

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

February 12, 2015

The Marlboro Township Council held its regularly scheduled Meeting on February 12, 2015 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 this meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 13, 2015; 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, Councilman Scalea and Council President Metzger.

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.

Council President Metzger opened the Public Hearing on Resolution #2015-88/Ordinance #2015-1 (Amending Fees - Various). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2015-88/Ordinance #2015-1 (Amending Fees - Various) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2015-88

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

ORDINANCE # 2015-1

AN ORDINANCE AMENDING AND SUPPLEMENTING LICENSING AND PERMITTING FEES FOR: ALCOHOLIC BEVERAGES; FEES; UNIFORM CONSTRUCTION CODE FEES; AND FEES FOR CERTIFICATION OF CONTINUED OCCUPANCY OF THE CODE OF THE TOWNSHIP OF MARLBORO

which was introduced on January 29, 2015, public hearing held on February 12, 2015, be adopted on second and final reading this 12th day of February, 2015.

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 Resolution #2015-89/Ordinance #2015-2 (Bond Ordinance - General Capital Improvements). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2015-89/Ordinance #2015-2 (Bond Ordinance - General Capital Improvements) was introduced by reference, offered by Council Vice President Mazzola, seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2015-89

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

ORDINANCE # 2015-2

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$4,606,410 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,376,090 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

which was introduced on January 29, 2015, public hearing held on February 12, 2015, be adopted on second and final reading this 12th day of February, 2015.

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

ORDINANCE # 2015-2

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL  
IMPROVEMENTS IN AND BY THE TOWNSHIP OF  
MARLBORO, IN THE COUNTY OF MONMOUTH, NEW  
JERSEY, APPROPRIATING \$4,606,410 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$4,376,090  
BONDS OR NOTES OF THE TOWNSHIP TO FINANCE  
PART OF THE COST THEREOF.

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

Section 1. The several improvements described in  
Section 3 of this bond ordinance are hereby respectively  
authorized to be undertaken by the Township of Marlboro, in the  
County of Monmouth, New Jersey (the "Township") as general  
improvements. For the several improvements or purposes  
described in Section 3, there are hereby appropriated the  
respective sums of money therein stated as the appropriation  
made for each improvement or purpose, such sums amounting in the  
aggregate to \$4,606,410, and further including the aggregate sum  
of \$230,320 as the several down payments for the improvements or  
purposes required by the Local Bond Law. The down payments have  
been made available by virtue of provision for down payment or  
for capital improvement purposes in one or more previously  
adopted budgets.

Section 2. In order to finance the cost of the several  
improvements or purposes not covered by application of the  
several down payments, negotiable bonds are hereby authorized to  
be issued in the principal amount of \$4,376,090 pursuant to the  
Local Bond Law. In anticipation of the issuance of the bonds,  
negotiable bond anticipation notes are hereby authorized to be  
issued pursuant to and within the limitations prescribed by the  
Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of various office equipment, including a copier, a file cabinet for vital records, MS licensing, rack mount servers, firewall and network improvements and hardware, the Annual Personal Computer and Laptop Replacement Program and the replacement of laser printers, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$192,712	\$183,076	5 years
b) Acquisition of various vehicles, including a truck for the Public Safety Department, a roll-off truck and a dump truck with plow and spreader for the Public Works Department, including all	\$388,960	\$369,512	5 years

related costs and expenditures incidental thereto.

c) Improvements to computer aided dispatch, including all related work and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

\$111,218

\$105,658

10 years

d) Various road and sidewalk improvements, including the Annual Road Improvement Program, as more fully described on a list on file in the office of the Clerk, including improvements to Texas Road and Wyncrest sidewalk construction to Route 79, including all work and materials necessary therefor and incidental thereto.

\$3,000,400

\$2,850,380

10 years

e) Various improvements to public buildings, including the Marlboro First Aid Squad and the Morganville First Aid Squad,

\$72,800

\$69,160

10 years

including all work and materials necessary therefor and incidental thereto.

f) Acquisition of various equipment, including equipment for police vehicles and a brush chipper, including all related costs and expenditures incidental thereto.	\$208,000	\$197,600	15 years
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g) Improvements to various parks and recreational equipment, including repairs to the Nolan Road Park tennis courts, benches and picnic tables, the replacement of the Nolan Park basketball court and miscellaneous playground equipment repairs, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$283,920	\$269,724	15 years
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h) Various stream cleaning improvements, as more fully described on a list

on file in the office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$62,400	\$59,280	15 years
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i) Rockwell Circle Dam improvements, including all work and materials necessary therefor and incidental thereto.	\$52,000	\$49,400	40 years
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j) Miscellaneous drainage projects, as more fully described on a list on file in the office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$104,000	\$98,800	40 years
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k) Replacement of the salt dome roof, including all work and materials necessary therefor and incidental thereto.	<u>\$130,000</u>	<u>\$123,500</u>	20 years
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TOTAL:	<u>\$4,606,410</u>	<u>\$4,376,090</u>	
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The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.26 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,376,090, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$552,170 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the

requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

Council President Metzger opened the Public Hearing on Resolution #2015-90/Ordinance #2015-3 (Bond Ordinance - Water Capital Improvements). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution #2015-90/Ordinance #2015-3 (Bond Ordinance - Water Capital Improvements) was introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2015-90

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

ORDINANCE # 2015-3

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$435,760 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$435,760 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

which was introduced on January 29, 2015, public hearing held on February 12, 2015, be adopted on second and final reading this 12th day of February, 2015.

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

ORDINANCE # 2015-3

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$435,760 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$435,760 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$435,760. No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$435,760 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of a pick-up truck with plow, including all related costs and expenditures incidental thereto.	\$83,200	\$83,200	5 years
b) Various improvements, including, but not limited to, emergency repairs and in-house repair materials for hydrants, valves and pipes, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$130,000	\$130,000	15 years
c) New Jersey American Water Company interconnection for Schanck Road, including all work and materials necessary therefor and incidental thereto.	\$26,000	\$26,000	40 years
d) Well redevelopment and			

rehabilitation,  
including all work  
and materials  
necessary therefor  
and incidental  
thereto.

	<u>\$196,560</u>	<u>\$196,560</u>	40 years
TOTAL:	<u>\$435,760</u>	<u>\$435,760</u>	

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

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

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

inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 25.85 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$435,760, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$46,760 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of

the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

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

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

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

Council President Metzger opened the Public Hearing on Resolution #2015-91/Ordinance #2015-4 (Amending Ordinance 2014-6

for Reconstruction of the Harbor Rd Treatment Plant). After the Public Hearing was held and closed, the following Resolution #2015-91/ Ordinance #2015-4 (Amending Ordinance 2014-6 for Reconstruction of the Harbor Rd Treatment Plant) was introduced by reference, offered by Council Vice President Mazzola, seconded by Council President Metzger and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2015-91

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

ORDINANCE # 2015-4

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AMENDING ORDINANCE NO. 2014-6 OF THE TOWNSHIP FINALLY ADOPTED FEBRUARY 20, 2014, PROVIDING FOR THE CONSTRUCTION OF A NEW WATER TREATMENT PLANT IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$12,400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$12,400,000 IN WATER UTILITY BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

which was introduced on January 29, 2015, public hearing held on February 12, 2015, be adopted on second and final reading this 12th day of February, 2015.

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

ORDINANCE # 2014-4

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AMENDING ORDINANCE NO. 2014-6 OF THE TOWNSHIP FINALLY ADOPTED FEBRUARY 20, 2014, PROVIDING FOR THE CONSTRUCTION OF A NEW WATER TREATMENT PLANT IN AND FOR THE TOWNSHIP OF MARLBORO AND APPROPRIATING \$12,400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$12,400,000 IN WATER UTILITY BONDS OR NOTES OF THE TOWNSHIP OF MARLBORO TO FINANCE THE SAME

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

Ordinance No. 2014-6 of the Township of Marlboro, in the County of Monmouth, New Jersey, finally adopted on February 20, 2014 (the "Prior Ordinance"), is hereby amended in full to read as follows:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$12,400,000 (representing an increase of \$900,000 from the Prior Ordinance). No down payment is required in connection with the improvement or purpose for which obligations are authorized as provided in Section 3 hereof as said purpose is deemed to be self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$12,400,000 (representing an increase of \$900,000 from the Prior Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the construction of a new water treatment plant on Harbor Road in the Township to replace the existing facility, and including all other work and materials necessary therefor and incidental thereto.

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

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

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

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

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

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

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$12,400,000 (representing an increase of \$900,000 from the Prior Ordinance), but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$2,475,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

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

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

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

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond

ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

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

The foregoing bond ordinance is approved.

The following Resolution #2015-92 (Setting Special Council Budget Meeting - Feb. 23 - 6PM) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Cantor and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2015-92

BE IT RESOLVED by the Marlboro Township Council that a "Special" Council Meeting will be held on February 23, 2015 at 6:00 PM at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, N. J. 07746. The purpose of this special meeting is to discuss the 2015 Municipal Budget and any other finance related business.

Action will not be taken and Citizen's Voice will be limited to 15 minutes.

As the consent agenda, the following resolutions were introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President Mazzola, and was passed on a roll call vote of 5 - 0 in favor: Res. #2015-93 (2014 Budget Transfers of Appropriation Reserves), Res. #2015-94 (Authorizing Temporary Emergency Appropriations), Res. #2015-95 (Cancellation of Reserve for Blossom Heights), Res. #2015-96 (Authorizing Final Payment & Close Out Texas Rd Improvements), Res. #2015-97 (Authorizing Contract Morton Salt - Mon County Purchasing Coop), Res. #2015-98 (Confirming Emergency Contract Atlantic Salt - Somerset County Coop), Res. #2015-99 (Confirming Emergency

Contracts for Contract Snow Removal), Res. #2015-100 (Authorizing Contract Group Dental Insurance), Res. #2015-101 (Authorizing Mon County Law Enforcement Mutual Aid Agreement), Res. #2015-102 (Authorizing One Year Contract Renewal - T-Shirts (Rec, Swim, EDC, TAC, Alliance)), Res. #2015-103 (Authorizing One Year Contract Renewal - Coach Bus Transportation for Rec Senior Program), Res. #2015-104 (Authorizing One Year Contract Renewal - Coach Bus Transportation for Recreation Travel Camp), Res. #2015-105 (Authorizing Agreement NJ Rec and Parks Assoc for "Community Service Summer Discount Program"), Res. #2015-106 (Authorizing Purchase of Tickets for Marlboro Rec Dept) Res. #2015-107 (Confirming Sale of Solar Renewable Energy Credits (SRECS)) and Res. #2015-108 (Authorizing Mortgage Subordination - 789 Banyan Court).

RESOLUTION # 2015-93

RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATION RESERVES  
DURING FIRST THREE MONTHS OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation reserve transfers during the first three (3) months of the following fiscal year, when it has been determined that additional funds may be necessary to pay for services or goods that had been received in the operations of the preceding year.

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

Account	From	To
(2014) Employee Insurance - Other Expenses	\$200,000.00	
(2014) Police Salary & Wages	100,000.00	
(2014) Snow Removal Other Expenses		200,000.00
(2014) Accumulated Absences		100,000.00
	\$300,000.00	\$300,000.00

RESOLUTION # 2015-94

EMERGENCY TEMPORARY APPROPRIATION  
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of

the fiscal year and before the adoption of the 2015 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2014 appropriations with the exception of debt service and obligations associated with seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2015 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$19,586,293.51 for the municipal budget, \$1,323,587.50 for the operations of the recreation and swim utility and \$6,407,437.15 for the operations of the water utility; and

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

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation will be provided for in the CY 2015 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

ACCOUNT NUMBER	DESCRIPTION	2015 TEMPORARY BUDGET INCLUDING EMERGENCIES
<u>CURRENT FUND:</u>		
01-201-20-010-100	MAYOR'S OFFICE S&W	30,784.00
01-201-20-010-200	MAYOR'S OFFICE O/E	1,412.50
01-201-20-020-100	CLERK'S OFFICE S&W	106,967.00
01-201-20-020-200	CLERK'S OFFICE O/E	25,629.50
01-201-20-021-100	TOWNSHIP COUNCIL - SALARIES & WAGES	9,000.00
01-201-20-021-200	TOWNSHIP COUNCIL - OTHER EXPENSES	512.50
01-201-20-030-100	ADMINISTRATION S&W	108,643.00
01-201-20-030-200	ADMINISTRATION O/E	42,690.00
01-201-20-033-100	CENTRAL COMPUTER OFFICE - SALARIES & WAGES	57,053.50
01-201-20-033-200	CENTRAL COMPUTER OFFICE - OTHER EXPENSES	31,214.50
01-201-20-035-200	ETHICS COMMISSION - OTHER EXPENSES	4,824.00
01-201-20-040-100	FINANCE S&W	93,143.50
01-201-20-040-200	FINANCE O/E	3,957.50
01-201-20-043-200	ANNUAL AUDIT O/E	17,874.50
01-201-20-045-100	TAX ASSESSOR S&W	70,089.50

01-201-20-045-200	TAX ASSESSOR O/E	62,293.00
01-201-20-046-100	TAX COLLECTOR S&W	72,926.50
01-201-20-046-200	TAX COLLECTOR O/E	19,214.00
01-201-20-050-200	LEGAL SERVICES O/E	169,355.00
01-201-20-055-200	CABLE - OTHER EXPENSES	20,657.00
01-201-20-060-100	ENGINEERING S&W	92,076.50
01-201-20-060-200	ENGINEERING O/E	51,136.00
01-201-20-083-200	ECONOMIC DEVELOPMENT - OTHER EXPENSES	7,860.00
01-201-20-092-200	INTERGOVT. RELATIONS O/E	1,050.00
01-201-20-093-200	HISTORIC SITES COMMITTEE - OTHER EXPENSE	775.00
01-201-20-140-200	Open Space Comm - OTHER EXPENSES	244.00
01-201-20-158-200	POSTAGE - OTHER EXPENSES	24,367.50
01-201-21-070-100	PLANNING BOARD S&W	33,410.00
01-201-21-070-200	PLANNING BOARD O/E	15,812.50
01-201-21-071-200	PLANNING BOARD CONTRAC. O/E	43,200.00
01-201-21-075-100	ZONING S&W	74,877.50
01-201-21-075-200	ZONING O/E	20,753.00
01-201-21-209-100	AFFORDABLE HOUSING S&W	2,000.00
01-201-23-099-200	UNEMPLOYMENT INSURANCE - OTHER EXPENSES	12,500.00
01-201-23-100-200	EMPLOYEE INSURANCE - OTHER EXPENSES	1,657,608.50
01-201-23-101-200	LIABILITY INSURANCES - OTHER EXPENSES	370,000.00
01-201-23-102-200	WORKER'S COMPENSATION O/E	520,000.00
01-201-23-103-200	HEALTH INSURANCE WAIVERS	0.00
01-201-25-052-100	MUNICIPAL PROSECUTOR - SALARIES & WAGES	15,000.00
01-201-25-104-100	FIRE PREVENTION BUREAU S&W	76,551.00
01-201-25-104-200	FIRE PREVENTION BUREAU O/E	6,755.50
01-201-25-106-100	POLICE S&W	4,208,452.50
01-201-25-106-200	POLICE O/E	175,822.50
01-201-25-108-100	EMERGENCY MANAGEMENT S&W	11,500.00
01-201-25-108-200	EMERGENCY/CIVIL DEFENSE O/E	4,110.00
01-201-25-110-200	CONTRIBUTIONS	30,000.00
01-201-25-178-200	LOSAP	55,880.00
01-201-25-212-100	911 EXPENSES S&W	363,554.50
01-201-25-212-200	911 EXPENSES O/E	93,705.50
01-201-25-226-200	S.F.S.P. O/E	5,426.50
01-201-26-117-100	RECYCLING - S&W	1,500.00
01-201-26-117-200	RECYCLING - OTHER EXPENSES	310,000.00
01-201-26-119-100	SNOW REMOVAL S&W	166,500.00
01-201-26-119-200	SNOW REMOVAL - OTHER EXPENSES	700,000.00
01-201-26-120-100	ROAD MAINTENENANCE S&W	719,888.50
01-201-26-120-200	ROAD MAINTENANCE O/E	41,178.00
01-201-26-121-100	VEHICLE MAINTENANCE S&W	197,223.50
01-201-26-121-200	VEHICLE MAINTENANCE O/E	97,287.00
01-201-26-122-100	GROUNDS MAINTENANCE S&W	91,944.00
01-201-26-122-200	GROUNDS MAINTENANCE O/E	140,375.44
01-201-26-125-100	PUBLIC WORKS S & W	147,206.00
01-201-26-125-200	PUBLIC WORKS O/E	41,505.00
01-201-26-126-200	CONDOMINIUM SERVICES ACT - OTHER	80,598.00
01-201-26-129-200	SHADE TREE - OTHER EXPENSES	1,131.50
01-201-27-130-100	REGISTRAR S&W	11,038.07
01-201-27-130-200	REGISTRAR O/E	530.00
01-201-27-134-100	DRUG ABUSE S&W	12,006.50
01-201-27-134-200	DRUG ABUSE CONTROL O/E	9,188.50
01-201-27-136-100	ANIMAL REGULATIONS S & W	25,814.50
01-201-27-136-200	ANIMAL REGULATIONS O/E	0.00
01-201-27-138-100	ENVIRONMENTAL COMMITTEE S&W	1,000.00
01-201-27-138-200	ENVIRONMENTAL PROTEC. O/E	480.50

01-201-28-123-100	PARKS & RECREATION - S&W	228,129.00
01-201-28-123-200	PARKS OTHER EXPENSES	39,900.00
01-201-28-145-100	RECREATION S & W	176,916.00
01-201-28-145-200	RECREATION O/E	66,702.00
01-201-28-146-200	RECREATION TEEN PROGRAMS O/E	1,837.50
01-201-29-150-200	PUBLIC LIBRARY O/E	5,000.00
01-201-30-173-200	PRIOR YEARS BILLS	1,250.00
01-201-30-184-100	ACCUMULATED ABSENCES	500.00
01-201-31-160-200	STREET LIGHTING O/E	325,216.00
01-201-31-161-200	ELECTRIC O/E	164,114.50
01-201-31-162-200	TELEPHONE O/E	59,140.00
01-201-31-164-200	WATER O/E	17,791.50
01-201-31-165-200	SEWER O/E	4,796.00
01-201-31-167-200	NATURAL GAS O/E	42,651.00
01-201-31-168-200	GASOLINE	211,407.50
01-201-32-170-200	LANDFILL DISPOSAL COSTS	90,814.50
01-201-35-180-200	Contingent	5,000.00
01-201-36-174-200	POLICE & FIREMENS RETIREMENT	1,850,000.00
01-201-36-175-200	PUBLIC EMPLOYEES RETIREMENT	890,000.00
01-201-36-176-200	EMPLOYER'S PORTION FICA	568,555.00
01-201-36-179-200	DEFINED CONTRIBUTION RETIREMENT PROGRAM	500.00
01-201-41-313-000	Drunk Driving Enforc Grant	0.00
01-201-41-339-000	ALCOHOL REHABILITATION GRANT	0.00
01-201-41-343-000	Clean Communities Grant	0.00
01-201-41-347-000	Recycling Tonnage Grant	0.00
01-201-41-361-000	Municipal Drug Alliance	40,148.00
01-201-41-363-000	COPS IN SHOPS	0.00
01-201-41-365-000	Body Armor Grant	0.00
01-201-41-366-000	Drive Sober or get Pulled Over Grant	0.00
01-201-41-367-000	Chap 159 - 2013 Highway Safety Fund	0.00
01-201-41-368-000	Chap 159 - 2013 NRCS Grant	0.00
01-201-41-369-000	Chapter 159 - 2013 DDEF	0.00
01-201-41-370-000	Chapter 159 - Clean Communities Grant	0.00
01-201-41-371-000	Chapter 159 - Drive sober Grant	0.00
01-201-43-207-100	MUNICIPAL COURT S&W	174,209.50
01-201-43-207-200	MUNICIPAL COURT O/E	22,189.00
01-201-43-211-100	PUBLIC DEFENDER S&W	8,397.00
01-201-44-222-200	CAPITAL IMPROVEMENT FUND	175,000.00
01-201-45-220-200	BOND PRINCIPAL	1,609,000.00
01-201-45-221-200	LEASE PRINCIPAL	115,600.00
01-201-45-230-200	BOND-INTEREST - OTHER EXPENSES	675,000.00
01-201-45-231-200	DEBT SERVICE LEASE - INTEREST	7,600.00
01-201-45-235-200	NOTE INTEREST	96,000.00
01-201-45-236-200	NOTE PRINCIPAL	165,000.00
01-201-45-240-200	GREEN TRUST DEBT SERVICE	28,865.00
01-201-46-335-200	Deferred Charges Unfunded	0.00
01-201-50-299-200	RESERVE FOR UNCOLLECTED TAXES	0.00
TOTAL		<u>19,586,293.51</u>

WATER UTILITY FUND:

05-201-55-500-100	SALARY & WAGES	416,412.00
05-201-55-500-200000	WATER UTILITY OE	2,977,174.68
05-201-55-501-200000	WATER CAPITAL OUTLAY	2,500.00
05-201-55-503-254010	SOCIAL SECURITY - WATER EMPLOYEE BENEFIT	31,850.47
05-201-55-503-260040	Deferred Charges - NJEIT Payment	0.00
05-201-55-503-261010	Unemployment	2,500.00

05-201-55-503-287010	PENSION - WATER EMPLOYEE BENEFITS	0.00
05-201-55-504-000	Emergency Approp - NJEIT Financing	0.00
05-201-55-509-200000	Emergency Approp - Hurricane Sandy	0.00
05-201-55-520-260040	Bond Principal	1,580,000.00
05-201-55-530-290040	Interest on Bonds	566,000.00
05-201-55-535-260040	Note Principal	33,000.00
05-201-55-535-290040	Interest on Notes	33,000.00
05-201-55-540-260040	NJEIT Loan Principal	610,000.00
05-201-55-545-290040	NJEIT Loan Interest	155,000.00
05-201-55-550-000000	NJEIT Loan Fees	0.00
TOTAL		<u>6,407,437.15</u>

RECREATION UTILITY FUND:

09-201-55-400-101000	RECREATION - SALARY & WAGES	583,161.57
09-201-55-400-200020	RECREATION - OE	668,189.93
09-201-55-451-000000	Capital Outlay	0.00
09-201-55-481-260	Note Principal	13,000.00
09-201-55-481-290	Interest on Notes	14,000.00
09-201-55-487-254413	Social Security Payment	42,736.00
09-201-55-487-261413	Unemployment	2,500.00
09-201-55-487-287413	Pension	0.00
TOTAL		<u>1,323,587.50</u>

RESOLUTION # 2015-95

CANCELLATION OF RESERVE FOR BLOSSOM HEIGHTS

WHEREAS, the Township of Marlboro Annual Financial Statement dated 12/31/14 reflects an amount of \$65,103.27 in a "Reserve for Blossom Heights" in the Current Fund, and

WHEREAS, the costs associated with this project have been funded through budget appropriations in prior years, and

WHEREAS, the "Reserve for Blossom Heights" has been dormant and is no longer required.

NOW, THEREFORE, BE IT RESOLVED that the amount of \$65,103.27 remaining in the "Reserve for Blossom Heights" account in the Current Fund is hereby cancelled into the Current Fund Balance account.

RESOLUTION # 2015-96

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND LUCAS CONSTRUCTION GROUP, INC. AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF TEXAS ROAD IMPROVEMENTS

WHEREAS, by Resolution #2014-223 the Township of Marlboro authorized the award of a contract to Lucas Construction Group Inc. for the Texas Road Improvements project (the "Project"); and

WHEREAS, Closeout Change Order has been requested resulting in a decrease in the original contract amount of \$568,801.50 to \$503,226.37, a net decrease of \$65,575.13; and

WHEREAS, in a Letter dated February 2, 2015, 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 \$10,760.93; and

WHEREAS, pursuant to the terms of the contract, Lucas Construction Group has provided a two-year maintenance bond in an amount equal to 15% of the final contract amount or \$75,483.96; and

WHEREAS, the Township Council of the Township of Marlboro is amenable to approving Closeout Change Order, accepting the Project improvements and issuing a final payment to Lucas Construction Group, Inc. in the amount of \$10,760.93 in order that the Project be completed, such Project being in the interests of the public health, safety and welfare.

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 Lucas Construction Group, Inc., be and is hereby approved, decreasing the original contract total of \$568,801.50 to \$503,226.37, a net decrease of \$65,575.13.

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 \$10,760.93 for work completed by Lucas Construction Group, Inc. is hereby approved.

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. Township Director of Public Works
- d. Township Engineer
- e. Township Chief Financial Officer

RESOLUTION # 2015-97\_

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION OF DE-ICING MATERIAL (SODIUM CHLORIDE TREATED WITH LIQUID MAGNESIUM CHLORIDE AND ORGANIC BASED PERFORMANCE ENHANCER) THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded a contract to Morton Salt, Inc., 123 North Wacker Drive, Chicago, IL 60606-1743 for the provision of de-icing material (treated sodium chloride) at a price of \$72.68 per ton; and

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

WHEREAS, at this time, the Public Works Department has recommended the award of contract for 1,500 tons of material at the contract price for a total not to exceed \$109,020.00; and

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

WHEREAS, funds in the amount of \$65,412.00, for 900 tons, have been certified by the Chief Financial Officer in Account 01-201-26-119-292106; and

WHEREAS, funds in the amount of \$43,608.00 for the remaining 600 tons will be certified by the Chief Financial Officer at the time the 2015 budget is adopted; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of 1,500 tons of de-icing material (treated sodium chloride) from Morton Salt, Inc.,

at a price of \$72.68 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$109,020.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 1,500 tons of de-icing material (treated sodium chloride) from International Salt Company, at a price of \$72.68 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$109,020.00; and

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

- a. Morton Salt, Inc., Chicago, IL
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Township Public Works Department

RESOLUTION # 2015-98

A RESOLUTION CONFIRMING AN EMERGENCY CONTRACT WITH ATLANTIC SALT, INC. FOR THE PURCHASE OF ROCK SALT UNDER THE SOMERSET COUNTY COOPERATIVE PURCHASING SYSTEM PURSUANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on January 26, 2015, the Governor issued Executive Order 172 declaring a State of Emergency in response to winter storm Juno; and

WHEREAS, the Township utilized a substantial amount of material during the two-day event, and was informed that the Township's contract rock salt provider would be unable to schedule deliveries due to system issues, designated as Emergency #1503; and

WHEREAS, the Township is authorized to purchase said rock salt from bids obtained from a cooperative pricing system such as SOMERSET COUNTY pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, SOMERSET COUNTY conducted a public bidding process and awarded a contract to Atlantic Salt, Inc. for the provision of ROCK SALT; and

WHEREAS, N.J.S.A. 40A:11-6 states that "Any contract may be

... awarded for a contracting unit without public advertising for bids and bidding therefor ... when an emergency affecting the public health, safety or welfare requires the immediate ... performance of services ... ."; and

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

WHEREAS, the Superintendent of Public Works and Department of Administration determined that the emergency purchase of rock salt was critical in order to address matters concerning the health, safety and welfare of the public; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized an emergency contract with Atlantic Salt, Inc. for the purchase of 1,000 tons of rock salt; and

WHEREAS, funds in the amount of \$60,930.00 have been certified by the Chief Financial Officer in account 01-201-26-119-292106.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the emergency contract award pursuant to N.J.S.A. 40A:11-6 be confirmed for the purchase of rock salt.

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

- a. Business Administrator
- b. Emergency Management Coordinator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION # 2015-99

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

WHEREAS, the Governor issued Executive Order No. 172 and declared a state of emergency in response to winter storm Juno; and

WHEREAS, over the seven days following winter storm Juno the National Oceanic and Atmospheric Administration predicted freezing temperatures and additional precipitation, designated as Township Emergency #1503; and

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

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

WHEREAS, on January 26, 2015 the Department of Public Works advised that contract snow plow services and additional equipment would be required in order to remove the snow from the roadways prior to temperatures falling below the freezing mark; and

WHEREAS, the two-day storm on January 26 and 27, 2015 led to a substantial amount of snow accumulating on the roadways posing a serious threat to the public health, safety and welfare, constituting an emergency under the terms of N.J.S.A. 40A:11-6; and

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

LJ Pesce Inc.	31,320.00
Lucas Construction Group	56,650.00
Premium Growers Inc.	86,486.00
Triple C Nurseries	148,207.90

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

WHEREAS, the Township of Marlboro authorized the final one year extension for the Supply of Contract Snow Removal Services

for the Township on September 4, 2014 (R. 2014-309); and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township authorized the contract vendors to perform snow removal services at their contract pricing in excess of the contract not to exceed the amounts, estimated at \$22,000.00 for L.J. Pesce Inc., PO Box 88, 19 Windswept Rd., Holmdel, NJ 07733, \$31,000.00 for Lucas Construction Group, Inc., 173 Amboy Road, Morganville, NJ 07751, \$67,000.00 for Premium Growers, Inc., 178 Highway 34, Holmdel, NJ 07733, and \$79,000.00 for Triple C Nurseries, PO Box 306, 915 B Holmdel Rd, Holmdel, NJ 07733; and

WHEREAS, the Chief Financial Officer will certify funds upon adoption of the 2015 budget.

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

LJ Pesce Inc.	22,000.00
Lucas Construction Group	31,000.00
Premium Growers Inc.	67,000.00
Triple C Nurseries	79,000.00

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

- a. Premium Growers, Inc.
- b. Triple C Nurseries
- c. Lucas Construction Group
- d. LJ Pesce, Inc.
- e. Township Business Administrator
- f. Township Chief Financial Officer
- g. Township Director of Public Works

RESOLUTION # 2015-100

A RESOLUTION APPROVING THE CONTINUATION OF GROUP DENTAL COVERAGE PROGRAM FOR EMPLOYEES OF THE TOWNSHIP OF MARLBORO WITH DELTA DENTAL FOR MARCH 1, 2015 THROUGH FEBRUARY 28, 2016

WHEREAS, the Township of Marlboro currently provides group dental coverage for its eligible employees and their dependents under a program administered by Delta Dental; and

WHEREAS, in 2014, in an effort to provide the most cost effective coverage for the Township's eligible employees and their dependents, the Township authorized its insurance consultant, North American Insurance Management Corporation ("NAIMC"), to obtain competitive quotes for dental coverage; and

WHEREAS, on behalf of the Township, NAIMC received (5) competitive quotes in response to the solicitation, and after evaluated several factors including estimated plan cost, network and provider coverage (disruption), rate guarantees and Township loss history, recommended that the Township renew with Delta Dental for the 2014-15 plan year; and

WHEREAS, Delta Dental has provided satisfactory and consistent service to the Township for several years without any increases since the 2011-12 plan year; and

WHEREAS, Delta Dental has proposed to continue coverage for Township employees with a 7.0% increase for the 2015-2016 plan year at \$45.60/month (single) and \$123.05/month (family) for an estimated total annual cost of \$225,000.00; and

WHEREAS, after evaluating all of the factors, NAIMC has recommended that the Township renew with Delta Dental for the 2015-16 plan year; and

WHEREAS, the Township concurs with the recommendation of its insurance consultant; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$187,500.00 are available for this purpose from Account # 01-201-23-100-203; and

WHEREAS, contracts for the purchase of insurance coverage and consultant services may be awarded without public bidding pursuant to N.J.S.A. 40A:11-5(1)(m), in accordance with the requirements for extraordinary unspecifiable services.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Marlboro that it hereby authorizes the Mayor to execute and the Clerk to witness, any documents necessary to enter into an agreement with Delta Dental for the provision of group dental coverage for the Township of Marlboro's eligible employees and their dependents for the period March 1, 2015 - February 28, 2016 at \$45.60/month (single) and \$123.05.00/month (family) for an estimated total cost of \$225,000.00.

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

- a. North American Insurance Management Corporation
- b. Delta Dental
- c. Township Administrator
- d. Marlboro Township Chief Financial Officer

RESOLUTION # 2015-101

MARLBORO TOWNSHIP  
OF MONMOUTH COUNTY, NEW JERSEY  
RESOLUTION

WHEREAS, the Monmouth County Prosecutor's Office and the Monmouth County Chiefs of Police Association have created the Monmouth County Mutual Aid agreement (the Agreement) to provide a mechanism for participation in a program designed to provide supplemental police protection for all municipalities joining in such agreement; and

WHEREAS, the provisions and procedures for providing mutual police assistance are set forth in the Agreement; and

WHEREAS, the Governing Body finds that participation in the Agreement will benefit the citizens of the municipality;

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

1. It hereby authorizes participation in the Agreement.
2. It hereby authorizes Mayor Jonathan L. Hornik, to be the representative of this municipality to sign the Declaration of Joinder in the Monmouth County Mutual Aid Agreement.
3. It hereby accepts the guidelines set forth in the Agreement.
4. This Resolution is separate and distinct from any mutual aid agreement previously entered into between any other municipalities and shall remain in effect until the Agreement is dissolved or until a formal resolution is adopted by the Governing Body withdrawing from the Agreement.

5. A certified copy of this Resolution shall be provided by the Municipal Clerk to:
  - A. The Monmouth County Prosecutor
  - B. The Municipal Clerks of each municipality participating in the Agreement.

RESOLUTION #2015-102

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO CAMPUS  
COORDINATES FOR THE PROVISION OF T-SHIRTS IN VARIOUS  
COLORS AND SIZES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township Council of the Township of Marlboro awarded a contract to CAMPUS COORDINATES for THE PROVISION OF T-SHIRTS IN VARIOUS COLORS AND SIZES FOR THE TOWNSHIP OF MARLBORO on May 16, 2013 (R.2013-196); and

WHEREAS, Section 8f of the bid specifications states that the Township reserves the exclusive option of renewing the contract for one two-year, or two one-year periods on the same terms and conditions as specified in the bid proposal; and

WHEREAS, the Township Council of the Township of Marlboro awarded a one year contract renewal to CAMPUS COORDINATES for THE PROVISION OF T-SHIRTS IN VARIOUS COLORS AND SIZES FOR THE TOWNSHIP OF MARLBORO on March 20, 2014 (R.2014-143); and

WHEREAS, the Department of Recreation and Swim Division have recommended that the Township approve a final one (1) year renewal of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to CAMPUS COORDINATES whose address is 1711 Ginesi Drive, Freehold, NJ 07728 for a period of one year beginning May 1, 2015 and ending April 30, 2016, in a total amount not to exceed \$78,688.47; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, contracts with CAMPUS COORDINATES in accordance with this resolution, the bid

specifications, and in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$73,673.27 are available for the aforesaid contract in 09-201-55-400-266; and

BE IT FURTHER RESOLVED, funds in the amount of \$5,015.20 will be certified to by the Chief Financial Officer in current fund accounts #01-201-27-134-266276, #01-201-20-083-266, #01-201-28-146-266 and #01-201-26-121-266 at the time the 2015 budget is adopted; and

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

- a. CAMPUS COORDINATES
- b. Business Administrator
- c. Chief Financial Officer
- d. Department of Recreation

RESOLUTION # 2015-103

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO STARR TRANSIT CO., INC. FOR THE PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT SENIOR PROGRAM

WHEREAS, on March 14, 2013 (R.2013-130) the Municipal Council of the Township of Marlboro awarded a contract to STARR TRANSIT CO., INC. for the PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT SENIOR PROGRAM; and

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

WHEREAS, on February 6, 2014 (R.2014-088) the Township Council of the Township of Marlboro awarded a one year contract renewal to STARR TRANSIT CO., INC. for the PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT SENIOR PROGRAM; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to STARR TRANSIT CO., INC. whose address is 2531 East State Street, Trenton, New Jersey 08619 for a period of one year beginning on March 1, 2015 through February 28, 2016, in a total amount not to exceed \$19,645.00; and

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

BE IT FURTHER RESOLVED, funds for this purpose have been certified by the Chief Financial Officer from Account Number 01-201-28-145-288471; and

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

- a. STARR TRANSIT CO., INC.
- b. Township Business Administrator
- c. Department of Recreation

RESOLUTION # 2015-104

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO STARR TRANSIT CO., INC. FOR THE PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT TRAVEL CAMP

WHEREAS, on March 20, 2014 (R.2014-146) the Township Council of the Township of Marlboro awarded a contract to STARR TRANSIT CO., INC. for the PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT TRAVEL CAMP; and

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

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to STARR TRANSIT CO., INC. whose address is 2531 East State Street, Trenton, New Jersey 08619 for a period of one year beginning on January 1, 2015 through December 31, 2015, in a total amount not to exceed \$81,192.00; and

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

BE IT FURTHER RESOLVED, funds will be certified from Account Number 09-201-55-400-288485 at the time user fees are collected and services are committed to; and

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

- a. STARR TRANSIT CO., INC.
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Director of Recreation

RESOLUTION # 2015-105

WHEREAS, the New Jersey Recreation & Parks Association (NJRPA) is a not-for-profit Professional organization which provides a variety of services to recreation organizations throughout the State of New Jersey; and

WHEREAS, the Township of Marlboro Department of Recreation is a member of the NJRPA; and

WHEREAS, the Department of Recreation utilizes the services of the NJRPA for its Camp and Teen Programs, and for professional recreation training; and

WHEREAS, the NJRPA sponsors a "Community Service Summer Discount Program" which enables the Department of Recreation to

purchase tickets for a variety of events at a substantial discount; and

WHEREAS, the total value of the services to be provided for 2015 are estimated at and shall not exceed \$72,700.00 in the aggregate; and

WHEREAS, funds will be certified at the time participation counts are available and tickets are ordered from Accounts #09-201-55-400-212-445, #09-201-55-400-212-480, and #09-201-55-400-212-485.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the Township Council of the Township of Marlboro, hereby authorizes the Mayor and Town Clerk to execute an agreement with the NJRPA, 1 Wheeler Way, Princeton, NJ 08550 for the services described above.

RESOLUTION # 2015-106

RESOLUTION AUTHORIZING THE PURCHASE OF TICKETS FOR  
MARLBORO DEPARTMENT OF RECREATION FEE-BASED PROGRAMS

WHEREAS, the Department of Recreation organizes numerous trips to a variety of destinations for program participants; and

WHEREAS, the trip destinations include theaters, indoor and outdoor amusement and leisure facilities, restaurants and parks; and

WHEREAS, program participants register for the trip and the Department of Recreation purchases tickets based upon the demand for a particular trip; and

WHEREAS, participants pay a fee to register for these programs; and

WHEREAS, the Department of Recreation estimates various trips and associated fees for the 2015 program year in an amount not to exceed \$151,262.00; and

WHEREAS, the funding for these trips is generated from user fees and will be available from Recreation Utility Accounts 09-201-55-400-212445 (NJRPA CONSIGNMENT TICKETS), 09-201-55-400-212471 (SENIOR TRIPS), 09-201-55-400-212480 (SUMMER DAY CAMP TRIPS), and 09-201-55-400-212485 (TEEN TRAVEL CAMP).

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the Township Council of the Township of Marlboro hereby authorizes the Department of Recreation to purchase tickets/admission for various fee based programs as described above in an amount not to exceed \$151,262.00.

BE IT FURTHER RESOLVED, should schedule changes occur which do not result in an increased expenditure, the schedule changes may be adopted administratively.

RESOLUTION # 2015-107

RESOLUTION CONFIRMING SALE OF SOLAR RENEWABLE ENERGY CREDITS (S-RECS) THROUGH INTERNET-BASED AUCTIONS

WHEREAS, on January 29, 2015 (R. 2015-072) the Township Council authorized the participation of Marlboro Township in the New Jersey *E-Procurement Pilot Program* pursuant to the provision of the *Local Unit Electronic Technology Pilot Program and Study Act* (P.L. 2001, C. 30) and approved for the sale of Solar Renewable Energy Credits utilizing on-line competitive bidding services and, in particular, an internet- based auction platform; and

WHEREAS, the Township Council authorized an agreement with Marex Specton, with corporate offices located at 360 Madison Avenue, Third Floor, New York, NY 10017, as the on-line purchasing agent, to conduct competitive auctions utilizing an internet-based platform in conjunction with the Township's sale of S-RECS; and

WHEREAS on February 4, 2015 the Township's Broker, Marex Spectron confirmed the sale of the Township's 800 S-RECS (400 for EY 2016 and 400 for EY 2017) to NRG Power Marketing LLC , 211 Carnegie Center, Princeton, NJ 08540 at a price of \$220.00 per SREC.

NOW THEREFORE BE IT RESOLVED that the Municipal Council hereby confirms the sale of 800 S-RECS (400 for EY 2016 and 400 for EY 2017) to NRG Power Marketing LLC , 211 Carnegie Center, Princeton, NJ 08540 at a price of \$220.00 per SREC.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the necessary documents in a

form approved by the Township Attorney to effectuate the transaction.

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

- a. Business Administrator
- b. Chief Financial Officer
- c. Department of Public Works

RESOLUTION # 2015-108

A RESOLUTION OF THE TOWNSHIP OF MARLBORO TOWN COUNCIL AUTHORIZING A SUBORDINATION OF A REPAYMENT MORTGAGE DATED AUGUST 1, 1994, ON A PROPERTY LOCATED AT 789 BANYAN COURT, MORGANVILLE, NEW JERSEY, AND OWNED BY PATRICIA A. HECHKO

WHEREAS, the Township of Marlboro's affordable housing program is administered in accordance with the New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) and the administrative rules of the Council on Affordable Housing n/k/a The Office Of Local Planning Services; and

WHEREAS, as part of the foregoing program various units throughout the Township have been deed restricted and affordability controls have been recorded against the said units; and

WHEREAS, on or about August 1, 1994, the homeowner hereunder, Patricia A. Hechko ("the Homeowner"), purchased her residence at 789 Banyan Court in the Township of Marlboro, Block 176, Lot 7.14; Unit 110A (tax qualifier 7C0789) ("the Residence") with said deed being recorded on August 9, 1994, in the Monmouth County Clerk's Office in deed book DB-5336, at page 0361 et seq.; and

WHEREAS, at or about the same time that the Homeowner acquired the Residence she executed a repayment mortgage in favor of Marlboro Township with that instrument also being recorded on August 9, 1994, in deed book MB-5664, at page 0396 et seq. ("the Repayment Mortgage"); and

WHEREAS, the Repayment Mortgage provided, in part, that affordability controls would remain in place as to the Residence for a period of 30 years and said Repayment Mortgage remains in full effect today; and

WHEREAS, on or about April 12, 2011, the Homeowner took out an "open end line of credit" (i.e., mortgage) on the Residence with Amboy Bank ("the Amboy Mortgage") with said mortgage being recorded in the Monmouth County Clerk's Office on May 2, 2011, in deed book OR-8889 at page 2788; and

WHEREAS, the Homeowner now desires to refinance the Amboy Mortgage for the purposes of increasing her line of credit and as part and parcel of same, a subordination of the Repayment Mortgage is sought; and

WHEREAS, Amboy Bank is now prepared to move forward with the refinance for the Homeowner however, Amboy Bank has requested that the Township of Marlboro subordinate the Repayment Mortgage in order to effectuate the refinance; and

WHEREAS, it has been determined that there is good cause to grant this subordination of the Repayment Mortgage;

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

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

At 7:25PM, Council Vice President Mazzola moved that the meeting go into executive session for reason of potential litigation. This was seconded by Councilwoman Marder, and the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2015-109

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 12th day of February, 2015 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely potential litigation.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 30 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 7:55PM, Council Vice President Mazzola moved that the meeting be opened. This was seconded by Councilwoman Marder, and as there was no objection, the Clerk was asked to cast one ballot.

At 7:56PM, Councilwoman Marder moved that the meeting be adjourned. This was seconded by Council President Metzger, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: FEBRUARY 26, 2015

OFFERED BY: MAZZOLA AYES: 5

SECONDED BY: METZGER NAYS: 0

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ALIDA MANCO  
MUNICIPAL CLERK

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SCOTT METZGER  
COUNCIL PRESIDENT