

MARLBORO TOWNSHIP COUNCIL MEETING

June 20, 2024

The Marlboro Township Council held its regularly scheduled meeting on June 20, 2024 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President DiNuzzo 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 emailed to the Asbury Park Press, the Star Ledger, News Transcript and the Board of Education Office on June 18, 2024; published in the Asbury Park Press on December 26, 2023; posted on the Bulletin Board of the Municipal Building; filed in the Office of the municipal clerk and placed on the township's website and Channel 77.

Municipal Clerk Susan A. Branagan called the roll.

PRESENT: Council Vice President Milman, Councilman Qazi, Councilwoman Viridi (via WebEx) and Council President DiNuzzo. Councilman Scalea was absent.

Also present: Township Attorney Louis N. Rainone, Esq., Business Administrator Jonathan Capp, Municipal Clerk Susan A. Branagan and Deputy Municipal Clerk Jennifer M. Johnson

Proclamation: Council President DiNuzzo presented the Juneteenth Mayoral proclamation to Reverend Joseph Pickett of the Wicker Memorial Baptist Church.

Citizen's Voice:

Frank Festa of Scotch Plains, New Jersey said that he has not received engineering approval for building on his commercial property.

Lisa Pereira of Jackson, New Jersey questioned the New Jersey employee pension process.

Council Speaks Out: Councilman Qazi said that in the mayor's absence he presented the Juneteenth Proclamation at Wicker Memorial Baptist Church, during their 80th anniversary celebration. Council Vice President Milman commented that all Americans should celebrate the holiday. He congratulated the recent graduates and wished everyone a happy summer. Council President DiNuzzo hoped all fathers and grandfathers enjoyed Father's Day. She congratulated the graduates and wished them a happy and safe summer.

Council Vice President Milman moved that the Council meeting minutes of May 16, 2024 be approved. This was seconded by Councilman Qazi, and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-017 (Ordinance Amending Chapter 220, "Land Use Development", by Amending Article VIII, "Subdivisions Signs and Performance Standards" Subsections 220-147 Through 220-158 Entitled "Scope and Purpose of Storm Water Management Requirements") this was seconded by Councilman Qazi and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilman Qazi and approved by unanimous voice vote in favor.

The following Ordinance #2024-017 (Ordinance Amending Chapter 220, "Land Use Development", by Amending Article VIII, "Subdivisions Signs and Performance Standards" Subsections 220-147 Through 220-158 Entitled "Scope and Purpose of Storm Water Management Requirements") was introduced by reference, offered by Council Vice President Milman, seconded by Councilman Qazi and adopted on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

ORDINANCE #2024-017

AN ORDINANCE AMENDING CHAPTER 220, "LAND USE DEVELOPMENT", BY AMENDING ARTICLE VIII, "SUBDIVISIONS SIGNS AND PERFORMANCE STANDARDS", SUBSECTIONS 220-147 through 220-158 ENTITLED "SCOPE AND PURPOSE OF STORMWATER MANAGEMENT REQUIREMENTS" OF THE REVISED CODE OF THE TOWNSHIP OF MARLBORO

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-018 (Amending Ordinance #2020-016 of Marlboro Township Appropriating a \$547,647.05 Grant to be Received by the Township for Preliminary Engineering Activities Relating to the Route 79 Sidewalk Extension Project) this was seconded by Councilman Qazi and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilman Qazi and approved by unanimous voice vote in favor.

The following Ordinance #2024-018 (Amending Ordinance #2020-016 of Marlboro Township Appropriating a \$547,647.05 Grant to be Received by the Township for Preliminary Engineering Activities Relating to the Route 79 Sidewalk Extension Project) was introduced by reference,

offered by Council Vice President Milman, seconded by Councilman Qazi and adopted on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

ORDINANCE #2024-018

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AMENDING ORDINANCE NO. 2020-016 OF THE TOWNSHIP, FINALLY ADOPTED DECEMBER 17, 2020, APPROPRIATING A \$547,647.05 GRANT TO BE RECEIVED BY THE TOWNSHIP FOR PRELIMINARY ENGINEERING ACTIVITIES RELATING TO THE ROUTE 79 SIDEWALK EXTENSION PROJECT IN AND FOR THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY

The following Ordinance #2024-019 (Ordinance Amending and Supplementing Chapter 24 Entitled Emergency Service Providers to Include First Aid Services for Patient Care Facilities) was introduced by reference, offered by Council Vice President Milman, seconded by Councilman Qazi and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

ORDINANCE #2024-019

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24 ENTITLED EMERGENCY SERVICE PROVIDERS TO INCLUDE FIRST AID SERVICES FOR PATIENT CARE FACILITIES

WHEREAS, the Marlboro First Aid and Rescue Squad and the Morganville First Aid and Rescue Squad (hereinafter "Squads"), are non-profit corporations operating pursuant to the provisions of the Township of Marlboro Chapter 24, comprised of volunteers that serve as first responders for first aid calls, benefiting the residents of the Township of Marlboro ("Township"); and

WHEREAS, the Squads may also contract with third party ambulance providers to maintain the optimum level of ambulance coverage for the Township; and

WHEREAS, there are private patient care facilities located within the Township which place a disproportionate number of emergency calls to the Township for first aid service; and

WHEREAS, the Township has become aware that private patient care facilities have placed emergency calls for transportation of its patients, when in fact the calls are for non-emergency medical care; and

WHEREAS, the use of Township emergency medical services for non-emergency medical care is injurious to the health, safety, and

welfare of the Township's residents, and deprives first responders of the ability to respond to true emergencies; and

WHEREAS, the Township seeks to ensure that private patient care facilities secure sufficient emergency and non-emergency transportation services for the patients served by these facilities, and discourage calls for Township ambulance service for non-emergencies.

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

The Township Code of the Township of Marlboro is amended to add Chapter 24, Article IV entitled "First Aid Services for Patient Care Facilities" to the Marlboro Township Code as follows:

Article IV is hereby established:

First Aid Services for Patient Care Facilities

Section 24-14 Purpose.

The purpose of this subsection is to ensure that private patient care facilities secure sufficient emergency and non-emergency transportation resources to serve the patients of these facilities, and preserve and enhance the availability of volunteer first aid squad services for legitimate medical emergency situations in the Township by regulating the use of volunteer first aid squad services in certain non-emergency situations.

Section 24-15 Definitions.

For purposes of this subsection, the following definition applies:

Patient care facility: is defined as Halfway houses, group homes, community residences, residential child care facilities and residential health care facilities, alcohol and drug treatment centers, youth hostels, homeless shelters, and other similar facilities with a maximum permitted occupancy of 100 persons or more, and institutional and similar facilities including, but not limited to, hospitals and long term care facilities which house people suffering from physical limitation due to age, health, or handicaps which have 100 or more beds.

Emergency: Circumstances which meet the criteria for dispatch of "advanced life support" or paramedic units, as defined in N.J.S.A. 26:2K-7 et seq., and regulations promulgated thereunder. Such circumstances include, by way of example sudden-onset chest pain suspected to be cardiac in nature, other cardiac emergency, difficulty in breathing, sudden loss of consciousness, suspected

stroke, diabetic emergency, life-threatening hemorrhaging and life-threatening trauma and/or hypoperfusion (shock).

Section 24-16 Requirements of Patient Care Facilities.

A. All patient care facilities located within the Township are hereby required to own, lease, rent or have promptly available by contract sufficient appropriately staffed private ambulance services for the treatment and transport of patients in need of non-emergency medical care. Such ambulance services shall be available 365 days per year and 24 hours per day.

B. In order to satisfy the requirements of subsection (c), each patient care facility subject to this chapter shall file proof of the availability of private ambulance services with the Municipal Clerk within 60 days after final passage of this chapter, and on or before September 1 of each year thereafter. For purposes of this subchapter, proof of private ambulance availability shall consist of the following:

1. Copy of its Standard Operating Procedure for emergency medical response and non-emergency calls.
2. 24 hour, 7 days per week points of contact who may be reached for assistance by Squads at the time a call is made for assistance.
3. No less than two (2) emergency Basic Life Support (BLS) ambulance providers to provide 24 hour, 7 days per week coverage for its patients and/or visitors, including the names and contact information for the designated providers.

Any changes to the contracted providers designated by the Facility will be reported to the Municipal Clerk within 7 days.

C. A patient care facility may elect to own and operate its own ambulance(s) in lieu of one of the two (2) required ambulance providers, in which case, documentation of the make, model, year, color, serial number, license plate number, location, and staffing of such ambulance(s) shall constitute proof of same.

As part of the proofs required under this section, the resident director, manager or authorized corporate officer of each patient care facility shall make and file with the Municipal Clerk a signed certification that adequate private ambulance services are available, and that all agents and employees of such facility

involved with patient care have been apprised of and trained in the use of such private ambulance services. The failure of a patient care facility to comply with the requirements of this subsection shall constitute an ordinance violation by the patient care facility and its resident director, manager, or authorized corporate officer punishable by a fine not to exceed one thousand dollars (\$1,000).

- D. In the event that an employee or agent of a patient care facility located in the Township opts to utilize the Township for ambulance service resulting in the dispatch of an ambulance, and the responding first aid squad determines that the call for service did not constitute an emergency as defined herein and therefore did not necessitate the dispatching of an ambulance, the private care facility shall be subject to a dispatch and response fee of seven hundred fifty dollars (\$750.00). This fee shall be payable to the Township of Marlboro.

Section 24-17 Insurance and Indemnification.

- A. To the extent permitted by law, the Patient Care Facility shall indemnify, defend, and hold harmless the Township of Marlboro, Marlboro First Aid and Rescue Squad and Morganville First Aid and Rescue Squad, including the agents, officials, representatives, and employees thereof, from and against any and all claims, damages, suits, costs, expenses (including, but not limited to, reasonably attorney's fees) arising out of claims by third-parties alleging negligence in connection with the activities covered under its service agreements, and shall supply the Township with written verification of same. Alternatively, at the patient care facility's option, when emergency and non-emergency transport services are privately contracted, the Patient Care Facility shall cause its emergency and non-emergency ambulance and transport service providers to indemnify, defend, and hold harmless the Township of Marlboro, Marlboro First Aid and Rescue Squad and Morganville First Aid and Rescue Squad, including the agents, officials, representatives, and employees thereof, from and against any and all claims, damages, suits, costs, expenses (including, but not limited to, reasonably attorney's fees) arising out of claims by third-parties alleging negligence in connection with the activities covered under its service agreements, and shall supply the Township with written verification of same.
- B. The Patient Care Facility shall maintain such insurance as will protect it from claims under workers' compensation acts and any other claims for damages for personal injury, including death,

and/or damage to property which may arise from operations under this Agreement, whether such operations be performed by itself or by a subcontractor or anyone directly or indirectly employed by either. The Township of Marlboro, Marlboro First Aid and Rescue Squad and Morganville First Aid and Rescue Squad also shall be named as "additional insured" on all liability policies. Insurance certificates must provide for a thirty (30) day notice of material changes or cancellation. The amounts of each insurance shall not be less than the following:

Commercial General Liability (CGL): Coverage for all operations including, but not limited to, contractual, products and completed operations, and personal injury with limits no less than \$1,000,000 per occurrence/\$2,000,000 aggregate. The Township of Marlboro shall be included as an "additional insured."

Automobile Liability (*required only if patient care facility elects to own and operate its own ambulance*): Coverage for all owned, non-owned and hired vehicles with limits not less than \$1,000,000 per occurrence, combined single limits (CSL) or its equivalent.

Workers Compensation: As required by the State of New Jersey and Employers Liability with limits not less than \$1,000,000 per accident for bodily injury or disease.

Professional Liability: Coverage no less than \$1,000,000 per occurrence/\$3,000,000 aggregate.

C. Subcontractors of the Patient Care Facility responsible for emergency and non-emergency ambulance and transport service shall be subject to the same terms as the Patient Care Facility and issue a certificate of insurance to the Township in evidence of coverages which shall not be less than the following:

Commercial General Liability (CGL): Coverage for all operations including, but not limited to, contractual, products and completed operations, and personal injury with limits no less than \$1,000,000 per occurrence/\$2,000,000 aggregate. The Township of Marlboro shall be included as an "additional insured."

Automobile Liability: Coverage for all owned, non-owned and hired vehicles with limits not less than \$1,000,000 per occurrence, combined single limits (CSL) or its equivalent.

Workers Compensation: As required by the State of New Jersey and Employers Liability with limits not less than \$1,000,000 per accident for bodily injury or disease.

Professional Liability: Coverage no less than \$1,000,000 per occurrence/\$3,000,000 aggregate.

The Township of Marlboro, Marlboro First Aid and Rescue Squad and Morganville First Aid and Rescue Squad shall be named as "additional insured" on all liability policies. Insurance certificates must provide for a thirty (30) day notice of material changes or cancellation.

Section 24-18 Severability.

If any portion of this Chapter, or its application to any circumstances, is held invalid, the remaining portions shall be considered severable, and shall be given effect to the maximum extent possible.

Section 24-19 Enforcement.

This section shall be enforced by the Marlboro Department of Public Safety, and/or their designees or authorized representatives.

Section 24-20 Violations & Penalties.

A. Unless otherwise provided by law, statute, or ordinance, any person(s) who is (are) found to be in violation of the provisions of this section shall, upon conviction thereof, pay a fine of \$1,000.00 for the first violation, \$1,500.00 for the second violation, and \$2,000.00 for the third violation and each subsequent violation. Each violation, and every day in which a violation occurs, shall constitute a separate violation. No fines shall be issued for 60 days after publication of this section.

B. These penalties are in addition to any penalties that may be imposed, including, but not limited to, penalties imposed by N.J.S.A. 2C:33-13.1 et seq.

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 apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

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; and

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

The following Ordinance #2024-020 (Ordinance of the Township Of Marlboro, in the County of Monmouth, New Jersey, Appropriating a \$1,318,331.25 Grant to be Received by the Township for Improvements to Nolan Road Streambank) was introduced by reference, offered by Council Vice President Milman, seconded by Councilman Qazi and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

ORDINANCE #2024-020

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN
THE COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING A \$1,318,331.25 GRANT TO BE
RECEIVED BY THE TOWNSHIP FOR THE STREAMBANK
STABILIZATION AT NOLAN ROAD IN AND FOR THE
TOWNSHIP OF MARLBORO, IN THE COUNTY OF
MONMOUTH, NEW JERSEY

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

Section 1. The \$1,318,331.25 grant expected to be received by the Township from the Federal Emergency Management Agency (FEMA) is hereby appropriated for the purpose of providing funds for the Streambank Stabilization at Nolan Road, including all work and materials necessary therefor and incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect in accordance with law.

Councilman Qazi introduced a motion to open the public hearing for Resolution #2024-148 (Authorizing Application to Monmouth County Municipal Park Improvement Grant Program) this was seconded by Council Vice President Milman and approved by unanimous voice vote in favor. Councilman Scalea was absent. Council President DiNuzzo asked if anyone from the public wished to speak.

John Gibardi requested an overview of the grant. Business Administrator Capp addressed his questions regarding the grant. With no one else from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilman Milman and approved by unanimous voice vote in favor. Councilman Scalea was absent.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Council Vice President Milman, seconded by Councilman Qazi and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

RESOLUTION #2024-148

A RESOLUTION AUTHORIZING APPLICATION TO THE COUNTY OF MONMOUTH
FOR OPEN SPACE TRUST FUNDS

WHEREAS, the Monmouth County Board of County Commissioners has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County Park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Township of Marlboro desires to obtain County Open Space Trust Funds in the amount of \$78,000.00 to fund improvements to The "Tennent Road Walking Trail" project within the Township of Marlboro (Block 267, Lots 41 and 42); and

WHEREAS, the total cost of the project including all matching funds is \$500,000.00; and

WHEREAS, the Township of Marlboro is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Marlboro Township Council THAT:

1. Mayor Jonathan Hornik or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required

for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and

2. The Township of Marlboro is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Mayor Jonathan Hornik or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

RESOLUTION #2024-149

AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND FREEHOLD REGIONAL HIGH SCHOOL DISTRICT IN THE COUNTY OF MONMOUTH, NEW JERSEY FOR THE PROVISION OF ADDITIONAL AND UPGRADED FACILITIES FOR COMMUNITY RECREATIONAL NEEDS AT MARLBORO HIGH SCHOOL

WHEREAS, the Township is in need of space to serve the community and address the recreational and cultural needs of the Township, including multi-purpose space to benefit the community and region for recreational program use, and is desirous of entering into a joint project with the Freehold Regional High School District ("FRHSD") Board of Education, a public body corporate with offices located at 11 Pine Street, Englishtown, New Jersey 07726 (hereinafter referred to as the "Board of Education"); and

WHEREAS, the Board of Education provides a free public education to the students of the School District and the Board of Education requires additional space and renovations to allow for expansion of academic programs and required building upgrades necessary to provide a thorough and efficient education; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., N.J.S.A 40:48-2, N.J.S.A 40:61-5, and N.J.S.A 18A:20-22 permits, authorizes and encourages public bodies such as municipalities and other autonomous public entities to enter into agreements with each other to contract for the provision of any service that the Parties to such agreements are empowered to render under and within their own jurisdiction; whether administrative or otherwise; and

WHEREAS, the Parties wish to memorialize their agreement through the creation of the herein Shared Services Agreement by and between the Parties relating to the design, construction, operation, maintenance, utilization and financial aspects of a shared facility, and to renovate existing facilities to accommodate the educational requirements of the children of the School District and to serve the recreational, cultural, and municipal needs of the residents of the Township (the "Agreement"); and

WHEREAS, the shared facility will include a turf playing field, track, lighting, bleachers and press box at Marlboro High School in the Township ("Project"); and

WHEREAS, the improvements to Marlboro High School will provide the community with a facility capable of hosting large community sports events and ceremonies, for use by student gym classes, Township leagues and members of the community; and

WHEREAS, the estimated total cost to renovate and improve the Marlboro High School facility is approximately \$3.5 million; and

WHEREAS, the estimated annual maintenance cost for the facility is approximately \$25,000.

WHEREAS, the Board of Education and the Township agree that in order to provide for the Project, the Parties shall share in the costs of same; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the Project in Capital Fund Account 04-215-24-10A-145288; and

WHEREAS, it is in the interest of the residents of Marlboro Township to enter into this Agreement with Freehold Regional High School District Board of Education with offices located at 11 Pine Street, Englishtown, New Jersey 07726 for the services described herein.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, that Mayor Jonathan L. Hornik is hereby authorized to execute, and the Municipal Clerk to witness an Agreement with the Freehold Regional High School District Board of

Education in a form substantially similar to that included in Exhibit A, in accordance with this resolution, and in a form to be approved by the Township Attorney.

RESOLUTION #2024-150

AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND THE BOARD OF EDUCATION OF THE TOWNSHIP OF MARLBORO IN THE COUNTY OF MONMOUTH, NEW JERSEY FOR THE PROVISION OF ADDITIONAL AND UPGRADED FACILTIES FOR COMMUNITY RECREATIONAL NEEDS AT THE MARLBORO MIDDLE SCHOOL

WHEREAS, the Township is in need of space to serve the community and address the recreational and cultural needs of the Township, including multi-purpose space to benefit the community and region for recreational program use, and is desirous of entering into a joint project with the Board of Education of the Township of Marlboro in the County of Monmouth, New Jersey, a public body corporate with offices located at 1980 Township Drive, Marlboro, New Jersey 07746 (hereinafter referred to as the "Board of Education"); and

WHEREAS, the Board of Education provides a free public education to the students of the School District and the Board of Education requires additional space and renovations to allow for expansion of academic programs and required building upgrades necessary to provide a thorough and efficient education; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., N.J.S.A 40:48-2, N.J.S.A 40:61-5, and N.J.S.A 18A:20-22 permits, authorizes and encourages public bodies such as municipalities and other autonomous public entities to enter into agreements with each other to contract for the provision of any service that the Parties to such agreements are empowered to render under and within their own jurisdiction; whether administrative or otherwise; and

WHEREAS, the Parties wish to memorialize their agreement through the creation of the herein Shared Services Agreement by and between the Parties relating to the design, construction, operation, maintenance, utilization and financial aspects of a shared facility, and to renovate existing facilities to accommodate the educational requirements of the children of the School District and to serve the recreational, cultural, and municipal needs of the residents of the Township (the "Agreement"); and

WHEREAS, the shared facility will consist of a new turf ballfield at Marlboro Middle School in the Township ("Project"); and

WHEREAS, the renovation and improvement of Marlboro Middle School will provide the community with a turf ballfield for use by student gym classes, Township leagues and members of the community; and

WHEREAS, the estimated total cost to renovate and improve the Marlboro High School facility is approximately \$1.5 million; and

WHEREAS, the estimated annual maintenance cost for the facility is approximately \$25,000.

WHEREAS, the Board of Education and the Township agree that in order to provide for the Project, the Parties shall share in the costs of same; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the Project in Capital Fund Account 04-215-24-10B-145288; and

WHEREAS, it is in the interest of the residents of Marlboro Township to enter into this Agreement with the Marlboro Township Board of Education with offices located at 1980 Township Drive, Marlboro, New Jersey 07746 for the services described herein.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, that Mayor Jonathan L. Hornik is hereby authorized to execute, and the Municipal Clerk to witness an Agreement with Marlboro Township Board of Education in a form substantially similar to that included in Exhibit A, in accordance with this resolution, and in a form to be approved by the Township Attorney.

RESOLUTION #2024-151

AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND NEW HOPE INTEGRATED BEHAVIORAL HEALTH CARE FOR THE PROVISION AND SUPPORT OF TRANSPORTATION TO TREATMENT AND RECOVERY PROGRAMS ASSOCIATED WITH OPIOID USE DISORDER (OUD) AND ANY SUBSTANCE USE DISORDER (SUD)/MENTAL HEALTH (MH) CONDITIONS

WHEREAS, pursuant to N.J.S.A 40:23-8.19, the governing body of any county or municipality may annually appropriate and distribute to any public, or private nonprofit, agency or organization funds to defray in whole or in part the expenses incurred by any such agency or organization in maintaining community action programs; and

WHEREAS, the Township operates a largely volunteer based EMS system with two (2) squads supplemented by private ambulance coverage; and

WHEREAS, the New Hope Integrated Behavioral Health Care is a private, nonprofit patient care facility for addiction treatment located within the Township of Marlboro with offices at 80 Conover Road, Marlboro, New Jersey 07746 ("Facility"); and

WHEREAS, the Facility has both in-house and contracted transportation resources to handle non-emergency calls, but has relied upon the Township for non-emergency calls in various circumstances causing a strain on the Township EMS system; and

WHEREAS, the Township recognizes the Facility's contributions to the community; and

WHEREAS, the Township recognizes that all Township residents must be able to rely upon 911 EMS for emergencies; and

WHEREAS, the Township is in receipt of Opioid Settlement funding which may be used to "Provide or support transportation to treatment or recovery programs or services for persons with Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder (SUD)/Mental Health (MH) conditions"; and

WHEREAS, the Township intends on using Opioid Settlement funding to subsidize the Facility's cost of providing primary and back-up transportation for both emergency and non-emergency calls for service; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in Grant Fund Accounts 02-213-23-923-106294 and 02-213-22-923-106294 in an amount not to exceed \$40,000.00 for the reimbursement of the Facility's cost of providing primary and back-up transportation for both emergency and non-emergency calls for service for its residents, for a term of one year beginning July 1, 2024 and ending June 30, 2025; and

WHEREAS, the Parties desire to enter into in an agreement which aims to ensure that the Facility maintains sufficient emergency and non-emergency transportation resources to serve the residents of the Facility, and to preserve and enhance the availability of volunteer first aid squad services for legitimate medical emergency situations in the Township; and

WHEREAS, it is in the interest of the residents of Marlboro Township to enter into this Agreement with New Hope Integrated Behavioral Health Care, a private, nonprofit patient care facility with offices at 80 Conover Road, Marlboro, New Jersey 07746 ("Facility") for the services described herein.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, that Mayor Jonathan L. Hornik is hereby

authorized to execute, and the Municipal Clerk to witness an Agreement with New Hope Integrated Behavioral Health Care in a form substantially similar to that included in Exhibit A, in accordance with this resolution, and in a form to be approved by the Township Attorney.

RESOLUTION #2024-152

AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND DISCOVERY INSTITUTE FOR ADDICTIVE DISORDERS FOR THE PROVISION AND SUPPORT OF TRANSPORTATION TO TREATMENT AND RECOVERY PROGRAMS ASSOCIATED WITH OPIOID USE DISORDER (OUD) AND ANY SUBSTANCE USE DISORDER (SUD)/MENTAL HEALTH (MH) CONDITIONS

WHEREAS, pursuant to N.J.S.A 40:23-8.19, the governing body of any county or municipality may annually appropriate and distribute to any public, or private nonprofit, agency or organization funds to defray in whole or in part the expenses incurred by any such agency or organization in maintaining community action programs; and

WHEREAS, the Township operates a largely volunteer based EMS system with two (2) squads supplemented by private ambulance coverage; and

WHEREAS, the Discovery Institute for Addictive Disorders is a private, nonprofit patient care facility for addiction treatment located within the Township of Marlboro with offices at 80 Conover Road, Marlboro, New Jersey 07746 ("Facility"); and

WHEREAS, the Facility has both in-house and contracted transportation resources to handle non-emergency calls, but has relied upon the Township for non-emergency calls in various circumstances causing a strain on the Township EMS system; and

WHEREAS, the Township recognizes the Facility's contributions to the community; and

WHEREAS, the Township recognizes that all Township residents must be able to rely upon 911 EMS for emergencies; and

WHEREAS, the Township is in receipt of Opioid Settlement funding which may be used to "Provide or support transportation to treatment or recovery programs or services for persons with Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder (SUD)/Mental Health (MH) conditions"; and

WHEREAS, the Township intends on using Opioid Settlement funding to subsidize the Facility's cost of providing primary and back-up transportation for both emergency and non-emergency calls for service; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in Grant Fund Accounts 02-213-23-923-106294 and 02-213-22-923-106294 in an amount not to exceed \$40,000.00 for the reimbursement of the Facility's cost of providing primary and back-up transportation for both emergency and non-emergency calls for service for its residents, for a term of one year beginning July 1, 2024 and ending June 30, 2025; and

WHEREAS, the Parties desire to enter into in an agreement which aims to ensure that the Facility maintains sufficient emergency and non-emergency transportation resources to serve the residents of the Facility, and to preserve and enhance the availability of volunteer first aid squad services for legitimate medical emergency situations in the Township; and

WHEREAS, it is in the interest of the residents of Marlboro Township to enter into this Agreement with Discovery Institute for Addictive Disorders, a private, nonprofit patient care facility with offices at 80 Conover Road, Marlboro, New Jersey 07746 ("Facility") for the services described herein.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, that Mayor Jonathan L. Hornik is hereby authorized to execute, and the Municipal Clerk to witness an Agreement with Discovery Institute for Addictive Disorders in a form substantially similar to that included in Exhibit A, in accordance with this resolution, and in a form to be approved by the Township Attorney.

RESOLUTION #2024-153

RESOLUTION REAPPOINTING GAIL GNESIN AS MEMBERS OF THE BOARD OF TRUSTEES OF THE MARLBORO FREE PUBLIC LIBRARY

WHEREAS, pursuant to NJSA 40:54-9 et. seq. and Section 4-34D(4) of the Marlboro Code, the Mayor, subject to the advice and consent of the Township Council desires to reappoint GAIL GNESIN to the Board of Trustees of the Marlboro Free Public Library, for a five year term, such term to expire August 31, 2029.

WHEREAS, the Township Council of the Township of Marlboro does hereby give its advice and consent to the appointments of GAIL GNESIN.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the appointments of GAIL GNESIN as a member of the Board of Trustees of the Marlboro Free Public Library without compensation for a term expiring on August 31, 2029 is hereby confirmed.

BE AND IT IS FURTHER RESOLVED, that the appointment is made pursuant to NJSA 40:54-9 et. seq. and Section 4-93 of the Marlboro Code.

RESOLUTION #2024-154

RESOLUTION AUTHORIZING EXTENSION OF AFFORDABLE HOUSING
DEED RESTRICTIONS - GLENBROOK ESTATES

WHEREAS, the Uniform Housing Affordability Controls ("UHAC"), specifically N.J.A.C. 5:80- 26.25(a), provides that "a municipality shall have the right to determine that the most desirable means of promoting an adequate supply of low- and moderate-income housing is to prohibit the exercise of the repayment option and maintain controls on lower income housing units sold within the municipality beyond the period required by N.J.A.C. 5:93-9.2"; and

WHEREAS, UHAC provides that a municipality may address a portion of its affordable housing obligation through the extension of affordability controls by municipal rejection of the Repayment Option permitted by N.J.A.C. 5:93-9.8 for a period of time; and

WHEREAS, pursuant to N.J.A.C. 5:80-26.25(a), a municipality's determination to prohibit the exercise of the Repayment Option shall be made by a Resolution of the municipal governing body specifying the time period for which the Repayment Option shall not be applicable, during which said period, no seller in the municipality may utilize said Repayment Option; and

WHEREAS, the Glenbrook Estate Condominium development ("Glenbrook Estate") is a residential community in the Township of Marlboro (the "Township") comprising low- and moderate-income restricted units (the "Affordable Units"); and

WHEREAS, the Master Deed for Glenbrook Estates, which is dated August 27, 1996 and was recorded in the Monmouth County Clerk's Office on September 17, 1996 at Book 5534, Page 047, mandates that the Affordable Units be subject to the resale and rental controls of the Glenbrook Estate's Affordable Housing Plan and the Uniform Housing Affordability Controls rules for a period of thirty (30) years (the "Affordability Controls"); and

WHEREAS, the income-restricted unit located at 14 Thrasher Court, known as Unit A2R (the "Unit"), was subject to an Affordable Housing Agreement, dated July 27, 1998 and recorded on August 6, 1998 at DB-5738, Page 337, which provided a thirty (30) year deed restriction on resale and rental controls to expire at the first non-exempt transfer of title after July 1, 2028, unless extended by municipal resolution; and

WHEREAS, the Township is authorized to extend the period of controls by resolution, and that right constitutes a covenant running with the land, which binds all owners; and

WHEREAS, the Township has determined that the most desirable means of promoting an adequate supply of low- and moderate-income housing in the Township is to prohibit the exercise of any repayment option on the Unit and to maintain the Affordability Controls on the Unit for an additional thirty (30) year period of time; and

WHEREAS, the Township wishes to extend the Affordability Controls and prohibit the Repayment Option for the Unit for an extended period of thirty (30) years from the date of this Resolution.

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

1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.
2. The Affordability Controls applicable to the income-restrict unit of Glenbrook Estates, known as 14 Thrasher Court (Unit A2R) (the "Unit"), are hereby extended thirty (30) years from the date of this Resolution.
3. During the extended thirty (30) year period, no seller of the Unit may utilize the Repayment Option as permitted by N.J.A.C. 5:93-9.8.
4. The Municipal Clerk is authorized and directed to publish this Resolution in full by newspaper pursuant to applicable law, and to notify the Affordable Housing Administrative Agent of the Township's action.
5. The Affordable Housing Administrative Agent shall ensure the deed restriction imposing Affordability Controls on the Unit is extended for a period of an additional thirty (30) years pursuant to this Resolution.
6. The Unit shall remain subject to the requirements of UHAC and the Affordability Controls, as may be amended and supplemented from time to time, during the extended Affordability Control period and until the Township elects to release the Unit from such requirements.
7. The Mayor and Municipal Clerk be and are hereby authorized to execute any and all documents required to extend the Affordability Controls pursuant to this Resolution, subject to the review and approval of the Township Attorney.

8. This Resolution shall take effect immediately.

SO RESOLVED, as aforesaid.

RESOLUTION #2024-155

AUTHORIZING GRANT APPLICATION FY24 COPS Technology and
Equipment Program (TEP) Invitational Solicitation
through the United States Department of Justice
Community Oriented Policing Services

WHEREAS, Marlboro Township has undertaken a public safety communications system improvement project in order to obtain state of the art, next generation, digital communications capabilities on a higher frequency band through the New Jersey State Interoperability Communications System, while retaining local dispatch operations ("Project"); and

WHEREAS, in 2023, the Township submitted a request to the office of Congressman Andy Kim requesting assistance in securing federal funding for the Project; and

WHEREAS, on March 5, 2024, Mayor Jonathan Hornik received a communication from Congressman Andy Kim reporting that the "Marlboro Township Police Communication Equipment Upgrades" project was included and funded in the amount of \$930,000.00 in the FY2024 Consolidated Appropriations Act; and

WHEREAS, on March 9, 2024 President Biden signed the FY2024 Consolidated Appropriations Act into law; and

WHEREAS, on May 28, 2024, the Township received an invitation to apply for funding under the FY24 COPS Technology and Equipment Program (TEP) Invitational Solicitation for the Project; and

WHEREAS, Mayor Hornik and the Township Council wish to apply for the funds allocated in the FY2024 Consolidated Appropriations Act in order to complete this critical public safety infrastructure project.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that Marlboro Township hereby authorizes the electronic submission of a grant application in response to the FY24 COPS Technology and Equipment Program (TEP) Invitational Solicitation through the United States Department of Justice Community Oriented Policing Services.

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

RESOLUTION #2024-156

RESOLUTION AUTHORIZING AWARD OF STATE OF NEW JERSEY, AND
VARIOUS COOPERATIVE PURCHASING SYSTEM CONTRACTS TO VARIOUS
VENDORS FOR THE PURCHASE OF ANNUAL HARDWARE AND SOFTWARE
SUPPLIES AND SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro Division of Information Technology (IT) is in need of various computer hardware and software supplies and services in order to maintain the Township's technology infrastructure; 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, a municipality is also authorized to purchase ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES from bids obtained by a cooperative pricing system pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Bergen County Cooperative Purchasing Program, the NJ EdgeMarket Cooperative Pricing System, the Educational Services Commission of New Jersey (ESCNJ) and the Hunterdon County Cooperative Purchasing Program have conducted public bid processes and awarded contracts to various vendors for the provision of ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES; and

WHEREAS, the large majority of the approved 2024 operating budget and capital budget authorizations for the IT Division may be purchased under contracts awarded by State and Cooperative Purchasing Programs; and

WHEREAS, in a memo dated June 3, 2024, the Chief Information Officer has recommended the award of contracts to various vendors which have agreed to extend State and Cooperative Contract pricing to the Township, as follows:

BERGEN COUNTY COOPERATIVE		
Vendor	Contract Number	Amount
SHI INTERNATIONAL CORP.	BC-BID-24-38	\$338,743.20
SHI INTERNATIONAL CORP.	BCC-22-24	\$21,700.00
	Total	\$360,443.20

			NJEDGE COOPERATI VE
Vendor	Contract Number	Amount	
CARASOFT	EDGE 00278834	\$1,795.50	
DERIVE TECHNOLOGIES, LLC	EMLAS-14-0001	\$1,795.50	

ESCNJ COOPERATIVE		
Vendor	Contract Number	Amount
CDW-GOVERNMENT, INC.	ESCNJAEP22G	\$57,750.00
Total		\$57,750.00

HUNTERDON COUNTY COOPERATIVE		
Vendor	Contract Number	Amount
B&H FOTO	HCESCCAT2201	\$1,895.00
EPLUS	HCESC-CAT-22-01	\$9,201.00
Total		\$11,096.00

STATE CONTRACTS		
Vendor	Contract Number	Amount
SF MOBILE VISION	17-FLEET-00731	\$13,645.00
DERIVE TECHNOLOGIES, LLC	19-COMP-00601	\$22,795.00
DELL MARKETING L.P.	19TELE-00656-23	\$1,371.99
OCEAN COMPUTER GROUP, INC.	19TELE-00656-23	\$9,340.00
INSIGHT PUBLIC SECTOR, INC	20TELE-01512-23	\$33,084.88
DELL MARKETING L.P.	20-TELE-0510-23	\$9,130.00
DELL MARKETING L.P.	24TELE71883-24D	\$10,140.50
OCEAN COMPUTER GROUP, INC.	24TELE71883-24D	\$7,515.00
DERIVE TECHNOLOGIES, LLC	40116	\$16,217.00
HEWLETT PACKARD ENTERPRISE	40116	\$9,800.00
WIRELESS COMMUNICATIONS	83891	\$2,000.00
GTBM INC.	GTBM-89980	\$12,104.00
Total		\$147,143.37

;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 Division of Information Technology to obtain the ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES under the State and Cooperative Contracts; and

WHEREAS, subject to available budget appropriations, 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 ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES from the aforementioned vendors pursuant to the bid obtained by the Bergen County Cooperative Purchasing Program, for a total amount not to exceed \$360,443.20.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES from the aforementioned vendors pursuant to the bid obtained by the NJ EdgeMarket Cooperative Pricing System, for a total amount not to exceed \$3,591.00.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES from the aforementioned vendors pursuant to the bid obtained by the ESCNJ Cooperative Purchasing Program, for a total amount not to exceed \$57,750.00

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES from the aforementioned vendors pursuant to the bid obtained by the Hunterdon County County Cooperative Purchasing Program, for a total amount not to exceed \$11,096.00.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase ANNUAL HARDWARE AND SOFTWARE SUPPLIES AND SERVICES from the vendors and under the State Contracts identified above in an amount not to exceed \$147,143.37.

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

- a. Business Administrator
- b. Chief Information Officer
- c. Chief Financial Officer

REVISED
RESOLUTION #2024-157

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the following Liquor Licenses be and they are hereby renewed for the period beginning July 1, 2024 through June 30, 2025:

- | | |
|--|-----------------|
| 1. Hituja Corporation
T/A Marlboro Liquor | 1328 44 001 007 |
| 2. 476 Route 520 Corp.
T/A Samvera Restaurant | 1328 33 002 013 |
| 3. Just Sports Bar & Grill Inc.
T/A Fireside Grill and Bar | 1328 33 003 004 |
| 4. Anthony's Bella Vista Country Club Inc.
T/A Bella Vista | 1328 33 004 005 |
| 5. S & A Route 79, Inc.
T/A Crown Palace Restaurant | 1328 33 005 008 |
| 6. Marlboro BWW LLC
T/A Buffalo Wild Wings Grill & Bar | 1328 33 007 006 |
| 7. Pampini, LLC T/A Briosio | 1328 33 008 011 |
| 8. M. S. D. Enterprise, Inc.
T/A Morganville Liquors & Deli | 1328 44 009 004 |
| 9. JSF Group LLC
Il Nido Restaurant | 1328 33 010 004 |
| 10. J.R.J. Hospitality Inc.
T/A Nonna's | 1328 33 015 013 |
| 11. Cambridge Spirits, Inc.
T/A Home Wines & Marketplace | 1328 44 016 004 |
| 12. Zin Marlboro, LLC
T/A Tio Taco + Tequila Bar | 1328 33 017 004 |
| 13. Rosalita's Roadside Cantina of Marlboro
T/A Rosalita's Roadside Cantina | 1328 33 018 002 |
| 14. B & B Hospitality Group LLC
T/A Osteria Cucina Rustica | 1328 33 019 002 |
| 15. Cuzin's Clam Bar LLC | 1328 33 020 004 |
| 16. Diamond Wines and Liquors, LLC | 1328 44 021 003 |
| 17. Anthony's Coal Fired Pizza of Marlboro | 1328 33 022 001 |

BE IT FURTHER RESOLVED, that pursuant to NJAC 13: 2-19.7, renewal of the aforementioned licenses shall not bar or abate any pending or anticipated disciplinary proceeding against any licensed establishment.

RESOLUTION #2024-158

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACTS FOR THE
PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF
MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on June 15, 2023 (Resolution #2023-151) the Township Council of the Township of Marlboro awarded contracts to L.J. Pesce, LLC and Tri County Turf, LLC FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (Bid #2023-07); and

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

WHEREAS, in a memo dated June 3, 2024, the Director of Public Works has recommended that the Township approve the first one (1) year extension of the contracts terminating on August 31, 2024; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract with L.J. Pesce, LLC, whose address is 100 Igoe Road, Morganville, NJ 07751, for the PROVISION OF SNOW REMOVAL SERVICES, be extended for an additional one (1) year period expiring on August 31, 2025, calculated as follows:

	#	Hourly rate	Set up/per vehicle	Set-up Total	Total for 80 hrs	Total
Class I	2	340	3,300	6,600.00	54,400.00	61,000.00
Class II	4	340	3,300	13,200.00	108,800.00	122,000.00
Class III	2	290	0	0.00	46,400.00	46,400.00
				Total Contract		229,400.00

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that the contract with Tri County Turf, LLC, whose address is 81 John White Road, Cranbury, NJ, 08512, for the PROVISION OF SNOW REMOVAL SERVICES, be extended for an additional one (1) year period expiring on August 31, 2025, calculated as follows:

	#	Hourly rate	Set up/per vehicle	Set-up Total	Total for 80 hrs	Total
Class I	16	403	3,500	56,000.00	515,840.00	571,840.00
Class III	3	288	0	0.00	69,120.00	69,120.00
				Total Contract		640,960.00

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$155,256.00 are available in Reserve Account #11-228-55-020 for the services for 2024.

BE IT FURTHER RESOLVED, funds for the 2025 portion of the contract totaling \$715,104.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2025 municipal budget.

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

- a. L.J. Pesce, LLC
- b. Tri County Turf, LLC
- c. Township Business Administrator
- d. Chief Financial Officer
- e. Director of Public Works

RESOLUTION #2024-159

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE TOWNSHIP OF EDISON FOR THE PROVISION OF PROCUREMENT SERVICES IN CONNECTION WITH THE ACQUISITION OF BIODEGRADABLE LEAF BAGS

WHEREAS, the Township of Edison ("Edison") employs a Qualified Purchasing Agent ("QPA"); and

WHEREAS, "Edison" purchases biodegradable leaf bags for distribution to its residents; and

WHEREAS, the Township of Marlboro ("Marlboro") requires biodegradable leaf bags for distribution to its residents; and

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

WHEREAS, N.J.S.A. 40A:65-4 (a) (1) further permits any local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units including services from licensed or certified professionals required by statute to be appointed; and

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

WHEREAS, the Township of Edison has offered to provide procurement services for purposes of jointly soliciting bids for the provision of biodegradable leaf bags required by both Marlboro and Edison; and

WHEREAS, Marlboro and Edison have negotiated a Shared Services Agreement, substantially similar in form to that which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

WHEREAS, Marlboro and Edison have determined that a joint solicitation for electronic payment processing services is most advantageous for the taxpayers of both municipalities, reducing administrative costs and providing for a combined larger amount of transactions to attract a more expansive pool of bidders offering more competitive pricing.

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

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

RESOLUTION #2024-160

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE
PURCHASE OF AN AERIAL BUCKET TRUCK BODY FOR THE TOWNSHIP
OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2022 capital program (2022-120-3) authorized the replacement of a 1993 bucket truck (unit 9301); and

WHEREAS, the Township has made multiple attempts to bid the replacement vehicle (Bids 2022-15 & 2023-01B) and the proposals received were rejected by the Township Council (Resolutions #2022-

236 and #2023-087); and

WHEREAS, after the two unsuccessful public bids of a complete bucket truck unit, the Township authorized the purchase of the cab and chassis from Neilson Ford, whose address is 170 Ridgedale Avenue, Morristown, NJ 07960 under the ESCNJ Cooperative Contract #23/24-04 separately, to be equipped at a later date with an aerial bucket truck body (Resolution #2023-251); and

WHEREAS, the Township still requires an aerial bucket truck body to outfit the cab and chassis already authorized; and

WHEREAS, the Township is authorized to purchase the aerial bucket truck body from bids obtained from a cooperative pricing system such as the Educational Service Commission of New Jersey (ESCNJ) pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, Altec Industries, Inc., whose address is 210 Inverness Center Drive, Birmingham, AL 35242, was awarded ESCNJ Cooperative Contract #24/23-04 for the articulating telescopic aerial device and lower arm with installation, at a 3-5% discount with a fifty-three (53) to fifty-six (56) month lead time; and

WHEREAS, the lead time of 4 to 5 years for the aerial unit or bucket truck body available under the ESCNJ contract is not practical, and does not allow for the immediate need of the unit; and

WHEREAS, pursuant to 40A:11-5 (3(c)), bids have been advertised on two occasions, and the Township, having received no bids in response to the first solicitation and rejecting the proposal received on the second solicitation, may negotiate such contract which may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract; and

WHEREAS, the sole respondent from the Township Bid #2023-01B and the awarded vendor under the ESCNJ Cooperative Contract #24/23-04, Altec Industries, Inc., has provided a quote dated April 22, 2024 for a 2024 articulating telescopic aerial device and lower arm with installation, delivery and accessories in the amount not to exceed \$142,192.00, with no additional lead time; 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 the aerial bucket truck body for the DEPARTMENT OF PUBLIC WORKS utilizing the quote provided; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$142,192.00 from Capital Account #04-215-22-07F-120297; and

WHEREAS, the Township Council desires to approve the purchase of the aerial bucket truck body for the DEPARTMENT OF PUBLIC WORKS as described above.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the aerial bucket truck body as identified above in a total amount not to exceed \$142,192.00.

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

- a. Altec Industries, Inc.
- b. Township Administrator
- c. Director of Public Works
- d. Township Chief Financial Officer
- e. Insurance

RESOLUTION #2024-161

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE
PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE
TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro accepted bids for the PROVISION OF PARKING LOT SNOW REMOVAL SERVICES (Bid 2024-10), and on June 5, 2024, received two (2) proposals as follows:

		Garden Irrigation	Tri County Turf
		316 Tennent Road	81 John White Road
		Morganville, NJ 07751	Cranbury, NJ 08512
#	ROUTE 9 & TEXAS ROAD	BID AMOUNT	BID AMOUNT
A.	2024/2025 Season - up to 2"	\$ 1,425.00	\$ 1,578.00
B.	2024/2025 Season - 2.1" to 4"	\$ 2,735.00	\$ 3,285.00
C.	2024/2025 Season - 4.1" to 6"	\$ 4,000.00	\$ 4,855.00
D.	2024/2025 Season - 6.1" to 9"	\$ 6,425.00	\$ 7,098.00
E.	2024/2025 Season - 9.1" to 12"	\$ 9,040.00	\$ 9,994.00
F.	TOTAL BID AMOUNT (Items A through E)	\$ 23,625.00	\$ 26,810.00
	VEHICLES/EQUIPMENT	NO. OF VEHICLES	UNIT PRICE PER HOUR
	Class II	1	\$ 350.00
	Class III	1	\$ 350.00
	Loader	1	\$ 400.00
	Loader/Backhoe	1	\$ 400.00
	Clearing Sidewalks	UNIT PRICE PER HOUR	UNIT PRICE PER HOUR
		\$ 410.00	\$ 414.00
#	ALTERNATE NO. 1 UNION HILL ROAD	BID AMOUNT	BID AMOUNT
1A.	2024/2025 Season - up to 2"	\$ 2,610.00	\$ 2,893.00
1B.	2024/2025 Season - 2.1" to 4"	\$ 4,990.00	\$ 5,998.00
1C.	2024/2025 Season - 4.1" to 6"	\$ 8,560.00	\$ 10,282.00
1D.	2024/2025 Season - 6.1" to 9"	\$ 10,940.00	\$ 12,098.00
1E.	2024/2025 Season - 9.1" to 12"	\$ 12,130.00	\$ 13,227.00
1F.	TOTAL BID AMOUNT (Items 1A through 1E)	\$ 39,230.00	\$ 44,498.00
	VEHICLES/EQUIPMENT	NO. OF VEHICLES	UNIT PRICE PER HOUR
	Class II	1	\$ 350.00
	Class III	1	\$ 350.00
	Loader	1	\$ 400.00
	Loader/Backhoe	1	\$ 400.00

; and

WHEREAS, in a memo dated June 5, 2024, the Director of Public Works has reported that Garden Irrigation, whose address is 316 Tennent Road, Morganville, New Jersey 07751, is responsive and has recommended that a contract be awarded for the PROVISION OF PARKING LOT SNOW REMOVAL SERVICES for items A through F and items 1A through 1F in an amount not to exceed \$62,855.00; 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 a contract be awarded to Garden Irrigation, whose address is 316 Tennent Road, Morganville, New Jersey 07751 in an amount not to exceed \$62,855.00 for the PROVISION OF PARKING LOT SNOW REMOVAL SERVICES, for a term of one year ending on September 30, 2025, with an option to renew for one two-year or two one-year extension as specified in the bid specifications, at the sole discretion of the Township.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness a contract with Garden Irrigation in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$15,713.75 for the 2024 portion of the aforesaid contract in Current Fund Account 01-201-26-119-288310.

BE IT FURTHER RESOLVED, funds for the 2025 portion of the contract totaling \$47,141.25 will be made available and certified by the Chief Financial Officer upon adoption of the 2025 municipal budget

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

- a. Garden Irrigation
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-162

AMENDING SHARED SERVICES AGREEMENT AUTHORIZING A ONE MONTH
EXTENSION OF CONTRACT FOR THE PROVISION OF JANITORIAL SERVICES
FOR THE MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro ("Township") is in need of janitorial services for the maintenance of its public buildings, and

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

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

WHEREAS, the BOE has awarded a contract in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11) for janitorial services for the maintenance of the school buildings; and

WHEREAS, the Township authorized a Shared Service Agreement with the BOE for the provision of Janitorial Services (Resolution #2023-149) through June 30, 2024; and

WHEREAS, the BOE has communicated that they are in the process of soliciting bids for a new contract, however, a new contract will not be in place prior to the expiration of the current one; and

WHEREAS, in order to ensure that the Township is able to continue the required Janitorial Services, the BOE has offered to extend the current contract for Janitorial Services for an additional one month period ending on July 31, 2024; and

WHEREAS, the Administration and Department of Public Works have recommended the Township proceed with the one month extension as representing the best value for Marlboro taxpayers; and

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

NOW, THEREFORE, BE IT IS HEREBY RESOLVED, that the Township Council hereby confirms a one month extension of the contract with the Marlboro Township Board of Education whose address is 1980 Township Drive, Marlboro, New Jersey 07746 for the provision Janitorial Services through July 31, 2024; and

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified funds in the amount of \$17,425.00 for the one month extension with the BOE in Operating Accounts #01-201-26-122-288126, #01-201-28-123-288458, #01-201-28-123-288409, and 01-201-28-145-288475 and Recreation Utility Account 09-201-55-400-288454.

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

- a. Marlboro Township Board of Education
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-163

AUTHORIZATION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE "SIDEWALK IMPROVEMENTS AT VARIOUS LOCATIONS" PROJECT

WHEREAS, the areas of Texas Road between Tenison Place and Vassar Way as well as Ryan Road between Manor Drive and Arie Drive do not currently have sidewalk and are heavily utilized by pedestrians; and

WHEREAS, the Township wishes to apply for funding through the New Jersey Department of Transportation (NJDOT) for the project; and

WHEREAS, the Township requires approval from the Township Council to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the project.

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

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as LTPF-2024-Sidewalk Improvements at Various-00112 to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

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

RESOLUTION #2024-164

AUTHORIZATION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE "IMPROVEMENTS TO GORDONS CORNER ROAD, PHASE II" PROJECT

WHEREAS, Gordons Corner Road (between Robertsville Road and Church Road as well as between Wyncrest Road and Cypress Lane) is a heavily utilized roadway which is in need of pavement resurfacing; and,

WHEREAS, the Township wishes to apply for funding through the New Jersey Department of Transportation (NJDOT) for the project; and,

WHEREAS, the Township requires approval from the Township Council to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the project.

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

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2025-Improvements to Gordons Corner Road-00252 to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

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

RESOLUTION #2024-165

A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN CME ASSOCIATES AND THE TOWNSHIP OF MARLBORO FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH ROAD, DRAINAGE, FACILITY AND WATER SYSTEM IMPROVEMENTS

WHEREAS, the Township of Marlboro authorized various road, drainage, facility and water system improvements under its 2020, 2021 and 2024 capital programs ("Projects"), as follows:

	Capital Project ID	SDL Project ID	Proposal	
2024 Road Improvement Program	24-060-01	24-00062	243,000	I.1
Harbor Road Phase II (Constr Mgmt Only)	24-060-03	21-00013	28,500	III
Wyncrest Road NJSH 18 to CR 520	24-060-07	24-00062	60,000	II
Municipal Parking Lot	24-060-57	23-00285	0	I.3
Farmers Market Steps	24-060-78	24-00062	0	I.2
Greenbriar Paving Program	24-060-12	24-00013	0	I.1
Woodcliff Drainage Repair/Improvement	24-060-21	24-00061	36,000	
Miscellaneous Stream Cleaning	24-060-23	24-00047	10,000	
Relocation of Dog Park	20-060-60 24-060-77	15-00144	40,000	
Stormwater Maintenance Program Manual	24-060-51	23-00261	25,000	

Nolan Road Water Tank (Constr Mgmt Only)	21-500-07	23-00275	110,098
Rockwell Circle Dam Inspection	24-060-28	15-00077	5,000

; and

WHEREAS, the Township is in need of professional engineering services, consisting of design, permitting, bid and construction phase services in connection with the Project described herein ("Professional Services"); and

WHEREAS, CME Associates has provided proposals dated May 1, 2024, May 15, 2024, May 20, 2024, June 5, 2024 and June 6, 2024 (the "Proposals") for the required professional services; and

WHEREAS, the Township of Marlboro and CME Associates have previously entered into a Professional Services Contract (Resolution #2024-013), awarded under a fair and open process, and seeks to amend such Contract to expand the scope of services to include the Professional Services for the Projects by way of its Township Engineers at a fee not to exceed \$557,598.00 for such Professional Services, as further described and set forth in CME's Proposals, attached hereto and made a part hereof; and

WHEREAS, the value of the Professional Services Contract will exceed \$17,500.00 in the aggregate; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$557,598.00 are available in General Capital Accounts 04-215-15-02I-060288, 04-215-20-05C-060288, 04-215-24-08F-060288, , Stormwater Trust Account 14-228-55-053, Grant Fund Account 02-214-40-827-000000 and Water Capital Account 06-215-21-05D-500288 for this purpose; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with CME Associates to provide the required additional Professional Services in accordance with the Proposals; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that an amendment to the Professional Services Contract between CME Associates and the Township of Marlboro, to expand the scope of services to include professional engineering services in connection with various capital improvements by way of its Township Engineers, at a fee not to exceed \$557,598.00 for such Professional Services, as further described and set forth in CME's Proposals, be and is hereby authorized.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, in a form legally acceptable to the Township Attorney, the Professional Services Contract described herein.

BE IT FURTHER RESOLVED, that this Professional Services Contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$557,598.00 for such additional Professional Services for the Project as described in the Proposal.

BE IT FURTHER RESOLVED, that a copy of the Professional Services Contract and this Resolution shall be available for public inspection in the office of the Municipal Clerk.

BE IT FURTHER RESOLVED, notice of award of the Professional Services Contract shall be published pursuant to law, and a certified copy of this Resolution shall be provided to each of the following:

- a. CME Associates
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Superintendent of Public Works
- e. Division of Engineering

RESOLUTION #2024-166

A RESOLUTION AUTHORIZING A RIGHT OF ENTRY AGREEMENT WITH CAMELOT AT MARLBORO URBAN RENEWAL LLC AND REACT ENVIRONMENTAL PROFESSIONAL SERVICES GROUP FOR LIMITED SITE ACCESS TO TOWNSHIP-OWNED PROPERTIES KNOWN AS BLOCK 149, LOT 17, BLOCK 150, LOT 9 and BLOCK 151, LOT 4 IN CONNECTION WITH ENVIRONMENTAL REMEDIATION ACTIVITIES ON BLOCK 132 LOT 18 (418 ROUTE 79 NORTH) OWNED BY CAMELOT AT MARLBORO URBAN RENEWAL LLC (ENG)

WHEREAS, CAMELOT AT MARLBORO URBAN RENEWAL LLC ("CAMELOT"), 433 River Road, Highland Park, New Jersey 08904 is the owner of BLOCK 132, LOT 18, also known as 418 Route 79 North which is adjacent to several Township-owned parcels identified as BLOCK 149, LOT 17, BLOCK

150, LOT 9 and BLOCK 151, LOT 4 on the Official Tax Map of the Township of Marlboro; and

WHEREAS, REACT ENVIRONMENTAL PROFESSIONAL SERVICES GROUP, INC ("REACT") with an address of 6901 Kingsessing Avenue, Philadelphia, PA 19142 has been retained by CAMELOT to perform environmental remediation activities on BLOCK 132, LOT 18, also known as 418 Route 79 North; and

WHEREAS, CAMELOT has requested a right of access in order for its consultant REACT to conduct certain environmental remediation activities; and

WHEREAS, as a condition of the access, REACT will restore the Township-owned lots to substantially the same condition as prior to the access; and

WHEREAS, CAMELOT and REACT will maintain the insurances required by the Township, and indemnify and hold the Township harmless from and against any and all claims arising out of the work contemplated under the agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro:

1. That it hereby authorizes a Site Access Agreement between the Township of Marlboro, CAMELOT and REACT which would permit entry onto several Township-owned parcels identified as BLOCK 149, LOT 17, BLOCK 150, LOT 9 and BLOCK 151, LOT 4 for the purposes of conducting environmental remediation activities on BLOCK 132, LOT 18, also known as 418 Route 79 North.

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute and witness, respectively, the Site Access Agreement in substantially the same form approved by the Township Attorney as that attached hereto and made a part hereof as Exhibit A and any other documents which may be required or necessary to effectuate the Site Access Agreement.

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

- a. CAMELOT AT MARLBORO URBAN RENEWAL LLC, 433 River Road, Highland Park, New Jersey 08904
- b. REACT ENVIRONMENTAL PROFESSIONAL SERVICES GROUP, INC, 6901 Kingsessing Avenue, Philadelphia, PA 19142
- c. Township Business Administrator
- d. Township Engineer

RESOLUTION #2024-167

A RESOLUTION AUTHORIZING CHANGE ORDER #1 TO A CONTRACT WITH MECO,
INC. FOR THE 2022 ROADWAY IMPROVEMENT PROGRAM

WHEREAS, by Resolution #2023-139 the Township of Marlboro authorized the award of a contract to Meco, Inc. for the 2022 Roadway Improvement Program (Bid 2023-06) (the "Project"); and

WHEREAS, the Township Engineer has determined that more extensive repairs, beyond the pothole repairs included in the original bid specifications are required on several primary roads including Union Hill Road, School Road East and Topanemus Road which may be accomplished most efficiently and on an expedited basis at 2023 bid pricing through a change order to the existing contract; and

WHEREAS, in order to complete the additional road work recommended by the Township Engineer, Change Order #1 has been prepared in the amount of \$214,645.00, increasing the total contract amount to \$3,328,522.12, an increase of 6.89 percent; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this Change Order in General Capital Accounts 04-215-17-02D-060288, 04-215-23-05D-060288 and 04-215-24-08F-060288 for the project.

WHEREAS, the Mayor and Township Council of the Township of Marlboro are amenable to approving Change Order #1 in order to complete the additional primary road repairs as recommended by the Township Engineer.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Change Order #1 to the existing contract with Meco, Inc. for the 2022 Roadway Improvement Program be and is hereby approved, increasing the original contract total of \$3,113,877.12 to \$3,328,522.12, a net increase of \$214,645.00.

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

- a. Meco, Inc.
- b. Township Business Administrator
- c. Township Engineer
- d. Chief Financial Officer

RESOLUTION #2024-168

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$96,542.93, which has been received by the municipality for the "National Opioid Settlements".

BE IT FURTHER RESOLVED, that the amount of \$96,542.93 be hereby appropriated under the caption "National Opioid Settlements".

RESOLUTION #2024-169

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$121,537.12, which has been received by the municipality for the "2024 Clean Communities" Grant.

BE IT FURTHER RESOLVED, that the amount of \$121,537.12 be hereby appropriated under the caption "2024 Clean Communities" Grant.

RESOLUTION #2024-170

AUTHORIZING THE TOWNSHIP OF MARLBORO TO APPLY FOR AN EMERGENCY MANAGEMENT PERFORMANCE GRANT THROUGH THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT FOR FFY 2024 (OEM)

WHEREAS, the United States Department of Homeland Security (USDHS) continues the Federal Emergency Management Agency's (FEMA) efforts to sustain and enhance all-hazards emergency management capabilities through EMPG grant funding; and

WHEREAS, the New Jersey State Police Emergency Management Section (NJSP/EMS) Preparedness Bureau (PB), is the FFY2024 EMPG program coordinator for the EMAA subaward program; and

WHEREAS, the EMAA subaward program provides funding for eligible county and local government agencies for projects conducted from July 1, 2024 through June 30, 2025 ("Program"); and

WHEREAS, the Marlboro Office of Emergency Management has prepared an application to the Program for funding to support investments that improve the Township's ability to prevent an act of terrorism, protect residents against the greatest hazards, mitigate the loss of life and property, respond quickly to save lives, protect property and the environment and recover from a disaster through timely restoration; and

WHEREAS, Mayor Jonathan Hornik and the Township Council of the Township of Marlboro are committed to enhancing the emergency management function to ensure the Township continues to be thoroughly prepared for emergencies, and support this grant application to secure the maximum funding available.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Township is hereby authorized to submit an application for funding through the Federal Fiscal Year 2024 (FFY24) United States Department of Homeland Security, New Jersey Office of Emergency Management (NJOEM), Emergency Management Performance Grant (EMPG) - Emergency Management Agency Assistance (EMAA) Subaward Program.

BE IT FURTHER RESOLVED, that the Township is hereby authorized to execute an agreement, in a form approved by the Township Attorney for funding from Program.

RESOLUTION #2024-171

RESOLUTION AUTHORIZING THE TOWNSHIP OF MARLBORO TO APPLY FOR THE OFFICE OF JUSTICE PROGRAMS BULLETPROOF VEST PARTNERSHIP GRANT ACT, U.S. DEPARTMENT OF JUSTICE (BVP) FOR THE MARLBORO TOWNSHIP POLICE

WHEREAS, the U.S Department of Justice, FY 2024 Bulletproof Vest Partnership Grant Act (BVP) is provided to assist all eligible law enforcement agencies in offsetting costs of purchasing body armor vests for their officers; and

WHEREAS, the funds are dedicated funds and cannot be used for any other purpose; and

WHEREAS, \$24,000.20 in funds are currently available to the Township; and

WHEREAS, the Township wishes to apply for the maximum amount of funding available to offset the costs of replacement vests for officers during the period of July 2024 to June 2025; and

WHEREAS, the funding is a reimbursement that is requested after confirmation of receipt of the ballistic vest.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Township is hereby authorized to submit a grant application to the U.S. Department of Justice, Ballistic Vest Partnership (BVP).

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

RESOLUTION #2024-172

RESOLUTION AUTHORIZING THE ISSUANCE OF A FIREWORKS DISPLAY PERMIT TO GARDEN STATE FIREWORKS, INC.

WHEREAS, N.J.S.A. 21:3-1, *et seq.* regulates the sale, exposure for sale, use, distribution or possession of fireworks or pyrotechnics in the State of New Jersey so as to advance the interests of public health, safety and welfare of the people of the State of New Jersey; and

WHEREAS, upon satisfaction of the conditions set forth in N.J.S.A. 21:3-1, *et seq.*, and more particularly those set forth in N.J.S.A. 21:3-3, the governing body of any municipality may, by resolution, approve the granting of a permit for said purposes to a qualified organization, when such display is to be handled by a

competent operator in the manner approved by the Chief of the Police and the Fire Department of the municipality so as not to be hazardous to property or endanger any person or persons; and

WHEREAS, GARDEN STATE FIREWORKS, INC. has responded to the Township's solicitation and provided the low quotation for fireworks to be displayed at the Summer Concert Series; and

WHEREAS, GARDEN STATE FIREWORKS, INC. has applied for a permit to conduct a fireworks display within the Township of Marlboro on July 7, 2024 (with a rain date of August 11, 2024) upon satisfaction of the conditions set forth in N.J.S.A. 21:3-1, *et seq.* and in accordance with all applicable New Jersey Administrative Code regulations promulgated in accordance therewith, as amended from time to time.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey does hereby grant approval to GARDEN STATE FIREWORKS, INC. to conduct a fireworks display on July 7, 2024 (with a rain date of August 11, 2024) within the Township of Marlboro pursuant to N.J.S.A. 21:3-1, *et. seq.*, and more particularly N.J.S.A. 21:3-3, subject to:

1. Receipt of approval by the Chief of the Police and Fire Official in accordance with the above; and

2. The posting of adequate surety which may be cash, government bonds, personal bond, or other form of insurance in a sum of not less than Two Thousand Five Hundred Dollars (\$2,500.00), N.J.S.A. 21:3-5; and

3. The furnishing of the necessary Certificates of Insurance to the Township in a form acceptable to the Risk Manager and Township Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$7,500.00 are available in Current Account 01-201-28-145-288498 for this purpose.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to send copies of this resolution to the following:

- a. GARDEN STATE FIREWORKS, INC.
- b. Chief of Police
- c. Local Fire District
- d. Fire Official
- e. Township Business Administrator

RESOLUTION #2024-173

A RESOLUTION AUTHORIZING ACCEPTANCE OF THE DONATION OF
DRAWSTRING BAGS FROM NJ SPORTS SPINE & WELLNESS FOR THE
MARLBORO RECREATION SUMMER CAMP PROGRAM

WHEREAS, the Marlboro Recreation Department runs youth summer camp programs; and

WHEREAS, NJ Sports Spine & Wellness, located at 12 US Highway 9, Marlboro, NJ 07746 has offered to donate 800 drawstring bags for Marlboro Recreation's youth summer camp programs; and

WHEREAS, the main logo on the bags will be Marlboro Township Recreation with a logo on the bottom for NJ Sports Spine & Wellness; and

WHEREAS, the bags donated by NJ Sports Spine & Wellness will be distributed to the campers of the Summer Day Camp; and

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

WHEREAS, there has been no promise of future employment, services, goods or other things 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 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 Recreation Director
- c. Township Chief Financial Officer

RESOLUTION #2024-174

TAX LIEN REDEMPTIONS

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$44,098.02 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 Township Council of the Township of Marlboro that the amount of \$44,098.02 be refunded to the certificate holders as per Schedule "A".

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIENHOLDER</u>	<u>AMOUNT</u>
2023-002	115/25	T&M Professional Services Corp. P.O. Box 335 Keyport, NJ 07735	\$ 2,390.54
2023-003	115/26	Nalini Funding LLC 8 Villa Farms Cir Monroe, NJ 08831	\$19,084.24
2022-011	171/36.01	WSFS As Cust Lvtlops/Firsttrust P.O. Box 815 Fort Washington, PA 19034	\$ 4,201.61
2022-004	122/36	Double G Keen Management Corp. P.O. Box 325 Manalapan, NJ 07726	\$ 3,602.23
2023-017	176/7/C1091	ChangSheng Lu 628 N. Butrick Street Waukegan, IL 60085	\$ 3,394.58
2021-002	107/1.02	Trystone Capital Assets, LLC P.O. Box 1030 Brick, NJ 08723	\$ 5,952.42
2020-052	412/142	Bernie K Brevdeh 881 Circle Avenue Franklin Lakes, NJ 07417	\$ 5,472.40

RESOLUTION #2024-175

REFUND OF WATER OVERPAYMENT

WHEREAS, the attached list in the amount of \$85.26 known as Schedule "A", is comprised of amounts representing overpayments for 2024 water charges.

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

RESOLUTION #2024-178

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN MARLBORO FIRE DISTRICT #3 BOARD OF FIRE COMMISSIONERS AND THE TOWNSHIP OF MARLBORO FOR THE CONSTRUCTION AND INSTALLATION OF WATER SYSTEM IMPROVEMENTS RELATED TO A PROPOSED NEW FIRE STATION BUILDING TO BE LOCATED ON ROUTE 79, SOUTH OF TENNANT ROAD AND BEACON HILL ROAD AT PROPERTY KNOWN AS BLOCK 151, LOT 8.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO

WHEREAS, Marlboro Fire District #3 Board of Fire Commissioners (the "Board of Fire Commissioners") is the owner of certain real property located on Route 79, South of Tennant Road and Beacon Hill Road in the Township of Marlboro (the "Township"), County of Monmouth, State of New Jersey, known as Block 151, Lot 8.01 on the Township's Official Tax Map (the "Property"); and

WHEREAS, Board of Fire Commissioners has requested water service for the Project from the Marlboro Township Water Utility Division; and

WHEREAS, the Township has determined that to ensure the availability of water service to the Board of Fire Commissioners, the Board of Fire Commissioners should be required to construct and install certain water system improvements; and

WHEREAS, the Township Attorney has reviewed the Developer's Agreement attached hereto as Attachment A, which concerns the construction and installation of certain water system improvements; and

WHEREAS, after analysis and review, the Township has determined it is in its best interest to enter into the Developer's Agreement to memorialize the terms and conditions associated therewith in a form substantially similar to the agreement attached hereto as Attachment A, subject to the review and approval of the Township Attorney; and

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

1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.
2. The Mayor and Municipal Clerk be and are hereby authorized to execute the Developer's Agreement with Marlboro Fire District #3 Board of Fire Commissioners, for the purpose of providing water service and memorializing the obligations and commitments of Marlboro Fire District #3 Board of Fire

Commissioners, in a form substantially similar to the agreement attached as Attachment A, subject to the review and approval of the Township Attorney.

3. This Resolution shall take effect immediately.

SO RESOLVED, as aforesaid.

RESOLUTION #2024-179

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND EARLE ASPHALT COMPANY AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF THE LLOYD ROAD WATER MAIN REPLACEMENT

WHEREAS, by Resolution #2022-184 the Township of Marlboro authorized the award of a contract to Earle Asphalt Company for the LLOYD ROAD WATER MAIN REPLACEMENT (Bid 2022-08) (the "Project"); and

WHEREAS, a Closeout Change Order has been requested, resulting in a decrease in the original contract amount of \$2,328,413.13 to \$1,912,408.96, a net overall reduction of \$416,004.17; and

WHEREAS, in a letter dated May 20, 2024, the Township Engineer has indicated that the project was completed in accordance with the approved plans and specifications, including all previously issued punch list items and final inspection, and has recommended approval of the Closeout Change Order, acceptance of the Project improvements, and issuance of final payment in the amount of \$38,248.18; and

WHEREAS, pursuant to the terms of the contract, Earle Asphalt Company has provided a two-year maintenance bond in an amount equal to 15% of the final contract amount, or \$286,861.34; and

WHEREAS, the Township Council of the Township of Marlboro is amenable to approving the Closeout Change Order, accepting the Project improvements, and issuing a final payment to Earle Asphalt Company in the amount of \$38,248.18 in order that the Project be completed, such Project being in the interests of the public health, safety, and welfare.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the Closeout Change Order to the existing contract with Earle Asphalt Company, be and is hereby approved, decreasing the original contract total of \$2,328,413.13 to \$1,912,408.96, a net overall reduction of \$416,004.17.

BE IT FURTHER RESOLVED, by the Township Council of the Township

of Marlboro, that the Project improvements be and are hereby accepted, and that final payment in the amount of \$38,248.18 for work completed by Earle Asphalt Company is hereby approved.

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

- a. Earle Asphalt Company
- b. Township Administrator
- c. Township Engineer
- d. Township Chief Financial Officer
- e. Superintendent of Public Works

RESOLUTION #2024-180

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT FOR THE PROVISION OF ZINC ORTHOPHOSPHATE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on July 20, 2023 (Resolution #2023-184) the Township Council of the Township of Marlboro awarded a contract to Shannon Chemical Corporation, FOR THE PROVISION OF ZINC ORTHOPHOSPHATE FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION (Bid #2023-10); and

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

WHEREAS, in a memo dated May 28, 2024, the Water Utility Engineer has recommended that the Township approve the first one (1) year extension of the contract terminating on August 31, 2024; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract with Shannon Chemical Corp. whose address is P.O. Box 376, Malvern, PA 19355 for the Supply of Zinc Orthophosphate, be extended for an additional one (1) year period expiring on August 31, 2025, at a rate of \$1.74 per gallon, in an amount not to exceed \$156,600.00

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$53,250.00 are available in Water Utility Account #05-201-55-500-293020 for the services for 2024.

BE IT FURTHER RESOLVED, funds for the 2025 portion of the

contract totaling \$103,350.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2025 municipal budget.

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

- a. Shannon Chemical Corporation
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION #2024-181

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

WHEREAS, the Township Council approved Resolution #2024-076 which authorized the sale of S-RECS to be generated between June 1, 2023 and May 31, 2024 (Energy Year 2024 or "EY 2024"), provided the bid accepted offers per SREC price equal to or higher than \$205.00; and

WHEREAS, the Municipal Council authorized an agreement with Marex Spectron, with corporate offices located at 360 Madison Avenue, Third Floor, New York, NY 10017, as the on-line purchasing agent, to conduct competitive auctions utilizing an internet-based platform in conjunction with the Township's sale of SRECs at a fee of \$3.00 per SREC; and

WHEREAS, the Township entered into an agreement with EcoGY Pennsylvania Systems LLC, 9 Binney Lane, Old Greenwich, CT 06870 for the sale of 900 EY 2024 SRECs at a price of \$208.00 per SREC; and

WHEREAS, the Township Water Utility has generated 126 additional SRECs for the EY 2024 period; and

WHEREAS, Marex Spectron has confirmed a price of \$207.00 per SREC for the additional SRECs; and

WHEREAS, pursuant to Resolution #2024-076, the Township accepted the price of \$207.00 per SREC for the excess SRECs by Marex Spectron, 360 Madison Avenue, Third Floor, New York, NY 10017.

NOW, THEREFORE BE IT RESOLVED, that the Municipal Council hereby confirms the acceptance of the offer by Marex Spectron, 360 Madison Avenue, Third Floor, New York, NY 10017 to purchase 126 EY 2024 SRECs generated by the Water Utility at a price of \$207.00 per SREC.

BE IT FURTHER RESOLVED, that the Mayor, Business Administrator and Municipal Clerk are hereby authorized to execute the necessary documents in a form approved by the Township Attorney to effectuate the transaction.

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

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

RESOLUTION #2024-182

RESOLUTION APPOINTING ZONING BOARD
OF ADJUSTMENT MEMBERS

WHEREAS, Section 4-90 of the Code of the Township of Marlboro created the Marlboro Township Zoning Board of Adjustment pursuant to the authority granted by N.J.S.A. 40:55D-69; and

WHEREAS, Section 220-8 of the Code of the Township of Marlboro provides that the Township Council shall appoint members of the Zoning Board of Adjustment; and

WHEREAS, the Township Council wishes to appoint JOANN DENTON as Class IV of the Zoning Board of Adjustment for an unexpired term - expiring December 31, 2025; and

WHEREAS, the Township Council wishes to appoint CRAIG MCGRAW as Alternate I of the Zoning Board of Adjustment for an unexpired term- expiring December 31, 2024; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro as follows:

That it hereby appoints JOANN DENTON to serve as a Class IV member for an unexpired term and CRAIG MCGRAW to serve as Alternate I member for an unexpired term of the Marlboro Township Zoning Board of Adjustment in the positions specified above, and for the unexpired terms indicated above.

RESOLUTION #2024-183

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE
TOWNSHIP OF MARLBORO AND FOP LODGE 15 (SERGEANTS AND LIEUTENANTS)

WHEREAS, the Township and Fraternal Order of Police Lodge 15 (Sergeants and Lieutenants) ("FOP") are parties to a collective bargaining agreement that expired on December 31, 2023; and

WHEREAS, the Township and FOP engaged in negotiations for a successor collective bargaining agreement to cover employees in the FOP; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement that expired on December 31, 2023, for an extended term of January 1, 2024 through December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and FOP, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that expired on December 31, 2023.

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement.

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement.

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

- a. FOP LODGE 15 (SERGEANTS AND LIEUTENANTS)
- b. Mayor Jonathan L. Hornik
- c. Chief Financial Officer

RESOLUTION #2024-184

AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD QUARTER ESTIMATED
TAX BILLS, DUE AUGUST 1, 2024

WHEREAS, Governor Murphy signed into law P.L. 2024, c.13 on May 14, 2024, increasing certain districts' school year 2024-1025 tax levy cap; and

WHEREAS, the Freehold Regional High School District transmitted a tax levy to the Municipal Clerk on June 5, 2024; and

WHEREAS, the Freehold Regional High School District has indicated that they will amend their budget prior to the July 19, 2024 deadline; and

WHEREAS, the delay in providing a revised tax levy could result in a delayed certification of the tax rate by Monmouth County; and

WHEREAS, without a 2024 Certified Tax Rate, the Tax Collector cannot process the final 2024 Tax Levy; and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2024 of \$181,862,820.76.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of Township of Marlboro, County of Monmouth, State of New Jersey, that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2024 taxes;

BE IT FURTHER RESOLVED, that, the third quarterly installment of 2024 taxes shall not be subject to interest until the later of August 12, 2024 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

At 7:26 p.m., Council Vice President Milman moved that the meeting be adjourned. This was seconded by Councilman Qazi, and as there was no objection. The Municipal Clerk was asked to cast one ballot.

MINUTES APPROVED: JULY 18, 2024

OFFERED BY: VIRDI

AYES: 2

SECONDED BY: SCALEA

NAYS: 0

ABSTAIN: SCALEA

ABSENT: MILMAN AND QAZI

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
071824

ANTOINETTE M. DINUZZO,
COUNCIL PRESIDENT