

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

March 6, 2008

The Marlboro Township Council held its regularly scheduled meeting on March 6, 2008 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council Vice President Rosenthal opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on December 18, 2007; 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.

The Clerk called the Roll.

PRESENT: Councilman LaRocca, Councilwoman Marder, Council Vice President Rosenthal and Councilwoman Tragni (Absent: Cantor).

Also present were: Mayor Jonathan L. Hornik, Ronald Gordon, Esq., Business Administrator Alayne Shepler, Municipal Clerk Alida Manco, and Deputy Clerk Deborah Usalowicz.

Councilwoman Tragni moved that the minutes of February 7, 2008 be approved. This motion was seconded by Councilman LaRocca and as there was no objection, the clerk was asked to cast one ballot (Absent: Cantor).

Councilwoman Tragni moved that the minutes of February 21, 2008 be approved. This motion was seconded by Councilman LaRocca and as there was no objection, the clerk was asked to cast one ballot. (Abstain: Marder), (Absent: Cantor).

Council Vice President Rosenthal opened the Public Hearing on Ordinance # 2008-3 (Amend Chapter 84 - Escrow Fees). After the public hearing was held and closed, discussion followed, after which the following Resolution # 2008-79/Ord. # 2008-3 (Amend Chapter 84 - Escrow Fees) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilman LaRocca and was then passed on a roll call vote of 3 - 0 in favor (Absent: Cantor, Marder).

RESOLUTION # 2008-79

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

ORDINANCE # 2008-3

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 "LAND USE DEVELOPMENT AND REGULATIONS", ARTICLE II, "LAND USE PROCEDURES" SECTION 84-14.2 "ESCROW FEES: SCHEDULE B", SUB-SECTION 84-14.2(L) OF THE CODE OF THE TOWNSHIP OF MARLBORO, TO PROVIDE FOR REPLENISHMENT OF ESCROW

which was introduced on February 7, 2008, public hearing held March 6, 2008 be adopted on second and final reading this 6th day of March, 2008.

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

Council Vice President Rosenthal opened the Public Hearing on Ordinance # 2008-4 (Amend Chapter A-157 - Cable Television Channel). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution # 2008-80/Ord. # 2008-4 (Amend Chapter A-157 - Cable Television Channel) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilman LaRocca and was then passed on a roll call vote of 3 - 0 in favor (Absent: Cantor, Marder).

RESOLUTION # 2008-80

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

ORDINANCE # 2008-4

AN ORDINANCE AMENDING AND SUPPLEMENTING APPENDIX, CHAPTER A157, "CABLE TELEVISION CHANNEL, MUNICIPAL", OF THE CODE OF

THE TOWNSHIP OF MARLBORO, BY AMENDING SECTION A157-4,
"CHANNEL", SUB-SECTION A157-4(C) TO PERMIT THE BROADCAST OF
MUNICIPAL COUNCIL MEETINGS ON CABLE ACCESS TELEVISION

which was introduced on February 7, 2008, public hearing held March 6, 2008 be adopted on second and final reading this 6th day of March, 2008.

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

Council Vice President Rosenthal opened the Public Hearing on Ordinance # 2008-6 (Special Emergency Appropriation - Revaluation). As there was no one who wished to speak, the Public Hearing was closed. Ronald Gordon, Esq. addressed the Court Order ordering the revaluation. After discussion, the following # 2008-81/Ord. # 2008-6 (Special Emergency Appropriation - Revaluation) was introduced by reference, offered by Councilman LaRocca, seconded by Councilwoman Marder and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-81

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

ORDINANCE # 2008-6

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF FUNDS TO UNDERTAKE A PROGRAM OF REVALUATION OF REAL PROPERTY THROUGHOUT THE TOWNSHIP OF MARLBORO BY ORDER OF THE MONMOUTH COUNTY BOARD OF TAXATION

which was introduced on February 7, 2008, public hearing held March 6, 2008 be adopted on second and final reading this 6th day of March, 2008.

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

Council Vice President Rosenthal opened the Public Hearing on Ordinance # 2008-7 (Amend Chapter 126 - Sewers - Inspections). After the public hearing was held and closed, and after discussion, the following Res. # 2008-97/Ord. # 2008-7 (Amend

Chapter 126 - Sewers - Inspections) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman LaRocca and was then passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-97

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

ORDINANCE # 2008-07

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 126 "SEWERS", SECTION 126-5.1, "GREASE TRAPS" OF THE CODE OF THE TOWNSHIP OF MARLBORO BY ADDING A NEW SUB-SECTION 126-5(E) "INSPECTIONS" AND ADDING A NEW SECTION 126-8 "VIOLATIONS AND PENALTIES"

which was introduced on February 21, 2008, public hearing held March 6, 2008 be adopted on second and final reading this 6th day of March, 2008.

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

The following Res. # 2008-98/ Ord. #2008-8 (Amend Chapter 84 - Pool Inspection Fees) was introduced by reference, offered by Councilwoman Tragni, and seconded by Councilwoman Marder. Ronald Gordon, Esq. explained the ordinance. After discussion, the resolution/ordinance was passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-98

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

ORDINANCE # 2008-8

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 "LAND USE DEVELOPMENT AND REGULATIONS", ARTICLE III, "ZONING: STANDARDS AND REGULATIONS", SECTION 84-36, "PRIVATE SWIMMING, WADING AND PORTABLE POOLS", SUB-SECTION 84-36(B)(3)(G) TO INCREASE THE INSPECTION FEE FOR ZONING APPLICATIONS FOR SWIMMING POOLS AND AMENDING AND SUPPLEMENTING CHAPTER 84, "LAND USE DEVELOPMENT AND REGULATIONS",

"FEE SCHEDULE A: NONREFUNDABLE FEES", SECTION W, "ZONING PERMIT", TO
REDUCE THE FEE FOR ZONING PERMITS FOR SWIMMING POOLS

be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on April 3, 2008 at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2008-8

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 "LAND USE DEVELOPMENT AND REGULATIONS", ARTICLE III, "ZONING:STANDARDS AND REGULATIONS", SECTION 84-36, "PRIVATE SWIMMING, WADING AND PORTABLE POOLS", SUB-SECTION 84-36(B)(3)(G) TO INCREASE THE INSPECTION FEE FOR ZONING APPLIICATIONS FOR SWIMMING POOLS AND AMENDING AND SUPPLEMENTING CHAPTER 84, "LAND USE DEVELOPMENT AND REGULATIONS", "FEE SCHEDULE A: NONREFUNDABLE FEES", SECTION W, "ZONING PERMIT", TO REDUCE THE FEE FOR ZONING PERMITS FOR SWIMMING POOLS

BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that Chapter 84, *Land Use Development and Regulations*, Article III, *Zoning: Standards and Regulations*, Section 84-36, *Private Swimming, Wading and Portable Pools*, Sub-Section 84-36(B)(3)(g) of the Code of the Township of Marlboro be and is hereby amended and supplemented to increase the fees for inspections for Zoning Permits for swimming pools as follows:

§ 84-36(B)3)(g)

(g) An inspection fee of \$200.00 shall be paid with the zoning application; and

BE AND IT IS HEREBY FURTHER ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that Chapter 84, *Land Use Development and Regulations*, Fee Schedule A: *Nonrefundable Fees*, Section W, *Zoning Permit*, be and is hereby amended and supplemented by reducing the fee for a Zoning Permit for Swimming Pools as follows:

Fee Schedule A: Nonrefundable Fees

w. Zoning permit

- | | | |
|----|--|----------|
| 1. | General | \$35.00 |
| 2. | Zoning permit for fences and sheds | \$35.00 |
| 3. | Zoning permit for signs | |
| | (a) Signs of up to 15 square feet | \$50.00 |
| | (b) Signs with more than 15 square feet | \$75.00 |
| 4. | Zoning permit for swimming pools
(the cost of which shall include the amount for a surrounding fence) | \$100.00 |
| 5. | For any subsequent review, an applicant shall be charged 50% of the original fee. | |

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed invalid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Councilwoman Marder motioned to table the following Res. # 2008-99/ Ord. #2008-9 (Amend Chapter 84 - Signs and Outdoor Advertising Regulations). Motion to table was seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor of tabling.

The following Res. # 2008-100 (Voicing Opposition to Lakehurst to Matawan Rail Line) was introduced by reference, offered by Councilwoman Marder, and seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-100

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
MARLBORO, COUNTY OF MONMOUTH, STATE OF NEW JERSEY
REQUESTING THAT GOVERNOR CORZINE, CONGRESSMAN FRANK PALLONE,
CONGRESSMAN RUSH HOLT, STATE SENATOR JENNIFER BECK,
ASSEMBLYWOMAN CAROLINE CASAGRANDE AND ASSEMBLYMAN
DECLAN J. O'SCANLON REJECT NEW JERSEY TRANSIT'S
PROPOSED RAIL EXTENSION FROM MATAWAN TO LAKEHURST FOR
THE PROPOSED MONMOUTH-OCEAN-MIDDLESEX RAIL ROUTE

WHEREAS, New Jersey Transit is in the process of developing plans to create a new rail line known as the Monmouth-Ocean-Middlesex Rail Route or "MOM"; and

WHEREAS, three (3) routes have been proposed for such MOM Rail Route as follows: (1) Monmouth Junction to Lakehurst; (2) Matawan to Lakehurst; and (3) Red Bank to Lakehurst; and

WHEREAS, previous studies suggested that the Monmouth Junction to Lakehurst route would prove the most cost-effective and would increase rider-ship; and

WHEREAS, should New Jersey Transit decide to implement the Matawan to Lakehurst route, such plan would negatively and adversely impact the environment and quality of life of the citizens of the Township of Marlboro who live in the affected areas of the Township; and

WHEREAS, the proposed route would be located primarily in residential areas, wherein such rail route would expose residents and their children to increased ground contamination, air pollution, noise pollution and safety hazards, posing a direct and detrimental affect on the health, safety and welfare and quality of life of the citizens of Marlboro Township; and

WHEREAS, Mayor Jonathan Hornik has publicly stated and advised the Township's local and national legislators and representatives that he is against the proposed rail line running through the Township and requests that the Council support this resolution; and

WHEREAS, the Township Council of the Township of Marlboro appreciates the value of the MOM Rail Route, and is committed to the encouragement and provision of additional public transportation routes throughout the State of New Jersey; and

WHEREAS, the Township Council of the Township of Marlboro believes that the most appropriate route for the MOM Rail Route is the Monmouth Junction to Lakehurst route, which route was

demonstrated by several studies as being the most cost effective and the most likely to increase rider-ship.

NOW, THEREFORE, BE AND IT IS HEREBY IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that it hereby requests that Governor Corzine, Congressman Frank Pallone, Congressman Rush Holt, State Senator Jennifer Beck, Assemblywoman Caroline Casagrande and Assemblyman Declan J. O'Scanlon, reject the proposed MOM railway route from Matawan to Lakehurst and support the implementation of the Monmouth Junction to Lakehurst route as being the most cost effective route and the route most likely to encourage and increase rider-ship; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to Governor Jon Corzine, Congressman Frank Pallone, Congressman Rush Holt, State Senator Jennifer Beck, Assemblywoman Caroline Casagrande and Assemblyman Declan J. O'Scanlon and to the Municipal Clerks of each of the municipalities in Monmouth and Middlesex County for distribution to the various Mayors and Governing Bodies and shall be published in a newspaper of general circulation within the Township of Marlboro

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

- a. Mayor Hornik
- b. Township Administrator
- c. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2008-101 (Authorizing Professional Services Contract - Mark White - Police Dept.) was introduced by reference, offered by Councilwoman Marder, and seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-101

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT BETWEEN MARK WHITE, Ph.D., P.A., LICENSED PSYCHOLOGIST AND THE TOWNSHIP OF MARLBORO FOR THE PROVISION OF PSYCHOLOGICAL REFERRAL SERVICES THROUGH AN EMPLOYEE ASSISTANCE PROGRAM FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT

WHEREAS, the Township of Marlboro is in need of professional services in connection with the provision of psychological referral services through an Employee Assistance Program for the Township of

Marlboro Police Department, such services to be rendered by Mark White, Ph.D., P.A., under a contract to be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized to practice psychology in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, funds are available for this purpose in the 2008 municipal budget.

WHEREAS, the Chief Financial Officer of the Township of Marlboro has determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, Mark White, Ph.D., P.A. has submitted the attached proposal (the "Proposal") to the Township of Marlboro to provide the aforementioned professional services for a contractual retainer of \$3,500.00 and a fee-for-service charge of \$125.00 per hour for Supervisor-Imposed mandated referrals; and

WHEREAS, Mark White, Ph.D., P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that Mark White, Ph.D., P.A. has not made any reportable contributions to a political or candidate committee in the Township of Marlboro in the previous one year, and that the contract will prohibit Mark White, Ph.D., P.A. from making any reportable contributions through the term of the contract; and

WHEREAS, the Township has been provided with the Business Entity's Disclosure of Campaign Contributions at least ten (10) days prior hereto, as required by P.L. 2005, c. 271.

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire Mark White, Ph.D., P.A. to provide the required professional services in accordance with the Proposal; 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 IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro, hereby authorizes and approves the award of a Professional Services Contract to Mark White, Ph.D., P.A., to provide psychological referral services through an Employee Assistance Program for the Township of Marlboro Police Department pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i), and shall provide for compensation as follows: a contractual retainer in the amount of \$3,500.00 and a fee-for-service charge of \$125.00 per hour for Supervisor-Imposed mandated referrals; and

2. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver the said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

3. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

4. A copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

5. A certified copy of this Resolution shall be provided to each of the following:

- a. Mark White, Ph.D., P.A.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2008-102 (Authorizing Professional Services Contract - Mark White - Non-Police Employees) was introduced by reference, offered by Councilwoman Tragni, and seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-102

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT BETWEEN MARK WHITE, Ph.D., P.A., LICENSED PSYCHOLOGIST AND THE TOWNSHIP OF MARLBORO FOR THE PROVISION OF PSYCHOLOGICAL REFERRAL SERVICES THROUGH AN EMPLOYEE ASSISTANCE PROGRAM FOR NON-POLICE EMPLOYEES OF THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro is in need of professional services in connection with the provision of psychological referral services through an Employee Assistance Program for the non-police employees of the Township of Marlboro, such services to be rendered by Mark White, Ph.D., P.A. under a contract to be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized to practice psychology in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Chief Financial Officer of the Township of Marlboro has determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, funds are available for this purpose in the 2008 municipal budget.

WHEREAS, Mark White, Ph.D., P.A. has submitted the attached proposal (the "Proposal") to the Township of Marlboro to provide the aforementioned professional services for a contractual retainer of \$4,000.00 and a fee-for-service charge of \$125.00 per hour for Supervisor-Imposed mandated referrals; and

WHEREAS, Mark White, Ph.D., P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that Mark White, Ph.D., P.A. has not made any reportable contributions to a political or candidate committee in the Township of Marlboro in the previous one year, and that the contract will prohibit Mark White, Ph.D., P.A. from making any reportable contributions through the term of the contract; and

WHEREAS, the Township has been provided with the Business Entity's Disclosure of Campaign Contributions at least ten (10) days prior hereto, as required by P.L. 2005, c. 271.

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to hire Mark White, Ph.D., P.A. to provide the required professional services in accordance with the Proposal; 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 IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that:

1. The Township Council of the Township of Marlboro, hereby authorizes and approves the award of a Professional Services Contract to Mark White, Ph.D., P.A., to provide psychological referral services through an Employee Assistance Program for the non-police employees of the Township of Marlboro pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i), and shall provide for compensation as follows: a contractual retainer in the amount of \$4,000.00 and a fee-for-service charge of \$125.00 per hour for Supervisor-Imposed mandated referrals; and

2. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver the said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

3. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

4. A copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

5. A certified copy of this Resolution shall be provided to each of the following:

- a. Mark White, Ph.D., P.A.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. DeCotiis, FitzPatrick, Cole & Wisler, LLP

The following Res. # 2008-103 (Emergency Temporary Appropriation) was introduced by reference, offered by Councilwoman Tragni, and seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-103

EMERGENCY TEMPORARY RESOLUTION
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation in anticipation of the adoption of the 2008 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2007 appropriations with the exception of debt service and seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2007 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$18,011,827.18 for the municipal budget and \$541,712.50 for the operations of the swim utility;

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 has been provided for in the CY 2008 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.

Appropriations not funded in this document or exceeding 50% of 2007 funding levels are in **bold**

Appropriations	2007 Municipal Budget	2008 Temporary Emergency Appropriation
Administration		
Salary & Wages	211,000.00	105,000.00
Other Expenses	57,460.00	28,730.00
Office of the Mayor		
Salary & Wages	60,500.00	30,250.00
Other Expenses	5,700.00	2,850.00
Ethics Commission		
Salary & Wages		
Other Expenses	7,500.00	3,750.00
Township Council		
Salary & Wages	18,000.00	9,000.00
Other Expenses	8,000.00	4,000.00
Public Information		
Salary & Wages	26,500.00	13,250.00
Other Expenses	53,600.00	26,800.00
Municipal Clerk		
Salary & Wages	188,000.00	94,000.00
Other Expenses	70,500.00	35,250.00
Finance		
Salary & Wages	236,500.00	118,250.00
Other Expenses	32,000.00	16,000.00
Annual Audit	49,500.00	0.00
Central Computer Services		
Salary & Wages	37,000.00	18,500.00
Other Expenses	27,500.00	13,750.00
Tax Collector		
Salary & Wages	224,500.00	112,250.00
Other Expenses	33,900.00	16,950.00
Tax Assessor		
Salary & Wages	184,500.00	92,250.00
Other Expenses	96,750.00	48,375.00

Legal Services		
Other Expenses	500,000.00	250,000.00
Engineering Services		
Salary & Wages	210,000.00	105,000.00
Other Expenses	153,750.00	76,875.00
Economic Development		
Salary & Wages		
Other Expenses	500.00	0.00
Inter- Governmental Relations		
Other Expenses	1,000.00	0.00
Homeland Security		
Salary & Wages	33,312.00	16,656.00
Other Expenses	58,500.00	29,250.00
Historic Sites Commission		
Other Expenses	3,000.00	1,500.00
Planning Board		
Salary & Wages	64,500.00	32,250.00
Other Expenses	59,050.00	29,525.00
Planning Board Contractual		
Other Expenses	46,400.00	23,200.00
Zoning Board		
Salary & Wages	162,500.00	81,250.00
Other Expenses	63,200.00	31,600.00
Liability Insurance	428,200.00	214,100.00
Workers Comp	482,700.00	241,350.00
Group Insurance	2,408,000.00	1,204,000.00
Unemployment Insurance	10,000.00	0.00
Police		
Salary & Wages	7,907,500.00	3,953,750.00
Other Expenses	377,750.00	188,875.00
Crime Prevention		
Other Expenses	31,485.00	15,742.50

DARE Program		
Other Expenses	18,000.00	9,000.00
Highway Safety		
Other Expenses	32,900.00	16,450.00
Emergency Management		
Salary & Wages	23,000.00	11,500.00
Other Expenses	16,850.00	8,425.00
Aid to Volunteer Ambulance Companies		
Other Expenses	60,000.00	0.00
Uniform Fire Safety Act		
Salary & Wages	135,000.00	67,500.00
Other Expenses	16,463.00	8,231.50
Municipal Prosecutors Office		
Salary & Wages	32,500.00	16,250.00
Streets and Road Maint		
Salary & Wages	1,652,000.00	826,000.00
Other Expenses	48,290.00	24,145.00
Snow Removal		
Salary & Wages	65,000.00	32,500.00
Other Expenses	290,000.00	145,000.00
Public Works - Other		
Salary & Wages	354,000.00	177,000.00
Other Expenses	70,870.00	35,435.00
Shade Tree Commission		
Salary & Wages	2,000.00	0.00
Other Expenses	2,000.00	0.00
Solid Waste Collection		
Salary & Wages	22,000.00	11,000.00
Other Expenses	742,900.00	371,450.00
Buildings & Grounds		
Salary & Wages	488,000.00	244,000.00
Other Expenses	201,140.00	100,570.00

Vehicle Maintenance		
Salary & Wages	416,500.00	208,250.00
Other Expenses	116,300.00	58,150.00
Community Services Act		
Other Expenses	100,000.00	0.00
Open space Committee		
Salary & Wages	4,200.00	2,100.00
Public Health Services - Registrar		
Salary & Wages	6,500.00	3,250.00
Other Expenses	2,100.00	1,050.00
Drug Abuse Control		
Salary & Wages		
Other Expenses	11,550.00	5,775.00
Environmental Health Services		
Salary & Wages		
Other Expenses	8,000.00	4,000.00
Animal Control Services		
Other Expenses	45,000.00	22,500.00
Recreation		
Salary & Wages	465,500.00	232,750.00
Other Expenses	138,822.00	69,411.00
Teen Program		
Salary & Wages		
Other Expenses	15,000.00	7,500.00
Summer Youth Activities		
Salary & Wages		
Other Expenses	7,000.00	3,500.00
Park Maintenance		
Salary & Wages	484,500.00	242,250.00
Other Expenses	44,680.00	22,340.00
Municipal Library		
Other Expenses	23,275.00	11,637.50
Prior Year Bills	25,000.00	3,000.00

Accumulated Leave Compensation	1,000.00	0.00
Deficit in Animal control	6,959.44	0.00
Postage		
Other Expenses	55,000.00	27,500.00
Electricity	292,000.00	146,000.00
Street Lighting	610,000.00	305,000.00
Telephone	133,600.00	66,800.00
Water	20,000.00	10,000.00
Natural Gas	95,000.00	47,500.00
Sewer	8,500.00	4,250.00
Gasoline	300,000.00	150,000.00
Landfill Disposal Costs	248,250.00	124,125.00
PERS	273,000.00	460,000.00
FICA	990,000.00	495,000.00
Contingent	10,000.00	0.00
Municipal Court		
Salary & Wages	331,500.00	165,750.00
Other Expenses	126,600.00	63,300.00
Public Defender		
Salary & Wages		
Other Expenses	17,000.00	8,500.00
Affordable Housing		
Salary & Wages	9,000.00	4,500.00
Other Expenses	4,700.00	2,350.00
Police Dispatch 911		
Salary & Wages	635,000.00	317,500.00
Other Expenses	250,000.00	125,000.00
LOSAP		

Other Expenses	75,000.00	0.00
PFRS		
Other Expenses	1,032,500.00	1,710,000.00
Overexpenditure of Capital Improvement		
Other Expenses	140,766.67	0.00
SFSP Fire District Payments		
Other Expenses	14,229.00	0.00
Clean Communities Act	45,036.32	0.00
Monmouth Drug & Alcohol Grant Share	30,720.00	32,008.00
Local Share	7,680.00	8,002.00
Recycling tonnage Grant	19,458.87	0.00
Union hill Road Improvements	75,000.00	0.00
2008 Union Hill Rd Imp Grant	0.00	160,000.00
Child Passenger Safety	1,656.00	0.00
2008 Pedestrian Safety Grant	0.00	12,496.00
Highway Safety Fund Grant	0.00	47,000.00
Body Armor Grant	7,011.10	8,007.68
Improvements to muni parks	100,000.00	0.00
Municipal Open Space Grant	100,000.00	0.00
Click It or Ticket	4,000.00	0.00
Green Acres Park Imp Grant	600,000.00	0.00
Matching Funds for Grants	7,500.00	0.00
Secure Our Schools Grant		
Grant Share		
Local Match		

Alcohol Rehab Grant	353.71	0.00
Handicapped Rec Opportunities Grant		
Grant Share		
Local Share		
Capital Improvement Fund		
Other Expenses	275,000.00	0.00
Acquisition of Rights of Way	5,000.00	0.00
Bond Principal	1,740,000.00	1,798,000.00
Bond Anticipation Notes	41,175.00	41,175.00
Bond Interest	727,505.50	650,000.00
Note Interest	61,000.00	182,000.00
Green Acres Trust - P & I	28,865.00	28,865.00
Capital Lease program		
Principal	323,600.00	462,100.00
Interest	51,000.00	63,050.00
Emergency Authorizations	105,000.00	0.00
Deferred Charges		
Reserve for Uncollected Taxes	1,750,000.00	0.00
Chapter 159		
HDSRF DiMeo Property	121,748.00	0.00
HDSRF Hospital Property	126,909.00	0.00
Drunk Driving Enforcement	15,422.04	0.00
Stop for the Red or Stop for us	15,800.00	0.00
911 Equipment Grant	16,000.00	0.00
911 General Assistance Grant	36,584.00	0.00

You Drink, You drive, You Lose	5,000.00	0.00
2007 Impaired Driving grant	5,000.00	0.00
Total	32,945,726.65	18,011,827.18

Swim Utility	2007 Operating Budget	2008 Temporary Emergency Appropriation
Salary & Wages	478,000.00	239,000.00
Other Expenses	464,325.00	232,162.50
Capital Outlay	120,000.00	60,000.00
Payment of Bond Principal	10,000.00	10,000.00
Payment of Bond Anticipation Notes		
Payment of Bond Interest	1,300.00	550.00
Payment of Note Principal		
Totals	1,073,625.00	541,712.50

The following Res. # 2008-104 (Transfers) was introduced by reference, offered by Councilwoman Tragni, and seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-104

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 2007 Municipal Budget) as follow:

FROM:

Clerk OE	\$12,500.00	
TO:		
Planning OE		\$ 5,000.00
Legal OE	_____	<u>7,500.00</u>
	\$12,500.00	\$12,500.00

The following Res. # 2008-105 (Authorizing Contract - Municipal Revaluation - Realty Appraisal Co.) was introduced by reference, offered by Councilman LaRocca, and seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-105

RESOLUTION APPOINTING REALTY APPRAISAL COMPANY TO UNDERTAKE A MUNICIPALITY-WIDE REVALUATION OF ALL PROPERTY WITHIN THE TOWNSHIP OF MARLBORO

WHEREAS, pursuant to an Order from the Monmouth County Board of Taxation dated December 8, 2004, the Township of Marlboro must implement a municipality-wide revaluation of all property within the Township to ensure uniformity and accuracy of tax assessments within the Township; and

WHEREAS, the Township requires the services of an appraiser to undertake such revaluation, such services to be rendered by Realty Appraisal Company (the "Business Entity") under a contract to be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such revaluation services are to be performed and rendered by a person or persons licensed and authorized to undertake professional appraisal services in the State of New Jersey and, accordingly, constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Chief Financial Officer of the Township of Marlboro has determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, this contract is awarded on the premise that the Township Council will adopt Ordinance #2008-6 providing funds in a special emergency appropriation pursuant to N.J.S.A. 40A:4-53(b) with funds being raised over a five (5) year period.

WHEREAS, the Business Entity has completed and submitted a Business Entity Disclosure Certification certifying that the Business Entity has not made any reportable contributions that would bar the award of a contract pursuant to Marlboro Township Code Section 26 or to N.J.S.A. 19:44A-20.5, and that no reportable contributions that would violate Marlboro Township Code Section 26 or N.J.S.A. 19:44A-20.5 will be made during the term of the contract; and

WHEREAS, the Township has been provided with the Business Entity's Disclosure of Campaign Contributions at least ten (10) days prior hereto, as required by P.L. 2005, c. 271.

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

1. The Township Council of the Township of Marlboro, hereby authorizes and approves the award of a Professional Services Contract to Realty Appraisal Company to undertake a municipality-wide revaluation of all property within the Township of Marlboro as required by an Order issued by the Monmouth County Board of Taxation pursuant on December 8, 2004, pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i), and shall provide for compensation in a total amount not to exceed Nine Hundred Thousand Dollars and 00/100 (\$900,000.00) for the aforesaid services; and

2. The Mayor and Town Clerk are hereby authorized and directed to execute, seal and deliver the said Contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

3. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution; and

4. A copy of this Resolution shall be published as required by law within ten (10) days of its passage; and

5. A certified copy of this Resolution shall be provided to each of the following:

- a. Mayor Jonathan Hornik
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Realty Appraisal Company
- e. DeCotiis, FitzPatrick, Cole & Wisler. LLP

The following Res. # 2008-106 (Award of Bid - Recreation Summer Camp Bus Transportation) was introduced by reference, offered by Councilwoman Tragni, and seconded by Councilman LaRocca and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor).

RESOLUTION # 2008-106

A RESOLUTION AWARDING A CONTRACT TO WHITE BEACON INVESTMENTS, LLC D/B/A GREENWOOD BUS COMPANY TO PROVIDE SCHOOL BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION DEPARTMENT SUMMER CAMP

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the provision of School Bus Transportation Services for the Township of Marlboro Recreation Department Summer Camp, and on February 22, 2008, received one (1) bid therefor; and

WHEREAS, the one (1) bid received was as follows:

1. White Beacon Investments, LLC d/b/a Greenwood Bus Company, 327 Greenwood Road, Matawan, New Jersey, for compensation as follows:

Summer Camp Transportation:

Transportation cost per camper for three weeks:

\$165.00

Transportation cost per camper for six weeks:

\$270.00

Transportation cost per camper for five weeks:
\$225.00

Travel Camp (per bus bid):

Amboy Roller Rink - South Amboy, New Jersey
\$250.00

Seven Presidents Beach - Long Branch, New Jersey
\$360.00

Aberdeen Movie Theater, Aberdeen, New Jersey
\$240.00

Belmar Beach - Belmar, New Jersey
\$380.00

Wall Sports Arena - Wall, New Jersey
\$380.00

Keansburg Amusement/Water Park - Keansburg, New Jersey
\$325.00

Sandy Hook Beach - Sandy Hook, New Jersey
\$350.00

Daily Shuttle Service to Swimming Pools
(Estimated Distance - One way)

3.5 Mile Dugan School/Swim Facility Round Trip:
\$67.50

2.7 Mile Marlboro Elementary/Swim Facility Round Trip
\$67.50

3.6 Mile Recreation Center/Swim Facility Round Trip
\$72.00

3.6 Mile Municipal Complex Park Round Trip
\$72.00

6.1 Mile Robertsville/Swim Facility Round Trip
\$77.00

3.4 Mile Defino Central/Swim Facility Round Trip
\$75.00

6.1 Mile Asher Holmes/Swim Facility Round Trip
\$77.00

3.9 Mile Middle School/ Swim Facility Round Trip
\$75.00

7.7 Mile Memorial Middle/Swim Facility Round Trip
\$77.00

In-State Bus Trips:

10 Mile Round Trip	\$140.00 per bus
20 Mile Round Trip	\$154.00 per bus
30 Mile Round Trip	\$161.00 per bus

40 Mile Round Trip	\$210.00 per bus
50 Mile Round Trip	\$224.00 per bus
60 Mile Round Trip	\$252.00 per bus
70 Mile Round Trip	\$280.00 per bus
80 Mile Round Trip	\$308.00 per bus
90 Mile Round Trip	\$371.00 per bus
100 Mile Round Trip	\$399.00 per bus

WHEREAS, the Township Administration and the Department of Recreation have reviewed the said bid received and recommended that same be awarded to White Beacon Investments, LLC d/b/a Greenwood Bus Company as the ostensible lowest responsible bidder; and

WHEREAS, the funds which will be available to cover the costs associated with the awarding of this contract are contingent upon the collection of the required fees in the Recreation Trust. Therefore, the services and payments addressed in this bid are on an on-going basis not requiring certification of funds by the Township Chief Financial Officer; and

WHEREAS, the Mayor and Township Council have indicated their desire to engage White Investments, LLC d/b/a Greenwood Bus Company of Matawan, New Jersey to provide School Bus Transportation Services for the Township of Marlboro Recreation Department Summer Camp.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a contract be awarded to White Investments, LLC d/b/a Greenwood Bus Company of Matawan, New Jersey to provide School Bus Transportation Services for the Township of Marlboro Recreation Department Summer Camp for compensation as set forth hereinabove; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Township Clerk to witness a Contract with White Investments, LLC d/b/a Greenwood Bus Company in a form to be approved by the Township Attorney, for the aforementioned equipment; and

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

- a. White Investments, LLC d/b/a Greenwood Bus Company
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Director, Recreation and Parks Commission
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP

As the consent agenda, the following Resolutions were introduced by reference, offered by Councilwoman Marder, seconded by Councilwoman Tragni and passed on a roll call vote of 4 - 0 in favor (Absent: Cantor): Res. #2008-107 (Authorizing Payment - Communications Specialists), Res. #2008-108 (Reject and rebid - "Coach bus transportation services for the recreation department travel camp), Res. #2008-109 (Redemption Tax Sale Cert - Block 175, Lot 21), Res. #2008-110 (Refunds for Overpayments - Various), Res. #2008-111 (Refunds to WMUA - Various), Res. #2008-112 (Fees for Tax Sale), Res. #2008-113 (Raffle License - Solomon Schechter - Casino Night).

RESOLUTION # 2008-107

A RESOLUTION AUTHORIZING PAYMENT TO COMMUNICATIONS SPECIALISTS, INC. FOR EMERGENCY REPLACEMENT SERVICES FOR THE TOWNSHIP POLICE DEPARTMENT RADIO AS AN EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6

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 September 11, 2007, lightning struck the Marlboro Police Radio System, rendering the radio equipment inoperative; and

WHEREAS, lack of an operational radio system for the Township of Marlboro Police Department posed a threat to the health, safety and welfare of the residents of the Township, constituting an emergency under the terms of N.J.S.A. 40A:11-6; and

WHEREAS, the Police Department contacted Communications Specialists, Inc. (the "Contractor") for emergency repair services to the Police Radio System; and

WHEREAS, the Contractor was unable to obtain replacement parts from the manufacturer to repair the Police Radio System, necessitating replacement of the Radio System equipment for a total cost of Nineteen

Thousand Two Hundred Sixty Dollars and 20/100
(\$19,260.20).

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Town Council of the Township of Marlboro that the payment of Nineteen Thousand Two Hundred Sixty Dollars and 20/100 (\$19,260.20) to Communications Specialists, Inc. for replacement of the Police Radio System equipment as described hereinabove is hereby ratified and authorized pursuant to N.J.S.A. 40A:11-6(b); and

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

- a. Communication Specialists, Inc.
- b. Township Administrator
- c. Township Police Chief
- d. Chief Financial Officer
- e. DeCotiis, FitzPatrick, Cole & Wisler, LLP

RESOLUTION # 2008-108

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR THE PROVISION OF COACH BUS TRANSPORTATION SERVICES FOR RECREATION DEPARTMENT TRAVEL CAMP AND REAUTHORIZING RE-BID OF SAME

WHEREAS, on February 22, 2008 bids were opened for the provision of Coach Bus Transportation Services for Recreation Department Travel Camp; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(e), bids may be rejected because the purposes or provisions or both of N.J.S.A. 40A:11-1 et seq. would be violated.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that all bids heretofore received for Coach Bus Transportation Services for Recreation Department Travel Camp are hereby rejected pursuant to N.J.S.A. 40A:11-13.2(e), because the purposes of the provisions or both of N.J.S.A. 40A:-11 et seq. would be violated,; and

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

BE IT FURTHER RESOLVED that the Business Administrator be and is hereby authorized and directed to re-advertise for open, competitive bids for Coach Bus Transportation Services for Recreation Department Travel Camp pursuant to N.J.S.A. 40A:11-1 et seq.

RESOLUTION # 2008-109

WHEREAS, Tax Sale Certificate #07-17 for Block 175 Lot 21, assessed to Madison Crossing at Birch Hill, LLC, located on Route 520, has been redeemed in the amount of \$97.60,

WHEREAS, the holder of the above-mentioned tax sale certificate, Penny Elshen, is entitled to the amount of the sale plus interest and costs totaling \$97.60,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$97.60 be refunded to the holder of said certificate as above.

RESOLUTION # 2008-110

WHEREAS, the attached list in the amount of \$4,361.57 known as Schedule "A", is comprised of amounts representing overpayments for 2008 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",

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>AMOUNT</u>
132.14	9 C0209	Carol Jean-Francois	\$ 99.35
209	Potts Road	209 Potts Road Morganville, NJ 07751	
159	10.08	Countrywide Tax Service	4,124.44
5	Yorktown Road	Attn: Cash Management 1757 Tapo Canyon Road Suite 300, MS: SVW-24 Simi Valley, CA 93063 Re: Jason A. Gross (Assessed Owner)	

268.05	1	Evelyn Lori Garzone	137.78
26	Angelique Court	26 Angelique Court	
		Morganville, NJ 07751	
TOTAL:			<u>\$ 4,361.57</u>

RESOLUTION # 2008-111

WHEREAS, current sewer charges totaling \$543.37 have been paid by the lienholder of the Tax Sale certificates as per Schedule "A",

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$543.37 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

<u>CERT#</u>	<u>BLOCK/LOT</u>	<u>LIENHOLDER</u>	<u>AMOUNT</u>
TSC#06-31	184/126	Berkshire Investment 5, LLC	\$202.77
111 Valesi Drive			
TSC#07-33	262/14	Crusader Lien Services	115.90
3 Bruce Road			
TSC#07-37	352/9	Crusader Lien Services	112.38
6 Dickson Road			
TSC#07-41	412/240	Crusader Lien Services	112.32
39 Kingfisher Court			
TOTAL:			<u>\$543.37</u>

RESOLUTION # 2008-112

WHEREAS, the Township of Marlboro will hold a Tax Sale on April 10th, 2008; and,

WHEREAS, in accordance with N.J.S.A. 54:5 et seq, the Township of Marlboro is entitled to recover costs in connection with the tax sale including, but not limited to,

advertising costs which may be estimated; and,

WHEREAS, the Township wishes to assess the cost of processing and administering all phases of the Tax Sale process against only the taxpayers who are delinquent and are thereby causing the incurrence of said expenses.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that, Shirley Giaquinto, Tax Collector, be and hereby is authorized and directed to charge and collect a fee of 2% per line item of the amounts to be sold at Tax Sale, minimum \$15.00, maximum \$100.00.

RESOLUTION # 2008-113

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License #RL: 07-08 be and it is hereby granted to Solomon Schechter Day School of Greater Monmouth County, 22 School Road East, Marlboro, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle (Non-draw - Casino Night) will be held on April 10, 2008 from 7 to 11PM at Solomon Schechter Day School of Greater Monmouth County, 22 School Road East, Marlboro, New Jersey 07746.

At 9:40PM, Councilwoman Tragni moved that the meeting go into executive session for reason of discussing litigation and property acquisition. This was seconded by Councilwoman Marder, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor). Recess was called and the executive session reconvened at 9:50PM.

RESOLUTION # 2008-114

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 6th day of March, 2008 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely, litigation and property acquisition.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned item and that such executive session should take approximately 45 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 10:45 PM, Councilwoman Tragni 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 (Absent: Cantor).

At 10:46 PM, Councilwoman Marder moved that the meeting be adjourned. This was seconded by Councilman La Rocca, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: April 24, 2008

OFFERED BY: Tragni AYES: 4

SECONDED BY: Marder NAYS: 0

ABSTAIN: Cantor

ALIDA MANCO
MUNICIPAL CLERK

STEVE ROSENTHAL
COUNCIL VICE PRESIDENT