

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

January 28, 2016

The Marlboro Township Council held its regularly scheduled Meeting on January 28, 2016 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Mazzola 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 11, 2016; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

The Clerk called the Roll.

PRESENT: Councilman Cantor, Councilman Metzger, Councilman Scalea, Council Vice President Marder, and Council President Mazzola.

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

Councilman Metzger moved that the minutes of December 17, 2015 and January 7, 2016 be approved. This was seconded by Council Vice President Marder, and passed on a roll call vote of 3 - 0 in favor with Councilman Cantor and Councilman Scalia abstaining.

The following Resolution #2016-046 (Appointments to Youth Exchange Advisory Committee) was introduced by reference, offered by Councilman Metzger, seconded by Council Vice President Marder, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2016-046

A RESOLUTION APPOINTING MEMBERS OF THE  
YOUTH EXCHANGE ADVISORY COMMITTEE AND  
DESIGNATING A CHAIRPERSON OF SAID COMMITTEE

WHEREAS, pursuant to Section 4-100 of the Code of the Township of Marlboro, the Township Council established the Youth Exchange Advisory Committee as a special committee of the Township Council to undertake the administration, management and planning of the Youth Exchange Program between the Township of Marlboro and the Nanto City, Toyama Prefecture, Japan, Wujiang, China and other cities or regions designated by the Mayor and Township Council; and

WHEREAS, pursuant to Section 4-100(C)(1) of the Code, the Youth Exchange Advisory Committee shall consist of up to but not more than 14 members appointed by the Township Council; and

WHEREAS, pursuant to Section 4-100(C)(4) of the Code, the Township Council shall designate one of the members to serve as Chair and presiding officer of the Youth Exchange Advisory Committee for a term of one (1) year; and

WHEREAS, the Township Council wishes to reappoint RITA SCALZO for a term of three (3) years expiring December 31, 2018; and

WHEREAS, the Township Council wishes to reappoint HUIMIN SHEN for a term of three (3) years expiring December 31, 2018; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that RITA SCALZO and HUIMIN SHEN be reappointed to the Youth Exchange Advisory Committee for (3) three year terms expiring December 31, 2018.

BE IT FURTHER RESOLVED, that the Township Council designates CYNTHIA SIKORA as Chairperson of the Youth Exchange Advisory Committee for a term of one (1) year expiring December 31, 2016.

The following Resolution #2016-047 (Authorizing Release of Performance Guarantees for the Water System Improvement at Marlboro Tennis Center) was introduced by reference, offered by Councilman Scalia, seconded by Council President Mazzola, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2016-047

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR THE WATER SYSTEM IMPROVEMENTS AT MARLBORO TENNIS CENTER, BLOCK 178, LOT 291, 185 AMBOY ROAD, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Alan G. Trembulak, Esq. for release of the Township held Performance Guarantees in the form of a Letter of Credit for water system

improvements ("Water System Improvements") on the Site known as "Marlboro Tennis Center" (the "Site"), property known as Block 178, Lot 291, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Amboy Avenue Partners, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated October 13, 2015, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the current Performance Guarantee in the form of a Letter of Credit, Letter of Credit No. #1199 issued by Ocean First Bank in the original amount of \$127,413.60 and current value of \$38,224.08, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release and the posting of a two (2) year fifteen percent (15%) maintenance bond in the amount of \$15,926.70; and

WHEREAS, the Township Council now wishes to take the following action regarding 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 above-described Performance Guarantee for Marlboro Tennis Center in the form of a Letter of Credit, Letter of Credit No. #1199 issued by Ocean First Bank in the original amount of \$127,413.60 and current value of \$38,224.08, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release and the posting of a two (2) year fifteen percent (15%) maintenance bond in the amount of \$15,926.70; and

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

- a. Amboy Avenue Partners, LLC
- b. Ocean First Bank
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Alan G. Trembulak, Esq.

The following Resolution #2016-048 (Authorizing the Award of Contract to Tomar Construction, LLC for Harbor Road Water Treatment Plant Improvements) was introduced by reference, offered by Council Vice President Marder, seconded by Council President Mazzola, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2016-48

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO TOMAR CONSTRUCTION, LLC FOR HARBOR ROAD WATER TREATMENT PLANT IMPROVEMENTS FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, the Township of Marlboro is in need of services for the construction improvements to the Harbor Road Water Treatment Plant; and

WHEREAS, the Township of Marlboro has received a commitment for low interest financing through the New Jersey Environmental Infrastructure Trust Fund for the project; and

WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Township of Marlboro solicited bids for the provision of construction services for improvements to the Harbor Road Water Treatment Plant; and

WHEREAS, on November 8, 2015, the Township of Marlboro received eight (8) bids for the construction of improvements to the Harbor Road Water Treatment Plant, as follows:

Tomar Construction, LLC	\$ 9,812,133
Underground Utilities Corp.	\$10,618,000
Clyde N. Lattimer & Son	\$10,640,000
Worth & Company, Inc.	\$10,664,106
Allied Construction Group, Inc.	\$10,870,934
MBE Mark III	\$10,994,870
Carbro Constructors Corp.	\$12,527,265
Northeast Remsco Construction, Inc.	\$12,686,900*

\*Price adjusted for mathematical error.

; and

WHEREAS, the bid submission of the apparent lowest bidder, Tomar Construction, LLC has been determined to be responsive as detailed in a January 13, 2016 memo transmitted by the Township Engineer; and

WHEREAS, the design engineer has recommended award of bid to Tomar Construction, LLC, and the Administration and Department of Public Works are in concurrence with this recommendation; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the design engineer and Township officials to award the bid to Tomar Construction, LLC; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Tomar Construction, LLC whose address is 18 Connerty Ct., East Brunswick, NJ 08816 in an amount not to exceed \$9,812,133.00 for Harbor Road Water Treatment Plant Improvements; and

BE IT FURTHER RESOLVED that the award of a contract to Tomar Construction, LLC is expressly contingent upon the availability of funds for this project through financing from the New Jersey Environmental Infrastructure Trust Fund; and

BE IT FURTHER RESOLVED that upon approval from the New Jersey Environmental Infrastructure Trust Fund, the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with Tomar Construction, LLC in an amount not to exceed \$9,812,133.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient appropriations in the amount of \$9,812,133.00 are available for the aforesaid contract in Water Capital Account 06-215-14-06A-500288, subject to the availability of funds for this project through financing from the New Jersey Environmental Infrastructure Trust Fund; and

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

- a. Tomar Construction, LLC
- b. Township Administrator
- c. Township Director of Public Works
- d. Township Engineer
- e. Chief Financial Officer
- f. New Jersey Environmental Infrastructure Trust Fund

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Scalia, seconded by Councilman Metzger and passed on a roll call vote of 5 - 0 in

favor. Res. #2016-049 (Authorizing Verizon Wireless to Use Poles Erected within the Public Right of Way), Res. #2016-050 (Authorizing Acceptance Donations Senior Holiday Party), Res. #2016-051 (Authorizing Amendment Booster Club Refereeing Services), Res. #2016-052 (Authorizing Agreement NJ Rec and Parks Assoc - Community Service Summer Discount Program), Res. #2016-053 (Authorizing Purchase of Tickets (Fee-Based Programs), Res. #2016-054 (Authorizing 2015 Budget Transfers), Res. #2016-055 (Authorizing 2016 Temp. Emergency Appropriations), Res. #2016-056 (Authorizing Participation 2016 Tree Recovery Campaign), Res. #2016-057 (Authorizing Contract Pre-Treated Rock Salt-Mon Cty Coop), Res. #2016-058 (Authorizing Purchase Road Materials - Western Monmouth Purchasing Group), Res. #2016-059 (Authorizing State Contracts Auto/Truck Parts), Res. #2016-060 (Authorizing Mon County Contracts for Auto/Truck Parts), Res. #2016-061 (Authorizing Gas and Diesel Fuel under State Contract), Res. #2016-062 (Authorizing Mon County - Mosquito Control Operations), Res. #2016-063 (Authorizing Shared Services Agreement Mon County - Disposal of Millings/Street Sweepings), Res. #2016-064 (Authorizing Acceptance of Public Improvements - Crine West), Res. #2016-065 (Discharge of Mortgage - 27 Sudbury Road), Res. #2016-066 (Refunds for Water Meters - Various), Res. #2016-067 (Redemption Tax Sale Certs - Various), Res. #2016-068 (Refunds for Overpayments 2015 Taxes - Various).

RESOLUTION # 2016-49

A RESOLUTION AUTHORIZING VERIZON WIRELESS TO USE  
POLES ERECTED WITHIN THE PUBLIC RIGHT OF WAY

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may jointly use such poles erected within the public right-of-way in the Township of Marlboro; and

WHEREAS, New Jersey law permits such joint use provided that there is the consent of the relevant municipality;

NOW THEREFORE BE IT RESOLVED, By The Township Council Of the Township Of Marlboro, County of Monmouth, State of New Jersey that:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to jointly use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Township of Marlboro, subject to the following:
  - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
  - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by The Township of Marlboro.
  - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of Marlboro, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of Marlboro.
  - D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of Marlboro as an additional insured.

Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.

- E. Notwithstanding any provision contained herein, neither the Township of Marlboro nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- F. This instrument shall be adopted on behalf of the Township of Marlboro by the Township Council of the Township of Marlboro and attested to by the Township of Marlboro Clerk who shall affix the Township of Marlboro Seal thereto.
- G. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is jointly using.

STATEMENT

This resolution authorizes Verizon Wireless to jointly use poles erected within the public right-of-way of the Township of Marlboro by parties that have the lawful right to maintain such poles.

RESOLUTION # 2016-50

A RESOLUTION AUTHORIZING ACCEPTANCE OF  
DONATIONS FROM AREA BUSINESSES FOR DOOR  
PRIZES FOR THE 2015 SENIOR HOLIDAY PARTY

WHEREAS, the following businesses have donated the following items:

La Cashina Ristorante	Gift Certificate
Fireside	Gift Certificate
Wegman's	Gift Card
Serenity Nail & Spa	Manicure
Fred & Murray's	Gift Card
Attilio's Pizza & Pasta	Large Pizza
Hunterdon Hills Playhouse	Tickets
Marlboro Diner	Gift Card

Tokyo Hibachi & Sushi	Gift Card
All Season's Diner	Gift Card
All Star Productions	Tickets
Westchester Broadway	Tickets
Hudson Savings Bank	Check
Gold-n-Time Jewelers	Earrings
Emilio's Pizza/Restaurant	Gift Card
Mom's Golden Griddle	Gift Card
Chicken Holiday	Gift Card
The Chelsea at Manalapan	Gift Basket
Let's Yo!	Gift Card
Holiday Hair Salon	Wash/Style
Brioso Ristorante	Gift Card
That's Amore Italian Grill	Gift Card
IHOP	Gift Card
Headlines International	50% off Gift Card
Sarafina Jewelers	Necklace
James Smith	Coffee Maker
Investor's bank	Gift Card and Basket
Jerry & Harvey's Deli	Gift Card
Garland Law Offices	2 Gift Cards

; and

WHEREAS, the donated items are for the purposes of door prize giveaways for attendees of the 2015 Senior Holiday Party run by the Senior Division of the Recreation Department; and

WHEREAS, the check donated by the Hudson City Savings Bank was deposited into the Recreation Donation's Account (Account# 11-228-55-039) and used for in-house gift certificates for Senior Programs; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the donation of the items listed and provided as described above is hereby accepted.

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

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

RESOLUTION # 2016-51

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

WHEREAS, on May 7, 2015 (R.2015-200), the Township of Marlboro authorized an agreement with the Marlboro Basketball Club Boosters, Inc. (Booster Club) to provide refereeing services for the 2015/2016 Fall/Winter basketball season; and

WHEREAS, in a memo dated December 30, 2015, the Director of Recreation 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 \$1,335.00; and

WHEREAS, funds in the amount of \$1,335.00 have been certified to by the Chief Financial Officer as an approved change order to existing purchase order #15620 in Account #09-201-55-400-296402; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to amend the agreement for refereeing services with Marlboro Basketball Club Boosters, Inc. (Booster Club), in an amount not to exceed \$1,335.00.

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 # 2016-52

RESOLUTION AUTHORIZING AGREEMENT WITH  
NEW JERSEY RECREATION PARKS ASSOCIATION  
"COMMUNITY SERVICE SUMMER DISCOUNT PROGRAM"

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 2016 are estimated at and shall not exceed \$73,100.00 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, New Jersey 08550 for the services described above.

RESOLUTION # 2016-53

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 2016 program year in an amount not to exceed \$164,824.00; 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 \$164,824.00.

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

RESOLUTION # 2016-54

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 2015 Municipal Budget) as follows:

<u>Account</u>	<u>From</u>	<u>To</u>
(2015) Employee Insurance - Other Expenses	\$ 32,000.00	
(2015) Planning Board - Other Expenses		\$ 8,000.00
(2015) Road Maintenance Salary & Wages		20,000.00
(2015) Parks & Recreation Salary & Wages		4,000.00
	<u>\$ 32,000.00</u>	<u>\$ 32,000.00</u>

RESOLUTION # 2016-55

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 2016 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2015 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 2016 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$21,132,587.62 for the municipal budget, \$3,735,344.65 for the operations of the water utility, and \$1,244,143.85 for the operations of the recreation and swim 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 2016 budget under the same title as appropriated above.

That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION # 2016-56

RESOLUTION AUTHORIZING APPLICATION TO  
THE NEW JERSEY TREE RECOVERY CAMPAIGN

WHEREAS, the State of New Jersey Department of Environmental Protection (NJDEP), State Forestry Services has created a program to replace dead and damaged trees in the aftermath of Superstorm Sandy; and

WHEREAS, the Township is eligible to receive up to 2,000 seedlings to replant dead and damaged trees; and

WHEREAS, the Shade Tree Commission has recommended that the Township apply to this program.

NOW, THEREFORE, BE IT RESOLVED THAT the Municipal Council of the Township of Marlboro hereby authorizes application to be made to the State of New Jersey Department of Environmental Protection (NJDEP), State Forestry Services Tree Recovery Campaign.

BE IT FURTHER RESOLVED THAT the Mayor and Township Clerk are hereby authorized to accept the terms of the program and execute a grant agreement on behalf of the Township of Marlboro.

RESOLUTION # 2016-57\_

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 \$90.59 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 2,000 tons of material at the contract price for a total not to exceed \$181,180.00; 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 will be certified by the Chief Financial Officer at the time the 2016 municipal budget is adopted; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of 2,000 tons of de-icing material (treated sodium chloride) from Morton Salt, Inc., at a price of \$90.59 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$181,180.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 2,000 tons of de-icing material (treated sodium chloride) from Morton Salt, Inc., at a price of \$90.59 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$181,180.00; and

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

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

RESOLUTION # 2016-58

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION  
OF VARIOUS STREETS & ROAD MATERIALS THROUGH BIDS  
OBTAINED BY THE WESTERN MONMOUTH PURCHASING  
GROUP COOPERATIVE PRICING SYSTEM

WHEREAS, the Township is authorized to purchase goods and services from bids obtained from a cooperative pricing system such as the Western Monmouth Purchasing Group Cooperative

Pricing System pursuant to the authority provided by N.J.S.A.  
40A:11-10(a) et seq.; and

Item # and Description	Est. Qty.	Unit	RWV Land & Livestock		Walter R. Earle Corporation		Stavola Construction Materials		Trap Rock Industries		Yardville Supply Company	
			Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1) FABC Type I-5	5,000	Ton	No Bid	No Bid	72.50	362,500.00	73.00	365,000.00	70.00	350,000.00	No Bid	No Bid
2) FABC Type I-2	2,500	Ton	No Bid	No Bid	70.00	175,000.00	70.00	175,000.00	68.00	170,000.00	No Bid	No Bid
3) Bituminous Cold Patch	150	Ton	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
4) TAC Coat Emulsion	500	Gal.	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
8) High Perf. Cold Patch	250	Ton	No Bid	No Bid	No Bid	No Bid	150.00	37,500.00	No Bid	No Bid	No Bid	No Bid
10) Sand (Ice Control)	1,000	Ton	17.73	17,730.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
13) 3/4" Broken Stone	500	Ton	No Bid	No Bid	No Bid	No Bid	18.75	9,375.00	21.54	10,770.00	No Bid	No Bid
14) 1" and 1 1/2" Broken Stone, Clean	250	Ton	No Bid	No Bid	No Bid	No Bid	20.75	5,187.50	22.04	5,510.00	No Bid	No Bid
18) Rip Rap Stone	200	Ton	No Bid	No Bid	No Bid	No Bid	21.25	4,250.00	31.62	6,324.00	No Bid	No Bid
30) Rock Salt	1,000	Ton	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
32) Pre-Mixed Rock Salt	6,000	Ton	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	110.00	660,000.00
33) Pre-Mixed 75% Coarse Sand	2,500	Ton	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
41) R-Blend Recycled Concrete	1,500	Ton	No Bid	No Bid	No Bid	No Bid	14.75	22,125.00	No Bid	No Bid	No Bid	No Bid
43) Stone Dust	500	Ton	No Bid	No Bid	No Bid	No Bid	15.75	7,875.00	No Bid	No Bid	No Bid	No Bid

WHEREAS, Freehold Borough, Lead Agency of the Western Monmouth Purchasing Group, conducted a public bidding process for the provision of various streets & road materials for the members of the cooperative pricing system; and

WHEREAS, five (5) bids were received as follows:

; and

WHEREAS, at this time, the Public Works Department has recommended the award of contract to R.W.V. Land & Livestock South, Inc. as the sole bidder for Item 10 Sand (Ice Control) for 1,000 tons of material at the contract price of \$17.73 per ton, for a total amount not to exceed \$17,730.00; and

WHEREAS, for the purpose of evaluating the bids a time/cost calculation has been added to Item 1 and Item 2 which are to be picked-up at the plant by the Department of Public Works rather than delivered by the vendor to the Township as evidenced in the attached spreadsheet; and

WHEREAS, it has been determined that R.W.V. Land & Livestock South, Inc. is the sole bidder on Item 10 as detailed in a memo dated January 21, 2016, from the Director of Public Works; and

WHEREAS, it has been determined that Yardville Supply Company is the apparent sole on Item 32 as detailed in a memo dated January 21, 2016, from the Director of Public Works; and

WHEREAS, it has been determined that Stavola Construction Materials, Inc. is the apparent low bidder on Items 1, 2, 8, 13, 14, 18, 41, and 43 as detailed in a memo dated January 21, 2016, from the Director of Public Works; and

WHEREAS, the Director of Public Works has recommended award of contract to R.W.V. Land & Livestock South, Inc., PO Box 1323, Jackson, New Jersey 08527, the sole bidder on Item 10 in an amount not to exceed \$17,730.00, Yardville Supply Company, 47 Yardville Groveville Road, Yardville, New Jersey 08620, the sole bidder on Item 32 in an amount not to exceed \$660,000.00, and Stavola Construction Materials, Inc., 120 Old Bergen Mills Road, Millstone, New Jersey 08535, the apparent low bidder on Items 1, 2, 8, 13, 14, 18, 41, and 43 in an amount not to exceed \$626,312.50; and

WHEREAS, funds will be certified by the Chief Financial Officer at the time the 2016 municipal and capital budgets are adopted; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the 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 contracts be awarded to R.W.V. Land & Livestock South, Inc., PO Box 1323, Jackson, New Jersey 08527, the sole bidder on Item 10 in an amount not to exceed \$17,730.00, Yardville Supply Company, 47 Yardville Groveville Road, Yardville, New Jersey 08620, the sole bidder on Item 32 in an amount not to exceed \$660,000.00, and Stavola Construction Materials, Inc., 120 Old Bergen Mills Road,

Millstone, New Jersey 08535, the apparent low bidder on Items 1, 2, 8, 13, 14, 18, 41, and 43 in an amount not to exceed \$626,312.50; and

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

- a. R.W.V. Land & Livestock South, Inc.
- b. Yardville Supply Company
- c. Stavola Construction Materials, Inc.
- d. Township Administrator
- e. Township Chief Financial Officer
- f. Township Public Works Director

RESOLUTION # 2016-59

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 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:

Vendor	State Contract ID	Amount
National Parts Supply Company	85993	\$10,000.00
Service Tire Truck Center	82527	\$20,000.00
Route 1 Chrysler Dodge	79170	\$15,000.00
Chemung Supply	88262	\$10,000.00
Creston Hydraulics	89297, 88272	\$10,000.00
A & K Equipment	88273	\$7,500.00
Browns Hunterdon Mack	89271	\$10,000.00
Central Jersey Starter	89280	\$2,700.00
Norman's Auto Services	40174	\$3,000.00
Norcia	85864, 89298, 89252	\$3,500.00
Perth Amboy Springs	89276	\$5,000.00
Craft Oil (Petro Choice)	81514	\$18,000.00
Harter Equipment	76919	\$1,500.00
Trius, Inc.	85856	\$27,500.00
Storr Tractor	76921	\$10,500.00
Foley Equipment	84365, 85846	\$15,000.00
R J Walsh	80375	\$5,500.00
Hoover Truck Center	89257	\$2,500.00
Fastenal	79873	\$5,000.00
Groff	76917	\$1,500.00
Kaldor Emergency Lighting	81333, 81334	\$10,000.00
Praxair Distribution	83290	\$2,500.00
Central Jersey Equipment	76914	\$2,500.00
ODB Municipal Products	85861	\$17,500.00
W. E. Timmerman Co.	85857	\$2,500.00
Joseph Fazzio Steel	84215	\$2,000.00
		\$220,700.00

; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the 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; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 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 \$220,700.00.

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 Public Works
- c. Township Chief Financial Officer

RESOLUTION # 2016-60

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 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 various vendors for the provision of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES; and

WHEREAS, the Public Works Department has indicated that the various vendors listed below have agreed to extend the pricing provided to Monmouth County to Marlboro Township through the Monmouth County Cooperative Purchasing Program; and

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

Vendor	County Contract ID	Amount
NAPA Auto Parts (F&C Auto)	F-46-2015	\$45,000.00
Edwards Tire Company, Inc.	F-49-2016	\$55,000.00
Freehold Ford	F-18-2016	\$15,500.00
B. J. and M. Auto	F-47-2015	\$2,000.00
Fingers Radiator Hospital	F-48-2015	\$1,500.00
		\$131,500.00

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 and truck 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 the aforementioned vendors pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$119,000.00; 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 Public Works
- c. Township Chief Financial Officer

RESOLUTION # 2016-61

A RESOLUTION AUTHORIZING CONTRACT WITH ALLIED OIL LLC FOR THE PURCHASE OF ULTRA LOW SULFUR DIESEL AND 87 OCTANE UNLEADED GAS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS UNDER NJ STATE CONTRACT #82770 & #80914

WHEREAS, the Marlboro Township fuel dispensing and management system ("fuel system") is used to fuel Township, Board of Education, First Aid and Fire District vehicles throughout the Township; and

WHEREAS, the Township of Marlboro Department of Public Works is in need of Ultra Low Sulfur Diesel and 87 Octane Unleaded Gas to maintain the fuel dispensing and management system; 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 said fuel from ALLIED OIL LLC; and

WHEREAS, the Public Works Department has recommended that the Township purchase said fuel from ALLIED OIL LLC under State Contract #82770 and #80914 in an amount not to exceed \$700,000.00; and

WHEREAS, the estimated total represents the annual cost of gasoline and fuel purchased for the municipality, school district, fire district, first aid departments and other

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to contract with ALLIED OIL LLC whose address is 25 OLD CAMPLAIN ROAD, HILLSBOROUGH, NJ 08844 for the purchase of ULTRA LOW SULFUR DIESEL AND 87 OCTANE UNLEADED GAS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS UNDER NJ STATE CONTRACT #82770 & #80914 in an amount not to exceed \$700,000.00; and

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

- a. ALLIED OIL LLC
- b. Township Administration
- c. Township Department of Public Works
- d. Township Chief Financial Officer

RESOLUTION # 2016-62

AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL  
DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL  
OPERATIONS WITHIN THE TOWNSHIP OF MARLBORO

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Township of Marlboro is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
  - a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and
  - b. such operations will be performed in compliance with applicable Federal and State regulations, and
  - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

RESOLUTION # 2016-63

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY  
OF MONMOUTH RECLAMATION CENTER FOR THE DISPOSAL OF  
DEBRIS FOR 2016 FOR THE DEPARTMENT OF PUBLIC WORKS

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

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

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

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

WHEREAS, funds for the aforesaid purpose estimated at an amount not to exceed \$38,760.00 have been certified by the Chief Financial Officer in Budget Account 01-201-32-170-233.

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

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

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

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

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

RESOLUTION # 2016-64

RESOLUTION ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR THE  
SITE KNOWN AS CRINE WEST, BLOCK 180, LOTS 82 AND 83.01,  
CRINE ROAD, TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, in accordance with the November 27, 2007 Agreement between the Township of Marlboro and Crine West, LLC, Amboy National Bank or Crine West, LLC, assumed the development rights for site improvements ("Public Improvements") on the Site known as "Crine West" (the "Site"), property known as Block 180, Lots 82 & 83.01, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated January 21, 2016 regarding the completion of the Public Improvements at the Site, a copy of which is attached

hereto and made a part hereof; and

WHEREAS, all site improvements have been satisfactorily installed, and pursuant to the Agreement, Amboy National Bank, or Crine West, LLC, was not required to post any additional performance or cash bonds with the Township; and

WHEREAS, the Township Council now wishes to accept the public improvements associated with the project.

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 public improvements associated with the Crine West project are hereby accepted; and

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

- a. Amboy Bank
- b. Renaissance Properties
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer

RESOLUTION # 2016-65

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL AUTHORIZING A DISCHARGE OF A MORTGAGE DATED DECEMBER 14, 2001, WHICH WAS RECORDED AGAINST A RESIDENTIAL PROPERTY LOCATED AT 27 SUDBURY ROAD, MORGANVILLE, NEW JERSEY

WHEREAS, a residential unit commonly known as 27 Sudbury Road, a/k/a Lot 25, Block 267, Morganville, New Jersey ("the Property"), is a residential unit which was deemed eligible by the Township of Marlboro to participate in its housing rehabilitation program which is governed by the provisions of New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the substantive and procedural rules of the Council on Affordable Housing (N.J.A.C. 5:96-1 and 5:97-1 et seq.); and

WHEREAS, on or about December 14, 2001, Marvin Winick and Dahlia Winick, as owners of the Property, had made application to participate in Marlboro's rehabilitation program and as a consequence of participating in such a program, they executed a mortgage note and gave Marlboro Township a mortgage as it relates to rehabilitation work done to the Property ("the

Mortgage"); and

WHEREAS, the Mortgage was subsequently recorded in the Monmouth County Clerk's Office on January 24, 2002, in Mortgage Book OR-8077, at Page 6915 et seq.; and

WHEREAS, there is a scheduled closing for the above Property which is to take place on January 28, 2016; and

WHEREAS, the terms of the mortgage note provided for certain conditions to be met and if they were met the foregoing loan to Marvin Winick and Dahlia Winick, as owners of the Property, would be deemed forgivable; and

WHEREAS, proof has been given to the Township that the conditions for loan forgivability as set forth in the mortgage note have been met therefore, providing a basis upon which to discharge the Mortgage; and

WHEREAS, Marvin Winick and Dahlia Winick, as owners of the Property, now desire to sell the Property to a third party and as a condition of that sale, the Mortgage must be discharged of record; and

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

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

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

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

- a. Township Business Administrator, Jonathan Capp;
- b. Township Attorney, DeCotiis, Fitzpatrick & Cole, LLP;  
and
- c. Kenneth W. Biedzynski, Affordable Housing Special Counsel

RESOLUTION # 2016-66

WHEREAS, the attached list in the amount of \$500.00 known as Schedule "A", is comprised of amounts representing refund of hydrant meter deposits,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to refund the above-mentioned overpaid amounts as per the attached Schedule "A",

RESOLUTION # 2016-67

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$ 232,909.85 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 \$ 232,909.85 be refunded to the certificate holders as per Schedule "A",

RESOLUTION # 2016-68

WHEREAS, the attached list in the amount of \$671.08 known as Schedule "A", is comprised of amounts representing overpayments for 2015 taxes,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to refund the above-mentioned overpaid amounts as per the attached Schedule "A",

At 7:40PM, Council Vice President Marder moved that the meeting be adjourned. This was seconded by Councilman Scalea, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: FEBRUARY 11, 2016

OFFERED BY: METZGER  
SECONDED BY: CANTOR

AYES: 4  
NAYS: 0  
ABSENT: MARDER

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ALIDA MANCO  
MUNICIPAL CLERK

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CAROL MAZZOLA  
COUNCIL PRESIDENT