3,904.54 as per Schedule "A",

WHEREAS, the above-mentioned tax sale certificates were bought by a third party,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned water charges in the amount of \$3,904.54 be refunded to the Marlboro Township Water Utility Division.

SCHEDULE "A"

<u>TSC#</u>	<u>BLOCK/LOT</u>	<u>WATER ACCT.</u>	<u>LIENHOLDER/ PROPERTY LOCATION</u>	<u>AMOUNT</u>
2014-003	106/6	24996	PC 5, LLC US BANK CUST FOR PC5 STERLING NATIONAL 17 THOMAS LANE	1,612.28
2014-014	120/11	27394	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 416 IRONWOOD LANE	165.09
2014-018	127/19	27683	PC 5, LLC US BANK CUST FOR PC5 STERLING NATIONAL 28 LLOYD ROAD	198.47
2014-022	146/34	21160	DSHC ENTERPRISES, LLC 318A TYLERS LANE	73.25
2014-023	146/39	31111	US BANK CUST FOR FNA JERSEY BOI 460 TEXAS ROAD	38.20
2014-025	147/42	31016	US BANK CUST FOR FNA JERSEY BOI 232 SPRING VALLEY ROAD	160.34
2014-030	171/39	27468	KIMBERLY S. PAKNEY 44 DEVONSHIRE DRIVE	181.34
2014-035	173/7/C0340	51968	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 340 MAYFAIR PLACE	172.04

2014-038	176/7/C0713	54430	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 713 SNOWDROP COURT	160.69
2014-040	176/7/C0869	55031	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 869 MARIPOSA COURT	162.07
2014-043	176/7/C1005	58346	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 1005 TARRAGON COURT	162.08
2014-049	178/290/C0325	59639	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 325 BENARD DRIVE	6.36
2014-051	184/1	27411	US BANK CUST FOR FNA JERSEY BOI 189 ROUTE 520	164.34
2014-076	301/36	11891	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 30 DUNCAN DRIVE	37.37
2014-080	305/71	19107	PC 5, LLC US BANK CUST FOR PC5 STERLING NATIONAL 30 VISTA DRIVE	140.99
2014-083	314/1	11130	DSHC ENTERPRISES, LLC 161 GORDONS CORNER ROAD	259.10
2014-084	320/4	13747	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 16 JENNIFER COURT	174.05
2014-085	327/46	17710	MTAG CUSTODIAN FOR FIG CAPTIAL INVESTMENTS 1 HUDSON BAY TERRACE	36.48
TOTAL:				3,904.54

RESOLUTION # 2014-390

WHEREAS, delinquent water charges totaling \$ 990.92 have been paid to the Township on behalf of Marlboro Township Water Utility Division to avoid tax sale as per Schedule "A",

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned water charges in the amount of \$ 990.92 be refunded to Marlboro Township Water Utility Division.

Schedule "A"

<u>WATER ACCT#</u>	<u>BLOCK/LOT</u>	<u>PAYEE/PROPERTY LOC.</u>	<u>AMT.</u>
31190	147/4.02	Thomas Alber 248 Spring Valley Road	38.20
23985	148/14	Leone & Laura Mancini 139 Tennent Road	38.04
22389	149/2	Morganville Catering 47 Tennent Road	3.80
55761	176/7/c0492	Artur & Mushkarova Tsaturyam 492 Tivoli Court	2.41
54310	176/7c0655	Samir Jain 655 Windflower Court	177.09
38371	192/4	Dafna Greenstein 35 Stonyhill Drive	162.83
41208	255/5	Louis & Donna Morales 11 Diane Drive	144.23
36590	299/181.01	Cassandra & Louis Roberts 426 Tennent Road	310.17
12060	305/192	Uzi & Ruth Edri 17 Regina Road	114.15
		TOTAL:	990.92

At 7:40PM, Council Vice President Mazzola 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: DECEMBER 4, 2014

OFFERED BY: MARDER AYES: 3

SECONDED BY: METZGER NAYS: 0

ABSTAIN: LaROCCA

ABSENT: MAZZOLA

ALIDA MANCO,
MUNICIPAL CLERK

SCOTT METZGER,
COUNCIL PRESIDENT