

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

FEBRUARY 12, 2004

The Marlboro Township Council held a regularly scheduled Council Meeting on February 12, 2004 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Mione opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regular 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 5, 2004; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

PRESENT: Councilman Burrows, Council Vice President Denkensohn, Councilwoman Morelli, Councilman Pernice and Council President Mione.

Also present were: Mayor Robert Kleinberg, Michael Gluck, Esq., Andrew Bayer, Esq., Business Administrator Chris Marion, Municipal Clerk Alida DeGaeta, and Deputy Clerk Deborah Usalowicz.

The Clerk called the Roll.

The following Resolution # 2004-51 (Award of Bid - Swim Club Electrical Improvements - Sodon's Electric) was introduced by reference, offered by Council Vice President Denkensohn, seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-51

A RESOLUTION AUTHORIZING BID AWARD TO SODON'S
ELECTRIC TO PERFORM THE ELECTRICAL ROOM UPGRADE
AND RELATED IMPROVEMENTS AT
THE MARLBORO SWIM CLUB

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the performance of the electrical room upgrade and related improvements at the Marlboro Swim Club; and

WHEREAS, the three (3) bids received were as follows:

1. Sodon's Electric for the amount of \$28,980.00;
2. AB Designs for the amount of \$37,700.00; and
3. Lake Electric, Inc. for the amount of \$42,400.00;
and

WHEREAS, Administration and the Project Engineer, DLB Associates Consulting Engineers, P.C., have reviewed the bids received and recommend that the bid be awarded to Sodon's Electric of Atlantic Highlands, New Jersey as the lowest responsive bidder;

WHEREAS, the Township Council finds that it would be in the best interest of the Township of Marlboro to award the contract to the lowest qualified bidder, Sodon Electric, for the provision of the aforesaid products and services.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is authorized to execute a contract, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and Sodon's Electric for the performance of the electric room upgrade and related improvements at the Marlboro Swim Club, in the amount of \$28,980.00, and in accordance with the bid proposal submitted by Sodon's Electric of Atlantic Highlands, New Jersey, which is on file with the Township.

BE IT FURTHER RESOLVED that the Chief Financial officer is directed to file a Certificate of Availability of sufficient funds for this contract and to attach same to this Resolution.

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

- a. Sodon's Electric

- b. DLB Associates Consulting Engineers, P.C.
- c. Swim Club Director
- d. Township Office of Public Information
- e. Township Administrator
- f. Township Chief Financial Officer
- g. Gluck, Walrath and Lanciano, LLP

The following Resolution # 2004-52 (Change Order - Detention/Retention Basin Contract - Shamrock Lawn & Landscaping) was introduced by reference, offered by Councilwoman Morelli, seconded by Council President Mione and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-52

A RESOLUTION AUTHORIZING AND APPROVING CHANGE ORDER #1
AMENDING THE CONTRACT BETWEEN THE TOWNSHIP OF
MARLBORO AND SHAMROCK LAWN & LANDSCAPE, INC.

WHEREAS, by Resolution #2003-236, the Township of Marlboro terminated the services of Greenleaf Landscape Systems & Services, Inc. ("Greenleaf") for failure to adequately perform detention/retention basin maintenance services pursuant to a contract authorized by Resolution #2003-99 (the "Original Contract"); and

WHEREAS, as a result of this termination, by the same resolution, the Township of Marlboro awarded a contract to Shamrock Lawn & Landscape, Inc. to provide detention/retention basin maintenance services for the remainder of the term of the Original Contract on a pro-rata basis and on the same terms as the Original Contract(the "Contract"); and

WHEREAS, the amount of the Contract awarded to Shamrock Lawn and Landscape, Inc. was \$103,820.00; and

WHEREAS, the Division of Public Works of the Township has advised the Township Council that, as a result of the failure by Greenleaf to adequately maintain the detention/retention basin, Shamrock Lawn & Landscape, Inc. was required to perform additional maintenance work outside of the Original Contract for a cost of \$6,488.75; and

WHEREAS, the addition of the maintenance work at the detention basin at Oran Place also required Shamrock Lawn &

Landscape, Inc. to perform additional maintenance work outside of the Original Contract in the amount of \$625.00; and

WHEREAS, the Division of Public Works has recommended that the Township Council authorize Change Order #1 to the Contract; and

WHEREAS, approval of Change Order #1 to the Contract increases the Contract by a total amount of \$7,113.75 from \$103,820.00 to \$110,933.75.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that Change Order #1 to amend the amount of the Contract from \$103,820.00 to \$110,933.75, reflecting a total increase of \$7,113.75, be and hereby is authorized and approved; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute Change Order #1 to the Contract with Shamrock Lawn & Landscape, Inc.; and

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

- a. Shamrock Lawn & Landscape, Inc.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Superintendent of Public Works
- e. Parks and Playgrounds Bureau
- f. Gluck, Walrath and Lanciano, LLP

The following Resolution # 2004-53 (Award of Contract - Schoor De Palma Amendment to Open Space and Recreation Plan Environmental Features Map 2004 Spring NJDEP Planning Incentive Grant Appl.) was introduced by reference, offered by Councilman Burrows, seconded by Councilman Pernice and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-53

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR ENGINEERING AND CONSULTING SERVICES BETWEEN THE TOWNSHIP OF MARLBORO AND SCHOOR DEPALMA ENGINEERS AND CONSULTANTS RELATED TO AMENDMENTS OF THE TOWNSHIP OF MARLBORO OPEN

SPACE AND RECREATION PLAN AND THE ENVIRONMENTAL
FEATURE MAP AND PREPARATION OF THE 2004 SPRING
PLANNING INCENTIVE GRANT APPLICATION

WHEREAS, there exists a need for the Township of Marlboro to employ an engineering and consulting firm to undertake certain amendments to the Township of Marlboro Open Space and Recreation Plan and the Environmental Features Map and to prepare the 2004 Spring Planning Incentive Grant Application to be submitted for approval under the Garden State Green Acres Preservation Trust Fund Program; and

WHEREAS, Schoor DePalma Engineers and Consultants has submitted a proposal dated February 2, 2004 to the Township of Marlboro to complete the aforementioned work for a total fee of \$10,301.75; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire Schoor DePalma Engineers and Consultants to undertake certain amendments to the Township of Marlboro Open Space and Recreation Plan and the Environmental Features Map and to prepare the 2004 Spring Planning Incentive Grant Application to be submitted for approval under the Garden State Green Acres Preservation Trust Fund Program, as outlined in Schoor DePalma Engineers and Consultants' February 2, 2004 proposal; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is hereby authorized to execute a contract, in a form legally acceptable to the Township Attorney and for an amount of \$10,301.75, between Schoor DePalma Engineers and

Consultants and the Township of Marlboro to undertake certain amendments to the Township of Marlboro Open Space and Recreation Plan and the Environmental Features Map and to prepare the 2004 Spring Planning Incentive Grant Application to be submitted for approval under the Garden State Green Acres Preservation Trust Fund Program, in accordance with Schoor DePalma Engineers and Consultants' February 2, 2004 proposal; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is directed to file a Certificate of Availability of sufficient funds for this contract and to attach same to this Resolution.

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

- a. Schoor DePalma Engineers and Consultants
- b. William Schultz, Township Engineer
- c. Township Administrator
- d. Township Chief Financial Officer
- e. Gluck, Walrath and Lanciano, LLP

The following Resolution # 2004-54 (Change Order #2 - Aquatic Center - Stoneridge, Inc.) was introduced by reference, offered by Council Vice President Denkensohn, seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-54

A RESOLUTION AUTHORIZING AND APPROVING CHANGE ORDER #2 AMENDING THE CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND STONERIDGE, INC. FOR THE DESIGN AND CONSTRUCTION OF THE MARLBORO AQUATIC CENTER

WHEREAS, by Resolution #2002-293, the Township of Marlboro awarded a contract to Stoneridge, Inc. for the design and construction of the Marlboro Aquatic Center (the "Contract"); and

WHEREAS, the amount of the Contract awarded to Stoneridge, Inc. was \$1,826,800.00; and

WHEREAS, the engineer on the project, CME Associates, after review of the Contract specifications, has advised the Township Council that changes in contract quantities

and supplemental items required to satisfactorily complete the project would result in a decrease in the contract award price from \$1,826,800.00 to \$1,825,848.54; and

WHEREAS, CME Associates has recommended that the Township Council authorize Change Order #2 to the Contract; and

WHEREAS, approval of Change Order #2 to the Contract decreases the amount of the Contract from \$1,826,600.00 to \$1,825,848.54 for a net overall decrease of \$951.46.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that Change Order #2 to amend the amount of the Contract from \$1,826,800.00 to \$1,825,848.54, reflecting a decrease of \$951.46 from the original Contract amount, be and hereby is authorized and approved; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute Change Order #2 to the Contract with Stoneridge, Inc.; and

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

- a. Stoneridge, Inc.
- b. CME Associates
- c. Township Administrator
- d. Township Chief Financial Officer
- e. Gluck, Walrath and Lanciano, LLP

The following Resolution # 2004-55 (Transfers) was introduced by reference, offered by Council President Mione, seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-55

RESOLUTION AUTHORIZING BUDGET TRANSFERS
DURING FIRST THREE MONTHS
OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three (3) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an

amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over the above the amount deemed to be necessary to fulfill the purpose of such appropriation,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Calendar Year 2003 Budget in accordance with the attached schedule:

See Attachment

SCHEDULE A
2003 BUDGET TRANSFERS
February 12, 2004

CURRENT:			
DEPARTMENT		ACCOUNT #	AMOUNT
FROM:			
Police	S&W	01-2003-01-240-01-101	20,000.00
Streets & Road Maintenance	S&W	01-2003-01-290-01-101	25,000.00
Social Security	OE	01-2003-01-472-02-	25,000.00
TOTAL			70,000.00

TO:			
Medical Insurance	OE	01-2003-01-220-02-	30,000.00
Buildings & Grounds	OE	01-2003-01-310-02	5,000.00
Environmental Commission	OE	01-2003-01-335-02-	1,000.00
Telephone	OE	01-2003-01-440-02-	3,000.00
Natural Gas	OE	01-2003-01-446-02	6,000.00
Landfill	OE	01-2003-01-465-02	25,000.00
TOTAL			70,000.00

The following Resolutions were introduced by reference, offered by Council Vice President Denkensohn, seconded by Councilman Burrows and passed on a roll call vote of 5 - 0 in favor: Res. # 2004-56 (Raffle License St. Gabriel's Church (Off Premise 50/50), Res. # 2004-57 (Raffle License St. Gabriel's Church (On Premise 50/50) and Res. # 2004-58 (Raffle License St. Gabriel's Church (Carnival Wheels and Games)).

RESOLUTION # 2004-56

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL:01-04 (Off Premise 50/50) be and it is hereby granted to St. Gabriel's R.C. Church, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on July 18, 2004 at 9 PM at St. Gabriel's Church, 100 North Main Street, Marlboro, New Jersey 07746.

RESOLUTION # 2004-57

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 02-04 (On Premise 50/50) be and it is hereby granted to St. Gabriel's R.C. Church, 100 North Main Street, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on the following dates and times:

July 15, 2004	6 - 11 PM
July 16, 2004	6 - 11 PM
July 17, 2004	6 - 11 PM
July 18, 2004	4 - 9 PM

at St. Gabriel's Church grounds, 100 North Main Street, Marlboro, N. J. 07746.

RESOLUTION # 2004 - 58

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL:03-04 (Carnival Wheels and Games) be and it is hereby granted to St. Gabriel's R.C. Church, 100 North Main Street Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on the following dates and times:

July 15, 2004	6 - 11 PM
July 16, 2004	6 - 11 PM
July 17, 2004	6 - 11 PM
July 18, 2004	4 - 9 PM

at St. Gabriel's Church grounds, 100 North Main Street,
Marlboro, N. J. 07746.

The following Resolution # 2004-60 (Authorizing Execution of Contract for Special Counsel - Jonathan Williams, Esq. - Acquisition of Marlboro Hospital) was introduced by reference, offered by Councilwoman Morelli, seconded by Council Vice President Denkensohn and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-60

A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONTRACT FOR SPECIAL COUNSEL SERVICES BETWEEN
THE TOWNSHIP OF MARLBORO AND
JONATHAN L. WILLIAMS, ESQ.OF DECOTIIS,
FITZPATRICK, COLE AND WISLER, LLP

WHEREAS, there exists a need for the Township Attorney, Michael H. Gluck, to employ special counsel to provide legal services to the Township of Marlboro with respect the acquisition of the Marlboro State Psychiatric Hospital property from the State of New Jersey and the ongoing investigation by the United States Attorney's Office; and

WHEREAS, the Township Attorney, Michael H. Gluck, is authorized pursuant to Section 4-70 of the Township Code of the Township of Marlboro and the Professional Services Agreement between the Township of Marlboro and Gluck, Walrath and Lanciano, LLP to hire such additional counsel as he deems necessary, pursuant to the authorization of the Township Council; and

WHEREAS, the Township Attorney, Michael H. Gluck, has deemed it necessary and in the best interest of the municipality to hire Jonathan L. Williams, Esq. of DeCotiis, FitzPatrick, Cole and Wisler, LLP to provide legal services to the Township of Marlboro with respect to the acquisition of the Marlboro State Psychiatric Hospital property from the State of New Jersey and the ongoing investigation by the United States Attorney's Office; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Township Attorney, Michael H. Gluck, is hereby authorized to execute a contract between Jonathan L. Williams, Esq. of DeCotiis, FitzPatrick, Cole and Wisler, LLP and the Township of Marlboro to provide legal services with respect to the acquisition of the Marlboro State Psychiatric Hospital property from the State of New Jersey and the ongoing investigation by the United States Attorney's Office. Mr. Williams shall perform only those legal services authorized by the Township Attorney.

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

- a. Jonathan L. Williams, Esq. of DeCotiis, FitzPatrick, Cole and Wisler, LLP
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Gluck, Walrath and Lanciano, LLP

The following Resolution # 2004-61 (Authorizing Execution of Contract for Special Counsel - Matthew Giacobbe, Esq. - Labor Matters) was introduced by reference, offered by Councilman Pernice, seconded by Council President Mione and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-61

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SPECIAL COUNSEL SERVICES BETWEEN THE TOWNSHIP OF MARLBORO AND MATTHEW GIACOBBE, ESQ. OF SCARINCI AND HOLLENBECK, LLC

WHEREAS, there exists a need for the Township Attorney, Michael H. Gluck, to employ special counsel to

provide legal services to the Township of Marlboro with respect to labor matters; and

WHEREAS, the Township Attorney, Michael H. Gluck, is authorized pursuant to Section 4-70 of the Township Code of the Township of Marlboro and the Professional Services Agreement between the Township of Marlboro and Gluck, Walrath and Lanciano, LLP to hire such additional counsel as he deems necessary, with the authorization of the Township Council; and

WHEREAS, the Township Attorney, Michael H. Gluck, has deemed it necessary and in the best interest of the municipality to hire Matthew Giacobbe, Esq. of Scarinci and Hollenbeck, LLC to provide legal services to the Township of Marlboro on labor matters; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Township Attorney, Michael H. Gluck, is hereby authorized to execute a contract between Matthew Giacobbe, Esq. of Scarinci and Hollenbeck, LLC and the Township of Marlboro for the provision of legal services on labor matters. Mr. Giacobbe shall perform only those legal services authorized by the Township Attorney.

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

- a. Matthew Giacobbe, Esq. of Scarinci and Hollenbeck, LLC
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Gluck, Walrath and Lanciano, LLP

The following Resolution # 2004-62 (Advising and Consenting to Appointment of Allen Falk, Esq. and John Lane, Esq. as Prosecutors) was introduced by reference, offered by Council Vice President Denkensohn, seconded by Council President Mione and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-62

RESOLUTION ADVISING AND CONSENTING AS TO THE APPOINTMENT OF ALLEN FALK, ESQ. AND JOHN LANE, ESQ. AS MUNICIPAL PROSECUTORS OF THE TOWNSHIP OF MARLBORO

WHEREAS, Section 4-71 of the Code of the Township of Marlboro requires the Mayor to appoint a Municipal Prosecutor with the advice and consent of the Township Council; and

WHEREAS, N.J.S.A. 2B:25-4 authorizes a municipality to appoint additional municipal prosecutors as necessary to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, Mayor ROBERT KLEINBERG appoints ALLEN FALK, ESQ. and JOHN LANE, ESQ. as the Municipal Prosecutors of the Township of Marlboro, subject to the advice and consent of the Township Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that it hereby advises and consents to the appointment of ALLEN FALK, ESQ. and JOHN LANE, ESQ. as the Municipal Prosecutors of the Township of Marlboro for the term and to perform the duties and receive the compensation as provided or permitted by law.

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

- a. Allen Falk, Esq.
- b. John Lane, Esq.
- c. Township Administrator
- d. Township Chief Financial Officer
- e. Gluck, Walrath and Lanciano, LLP

The following Resolution # 2004-63 (Advising and Consenting to Appointment of Gregory P. McGuckin as Public Defender

and Russell P. Cherkos as Alternate) was introduced by reference, offered by Councilwoman Morelli, seconded by Councilman Pernice and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-63

RESOLUTION ADVISING AND CONSENTING AS TO THE APPOINTMENT OF
GREGORY P. MCGUCKIN, ESQ. AS PUBLIC DEFENDER AND
RUSSELL P. CHERKOS, ESQ. AS ALTERNATE PUBLIC DEFENDER OF
THE TOWNSHIP OF MARLBORO

WHEREAS, Section 4-34 of the Code of the Township of Marlboro requires the Mayor to appoint a Public Defender with the advice and consent of the Township Council; and

WHEREAS, Mayor ROBERT KLEINBERG has previously advised the Township Council that he is appointing GREGORY P. MCGUCKIN, Esq., as Public Defender of the Township of Marlboro and RUSSELL P. CHERKOS, Esq., as Alternate Public Defender subject to the advice and consent of the Township Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that it hereby advises and consents to the appointment of GREGORY P. MCGUCKIN, Esq., as Public Defender and RUSSELL P. CHERKOS, Esq., as alternate Public Defender for the term and to perform the duties and receive the compensation as provided or permitted by law.

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

- a. Gregory P. McGuckin, Esq.
- b. Russell P. Cherkos, Esq.
- c. Township Administrator
- d. Township Chief Financial Officer
- e. Gluck, Walrath and Lanciano, LLP

After discussion, the following Resolution # 2004-64 (Appointing Michael Wirin as Chairman of the Youth Exchange Advisory Committee) was introduced by reference, offered by Council President Mione, seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-64

A RESOLUTION APPOINTING MICHAEL WIRIN AS A MEMBER AND THE
CHAIRMAN OF THE YOUTH EXCHANGE ADVISORY COMMITTEE

WHEREAS, on August 24, 1997 the Township of Marlboro entered into a "Sister City" agreement with the Town of Johana, Toyama Prefecture, Japan, to establish a friendship between the municipalities and to establish a Youth Exchange Program (the "Exchange Program") to promote cultural awareness and good will; and

WHEREAS, by Ordinance #2003-28, the Township Council established the Youth Exchange Advisory Committee as a special committee of the Township Council to oversee the administration of the Exchange Program; and

WHEREAS, pursuant to Section 4-12.C of the Code of the Township of Marlboro, the Youth Exchange Advisory Committee is to consist of twelve (12) members appointed by the Township Council; and

WHEREAS, pursuant to Section 4-12.C of the Code of the Township of Marlboro, the Township Council must also appoint a Chairperson of the Youth Exchange Advisory Committee; and

WHEREAS, the Township Council has determined that it is in the best interest of the residents of the Township of Marlboro to appoint Michael Wirin as a member and the Chairmen of the Youth Exchange Advisory Committee.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that Michael Wirin is hereby appointed as a member and the Chairmen of the Youth Exchange Advisory Committee.

At 10:55 PM, Councilman Denkensohn moved that the meeting go into executive session for reason of discussing acquisition of property, contract negotiations and litigation. This was seconded by Councilman Pernice, and as there was no objection, the Clerk was asked to cast one ballot. Recess was held, and the executive session commenced at 11:05 PM.

RESOLUTION # 2004-59

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 12th day of February, 2004 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely, acquisition of property, contract negotiations and 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 90 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 12:35 pm, Councilman Pernice moved that the meeting be opened. This was seconded by Council President Mione, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Denkensohn).

At 12:40 pm, Councilman Burrows moved that the meeting be adjourned. This was seconded by Council President Mione, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Denkensohn).

MINUTES APPROVED: March 25, 2004

OFFERED BY:	Denkensohn	AYES:	5
SECONDED BY:	Morelli	NAYS:	0

ALIDA DE GAETA
MUNICIPAL CLERK

JAMES MIONE
COUNCIL PRESIDENT

