

MARLBORO TOWNSHIP COUNCIL MEETING

DECEMBER 21, 2023

The Marlboro Township Council held its regularly scheduled meeting on December 21, 2023 at 7:00 P.M. at the Marlboro Township Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President Qazi 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 sent to the Asbury Park Press, the Star Ledger and the Board of Education Office on December 19, 2023; published in the Asbury Park Press on November 16, 2022; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the Township website.

The municipal clerk called the Roll.

PRESENT: Council Vice President DiNuzzo, Councilman Milman, Councilman Scalea and Council President Qazi. Councilwoman Marder was absent.

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

Citizen's Voice:

Frank Festa of 1727 Ramapo Way, Scotch Plains, New Jersey said that he has not received engineering approval to proceed with building on his commercial property.

William Waple of 16 Calder Court thanked Chief Pezzullo for his service to the residents of Marlboro Township. He commented about future road and sidewalk projects soon to be completed.

Council Speaks Out: Councilman Scalea wished everyone a happy holiday and is looking forward to working with the mayor and council in the new year. Councilman Milman had a wonderful time at the holiday lighting at Town Hall and wished everyone a wonderful holiday season. Council Vice President DiNuzzo also enjoyed the holiday lighting. She was thankful that the residents had their power restored after a recent storm. Council President Qazi provided an update for the Township police and public works departments. He also wished everyone a happy and healthy holiday season and new year.

ADMINISTRATIVE REPORT: Mayor Hornik mentioned that the Marlboro's 10th annual winter Holiday Lighting's attendance was exceptional. The Marlboro High School's band, the police department, public works, recreation, volunteer first responders, CERT, police cadets, the Teen Advisory Committee and event sponsors made this event possible. He addressed the Route 18 accident involving a school bus and a gasoline tanker and added that the Monmouth County Health Department is collaborating with the New Jersey Department of Environmental Protection on the cleanup. Mayor Hornik thanked the police, Office of Emergency Management and public works for their assistance during the power outage due to recent high wind and rain event. A generator purchased through a FEMA grant allowed the recreation department to operate for two days as a warming center and charging station during the storm. The Mayor acknowledged the retirement of Detective Sgt. Bise following 30 years of service. The Marlboro Alliance and the Marlboro High School held their annual candlelight vigil during December for National Drunk and Drugged Driving Prevention Month. Mayor Hornik wished everyone a meaningful and joyous holiday and a safe and happy New Year with a reminder to celebrate responsibly.

Councilman Scalea moved that the Council meeting minutes of November 9, 2023 be approved. This was seconded by Councilman Milman, and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

The following resolution #2023-247 (Approving a Financing Agreement with Community Investment Strategies, Inc. for Place at Marlboro Project II (Block 149, Lot 16.03, Harnley Road)) was introduced by reference, offered by Councilman Milman, seconded by Council Vice President DiNuzzo and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-247

RESOLUTION APPROVING A FINANCING AGREEMENT WITH COMMUNITY
INVESTMENT STRATEGIES, INC.

WHEREAS, the Township of Marlboro (the "Township") has a court ordered obligation under the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) to create a realistic opportunity for the provision of low and moderate-income housing; and

WHEREAS, Community Investment Strategies, Inc. ("CIS") is an affordable housing developer that has a reputation for successfully developing, owning and managing affordable housing projects in the State of New Jersey; and

WHEREAS, CIS and the Township each possess certain necessary skills and resources, and it is in the mutual interest of the parties to jointly participate in implementing the development of a municipally sponsored 100% affordable housing development; and

WHEREAS, in order to satisfy the Township's court ordered obligation, CIS and the Township previously entered into an Affordable Housing Development Agreement on May 21, 2020 (the "Affordable Housing Agreement"), which agreement was approved by the Township Council on May 21, 2020 pursuant to Resolution #2020-159, relating to the development of a non-age restricted, non-inclusionary affordable housing development consisting of approximately 258 units in two phases (the "Project"), i.e. 154 units in the first phase ("Phase I Project") and 104 units in the second phase ("Phase II Project"); and

WHEREAS, CIS and the Township further previously entered into an Agreement for Payment in Lieu of Taxes on May 21, 2020, which agreement was approved by the Township Council on May 21, 2020 pursuant to Resolution #2020-160, relating to the granting of a tax exemption in consideration for payments in lieu of taxes to be made CIS related to the Phase I Project; and

WHEREAS, pursuant to the Affordable Housing Agreement CIS created a New Jersey limited liability company called "The Place at Marlboro, LLC" (the "Phase I Sponsor"), which is controlled by CIS, and on July 1, 2022 the Township conveyed Block 149, Lot 16.01 as shown on the Official Assessment Map of the Township (the "Phase I Property") upon which Phase I is to be constructed to the Phase I Sponsor, who simultaneously closed on construction financing and with its tax credit equity investor; and

WHEREAS, in order to further satisfy the Township's court ordered obligation, CIS and the Township desire to move forward with the Phase II Project on a site described as Block 149, Lot 16.03 as shown on the Official Assessment Map of the Township (the "Phase II Property"); and

WHEREAS, CIS, or an entity formed and controlled by it (hereinafter referred to as the "Sponsor"), proposes to construct the Phase II Project pursuant to the terms of the Affordable Housing Agreement and the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements") within the Township on the Phase II Property which the Township has previously agreed to convey to the Sponsor pursuant to the Affordable Housing Agreement; and

WHEREAS, the Phase II Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the Township Council of the Township of Marlboro hereby determines that there is a need for the Phase II Project in the Township; and

WHEREAS, the Sponsor has presented to the Township Council a revenue projection for the Phase II Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Phase II Project as estimated by the Sponsor and the Agency, a copy of which is attached as "EXHIBIT A" to the PILOT Agreement (as hereinafter defined).

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

(1) the Township Council finds and determines that the proposed Phase II Project will meet or meets an existing housing need as determined by an Order of the Superior Court; and

(2) the Township Council does hereby adopt this Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Phase II Project; and

(3) the Township Council does hereby adopt this Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Phase II Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Phase II Project are made to the Township in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit A; and

(4) the Township Council hereby authorizes and directs the Mayor and the Municipal Clerk to execute, on behalf of the Township, the Agreement for Payments in Lieu of Taxes ("PILOT Agreement"), in substantially the form attached hereto as Exhibit A with such changes as approved by the Township Attorney; and

(5) the Township Council understands and agrees that the revenue projections set forth in "EXHIBIT A" to the PILOT Agreement are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Township shall be determined pursuant to the PILOT Agreement executed between the Sponsor and Township.

The following resolution #2023-248 (Authorizing Contract Renewal for the Provision of Printing Services Year 2 of 3 (Bids 2022-14 & 2023-03B)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-248

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACTS FOR THE PROVISION OF PRINTING SERVICES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on October 20, 2022 (Resolution #2022-233), the Township Council of the Township of Marlboro awarded a contract to MGL Printing Solutions FOR THE PROVISION OF PRINTING SERVICES FOR THE TOWNSHIP OF MARLBORO (Bid #2022-14) as follows:

| Item No. | Description | | Unit Measure | Est. Units | Price Per Unit | Extended Price |
|----------|---|-----|--------------|------------|----------------|----------------|
| A14 | #10 Window – Return Address, White w/ Black Ink | TC | 500/bx | 76 | \$28.00 | \$2,128.00 |
| A15 | #10 Window – Return Address, White w/ Black Ink | Rec | 500/bx | 50 | \$28.00 | \$1,400.00 |
| C1 | 8½" x 11" Letterhead - White Linen w/ Reflex Blue Raised Ink | Myr | 500/bx | 2 | \$198.00 | \$396.00 |
| C2 | 8½" x 11" Letterhead - White Bond Paper w/ Reflex Blue Raised Ink | PD | 500/bx | 1 | \$168.00 | \$168.00 |
| D1 | 8½" x 11" Homestead Rebate and/or Anchor Program Bills, 3-Up Perforated Sheet, Black Ink w/ Grey Shading & Yellow Highlighted Text (Note: Page is perforated down the center line as well) Typically ordered 2x per year approx 2,000 quantity each order - with different quarterly information. | TC | ea | 4,000 | \$0.085 | \$340.00 |
| D2 | 8½" x 11" Estimated Tax Bills, 3-Up Perforated Sheet, One Color Ink (Not Black but Same Color as Tax Bill) (Note: Page is perforated down the center line as well) | TC | ea | 15,000 | \$0.057 | \$849.00 |
| D3 | 8½" x 11" Delinquent Notices, 3-Up Perforated Sheet, One Color Ink Color Shading | TC | ea | 15,000 | \$0.057 | \$849.00 |
| D4 | 8½" x 14" Tax Bills, 4-Up Perforated Sheet, (Note: Bottom 1/2 of page perforated down the center line, as well.), Double-Sided, Side 1: One Color Ink (Not Black) w/ Shading, Side 2: Black Ink, Various Color Options (Bills are a different color each year.) | TC | ea | 17,000 | \$0.099 | \$1,683.00 |
| D5 | 8½" x 14" PD5 Senior Forms, Double-Sided, Side 1: Black & Red Ink (Black & Grey Shading), Side 2: Black Ink | TC | ea | 200 | \$0.24 | \$48.00 |

| | | | | | | |
|--------------|--|-----|---------|-------|----------|--------------------|
| D6 | 8½" x 11" Tax Sale Certificates, Double-Sided, Black Ink (Black & Grey Shading) | TC | ea | 300 | \$0.24 | \$72.00 |
| D29 | 8½" x 11" Water Bills, 4-Up Sheets, Double-Sided, White Post Card Weight Stock w/ Blue and Red Heat Resistant Ink, Laser Guaranteed, Multi Perforations per Postal Regulations, Paper path must conform to laser printer specifications. | Wtr | 1000/bx | 9 | \$230.00 | \$2,070.00 |
| D30 | 8½" x 11" Reminder Bills, 4-Up Sheets, Double-Sided, White Post Card Weight Stock w/ Black and Red Heat Resistant Ink, Laser Guaranteed, Multi Perforations per Postal Regulations, Paper path must conform to laser printer specifications. | Wtr | 1000/bx | 6 | \$270.00 | \$1,620.00 |
| D31 | 8½" x 11" Termination Notices, 3-Up Perforated Sheets, Double Sided, One Color Ink (Red), Color Shading | Wtr | 1000/bx | 6 | \$150.00 | \$900.00 |
| I10 | Dog License Tags, Colored Aluminum, Sequentially Numbered with Flat Links | AC | ea | 3,200 | \$0.44 | \$1,408.00 |
| I11 | Cat License Tags, Colored Aluminum, Sequentially Numbered with Small Cat Links | AC | ea | 300 | \$1.10 | \$330.00 |
| I13 | 10 3/4" (W) x 8" (H) Hard Cover Binder, Black, Slightly rounded spine with clear plastic spot for title/name, 4 Locking Rings, 2" Diameter, Supplied with set of A-Z dividers | Rec | ea | 1 | \$175.00 | \$175.00 |
| I22 | 8 1/2" x 11" Admin Letter for Tax Bill Mailing, White, Double-Sided, Full Color Ink one side (text and pictures), black ink on back side | Myr | ea | 15000 | \$0.105 | \$1,575.00 |
| I23 | 8 1/2" x 11" Admin Letter for Tax Bill Mailing, White, Double-Sided, Full Color Ink two sides | Myr | ea | 15000 | \$0.105 | \$1,575.00 |
| Total | | | | | | \$17,586.00 |

; and

WHEREAS, on June 15, 2023 (Resolution #2023-145), the Township Council of the Township of Marlboro awarded contracts to Premium Productions, Inc. and Ridgewood Press FOR THE PROVISION OF PRINTING SERVICES FOR THE TOWNSHIP OF MARLBORO (Bid #2023-03B) as follows:

| | | |
|-------------------------------|--|---|
| BID SECTION | Ridgewood Press, 609 FRANKLIN TURNPIKE, RIDGEWOOD, NJ 07450 | Premium Productions, Inc., 6 LINCOLN AVE, PLEASANTVILL E, NY 10570 |
| SECTION A: ENVELOPES | | |
| SUBTOTAL (A1-A26) | \$9,701.00 | \$0.00 |
| SECTION E: BOOKLETS/BROCHURES | | |
| SUBTOTAL (E1-E14) | \$6,432.50 | \$0.00 |
| SECTION H: COPIES | | |
| SUBTOTAL (H1-H6) | \$860.00 | \$0.00 |

SECTION J: PRINT/MAILING

SUBTOTAL (J1-J46) \$0.00 \$187,371.60

GRAND TOTAL (SECTIONS A-J) \$16,993.50 \$187,371.60

; and

WHEREAS, the bid specifications included the option to renew said contract for one (1) two-year or two or (2) one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, the Department of Administration recommends that the Township approve a one (1) year extension the contracts as identified above; 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 a contract be awarded to MGL Printing Solutions, whose address is 154 South Street, New Providence, NJ 07974 in an amount not to exceed \$17,586.00, until December 31, 2024, for the PROVISION OF PRINTING SERVICES FOR THE TOWNSHIP OF MARLBORO.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to PREMIUM PRODUCTIONS, INC., whose address is 6 LINCOLN AVE, PLEASANTVILLE, NY 10570 in an amount not to exceed \$187,371.60, until December 31, 2024, for the PROVISION OF PRINTING SERVICES FOR THE TOWNSHIP OF MARLBORO.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to RIDGEWOOD PRESS, whose address is 609 FRANKLIN TURNPIKE, RIDGEWOOD, NJ 07450 in an amount not to exceed \$16,993.50, until December 31, 2024, for the PROVISION OF PRINTING SERVICES FOR THE TOWNSHIP OF MARLBORO.

BE IT FURTHER RESOLVED, that the Chief Financial Officer will certify funds upon the adoption of the 2024 municipal operating and utility budgets.

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

- a. MGL Printing Solutions
- b. Premium Productions, Inc.
- c. Ridgewood Press
- d. Township Business Administrator
- e. Chief Financial Officer

RESOLUTION #2023-249 WAS REMOVED FROM THE AGENDA

The following resolution #2023-250 (Authorizing Award of Bid 2023-15 for the Purchase of a Leaf Vacuum (ID 23-120-5)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-250

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO
W.E. TIMMERMAN CO. INC. FOR THE PROVISION OF ONE (1) NEW AND
UNUSED 2023 OR NEWER, LEAF VACUUM MACHINE FOR THE MARLBORO
TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2023 capital programs (2023-120-5) authorized the purchase of a LEAF VACUUM MACHINE FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, the Township of Marlboro authorized the receipt of bids (#2023-15) for the PROVISION OF ONE (1) NEW AND UNUSED 2023 OR NEWER, LEAF VACUUM MACHINE FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS, and on August 30, 2023 received one (1) bid, summarized as follows:

| | | |
|-----------|--|---|
| | | W.E. Timmerman Co., Inc. 3554 Route 22 West Whitehouse, NJ 08888 |
| # | Item Description | Bid Price |
| Item A | One (1) 2023 or Newer Self Contained Leaf Machine | \$136,000.00 |

; and

WHEREAS, in a letter dated November 3, 2023, the vendor has consented to extending the bid price as identified above, until December 30, 2023; and

WHEREAS, in a memo dated August 31, 2023, the Director of Public Works has recommends that a contract for the PROVISION OF ONE (1) NEW

AND UNUSED 2023 OR NEWER, LEAF VACUUM MACHINE FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS be awarded to W.E. Timmerman Co. Inc. as the lowest and responsible bidder, whose address is 3554 Route 22 West, Whitehouse, NJ 08888, for the total bid price amount not to exceed \$136,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Capital Account #04-215-23-05I-120297 for the purchase of the equipment.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid for the PROVISION OF ONE (1) NEW AND UNUSED 2023 OR NEWER, LEAF VACUUM MACHINE FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS be and is hereby awarded to W.E. Timmerman Co. Inc., whose address is 3554 Route 22 West, Whitehouse, NJ 08888 for a contract amount not to exceed \$136,000.00.

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

- a. W.E. Timmerman Co. Inc.
- b. Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer
- e. Insurance

The following resolution #2023-251 (Authorizing Award of ESCNJ Co-Op Contract for the Purchase of a Cab & Chassis for a Replacement Bucket Truck (22-120-03)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-251

RESOLUTION AUTHORIZING THE PURCHASE OF A BUCKET TRUCK CAB & CHASSIS THROUGH THE ESCNJ COOPERATIVE CONTRACT #23-24-04 FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2022 capital program (22-120-3, SDL - 23-00395) 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 (Resolution #2022-236 & Resolution #2023-087); and

WHEREAS, in order to obtain the bucket truck, the Director of Public Works has recommended in a memo dated November 22, 2023, that the cab and chassis portion of the bucket truck be purchased at this time, and equipped with an aerial unit at a later date; and

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

WHEREAS, Neilson Ford, whose address is 170 Ridgedale Avenue, Morristown, NJ 07960, was awarded the ESCNJ Cooperative Contract #23/24-04 for the 2024 Ford Super Duty F-550 and factory installed equipment, to be used as the bucket truck cab and chassis as indicated in the supporting documents and a vendor quotation dated November 21, 2023 in an amount not to exceed \$58,223.54; 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 2024 Ford Super Duty F-550 and factory installed equipment, to be used as the bucket truck cab and chassis, to be utilized by the Department of Public Works, through the ESCNJ Contract #23/24-04 in an amount not to exceed \$58,223.54; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$58,223.54 from Capital Account #04-215-22-07F-120297; and

WHEREAS, the Township Council desires to approve the purchase of the 2024 Ford Super Duty F-550 and factory installed equipment, to be used as the bucket truck cab and chassis.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 2024 Ford Super Duty F-550 and factory installed equipment, to be used as the bucket truck cab and chassis from Neilson Ford, whose address is 170 Ridgedale Avenue, Morristown, NJ 07960, under ESCNJ #23/24-04, in an amount not to exceed \$58,223.54.

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

The following resolution #2023-252 (Confirming Emergency Contracts with and Payments to Foley Maintenance, Inc. for the Provision of Generator Rental and Installation Services (EM 22-40)) was introduced by reference, offered by Councilman Milman, seconded by Councilman Scalea

and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-252

A RESOLUTION CONFIRMING EMERGENCY CONTRACTS AND PAYMENTS FOR GOODS AND SERVICES REQUIRED IN RESPONSE TO THE EMERGENCY GENERATOR FAILURE AT THE MARLBORO RECREATION CENTER PURSUANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on December 15, 2022, the Department of Public Works reported the emergency generator servicing the Recreation Center had failed (EM #22-40); and

WHEREAS, the Recreation Center serves as a Township emergency shelter in the event of power outages and must remain operational; and

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

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

WHEREAS, the generator failure posed a threat to the public health, safety and welfare, constituting an emergency under the terms of N.J.S.A. 40A:11-6; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township employed the services of existing contract vendors and others holding state or cooperative contracts to provide the necessary goods and services wherever possible; and

WHEREAS, the Chief Financial Officer previously certified the availability of funds in an amount not to exceed \$64,464.13 per SCHEDULE A below.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that various emergency contracts as depicted in SCHEDULE A be confirmed and payments approved pursuant to N.J.S.A. 40A:11-6 for the provision of various goods and services related to the generator failure of December 15, 2022.

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

- a. Business Administrator
- b. Chief Financial Officer

The following resolution #2023-253 (Authorizing Award of ESCNJ Co-Op Contract for the Purchase of a Cab & Chassis for Replacement of Rear-Loading Garbage Truck (23-120-02)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-253

RESOLUTION AUTHORIZING THE PURCHASE OF A CAB & CHASSIS FOR A REAR-LOADING GARBAGE TRUCK THROUGH THE ESCNJ COOPERATIVE CONTRACT #23-24-04 FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2023 capital program (23-120-02) authorized the replacement of 2002 rear-loading garbage truck (unit 0208); and

WHEREAS, the Township authorized the purchase of the rear-loading garbage truck body on June 15, 2023 under Resolution #2023-154; and

WHEREAS, the Township is in the need of a cab and chassis on which the previously authorized body can be installed; and

WHEREAS, the Township is authorized to purchase the rear-loading garbage truck cab and chassis from bids obtained from a cooperative pricing system such as the Educational Services Commission of NJ (ESCNJ) pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, Hoover Truck Centers, whose address is P.O. Box 719, Flanders, NJ 07836, was awarded the ESCNJ Cooperative Contract #23/24-04 for the rear-loading garbage truck cab and chassis as indicated in the supporting documents and a vendor quotation dated November 16, 2023 in an amount not to exceed \$154,640.44; 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 rear-loading garbage truck cab and chassis, to be utilized by the Department of Public Works, through the ESCNJ Contract #23/24-04, in an amount not to exceed \$154,640.44; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$154,640.44 from Capital Account #04-215-23-05I-120297; and

WHEREAS, the Township Council desires to approve the purchase of the rear-loading garbage truck cab and chassis.

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 rear-loading garbage truck cab and chassis from Hoover Truck Centers, whose address is P.O. Box 719, Flanders, NJ 07836, under ESCNJ #23/24-04, in an amount not to exceed \$154,640.44.

- a. Hoover Truck Centers
- b. Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works

The following resolution #2023-254 (Authorizing the Rejection of Bid 2023-19 for Municipal Building HVAC Improvements (23-122-102)) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-254

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS FOR THE
PROVISION OF HVAC IMPROVEMENTS FOR THE
MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2023 and 2024 capital programs (23-122-102 & 24-122-101) authorized the PROVISION OF HVAC IMPROVEMENTS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLICS WORKS (P-23-00336 & P-23-00337); and

WHEREAS, the Township of Marlboro accepted bids for the PROVISION OF HVAC IMPROVEMENTS (Bid 2023-19) and on December 13, 2023 received two proposals as follows:

| Item Description | EACM Corp 20 Meridian Road, Unit 1 Eatontown, NJ 07724 Bid Price | LGB Mechanical 555 North Route 73 West Berlin, NJ 08091 Bid Price |
|--|--|---|
| 1. Demolish the Existing Air Handling Unit and Cooling Tower | \$58,500.00 | \$20,000.00 |
| 2. Provide New Air Handling Unit (and rig in place) | \$184,287.00 | \$160,000.00 |
| 3. Provide New Cooling Tower (and rig in place) | \$156,324.00 | \$80,000.00 |

| | | |
|--|---------------------|---------------------|
| 4. Install and Connect New Air Handling Unit | \$78,187.00 | \$90,000.00 |
| 5. Provide a Performance Design for Air Handling Unit New Curb, Dunnage, and Duct Connection for New Air Handling Unit and Install | \$18,135.00 | \$50,000.00 |
| 6. Install and Reconnectin of New Cooling Tower | \$103,984.00 | \$85,000.00 |
| 7. Electrical Scope | \$23,400.00 | \$15,000.00 |
| 8. BMS Set-up and Controls | \$152,100.00 | \$18,000.00 |
| 9. Testing, Commissioning, Balancing | \$16,750.00 | \$6,000.00 |
| 10. Allowance for Demolition of the Ceiling | \$40,000.00 | \$40,000.00 |
| 11. Allowance for Work Not Specified | \$5,000.00 | \$5,000.00 |
| Total | \$836,667.00 | \$569,000.00 |

; and

WHEREAS, the bid received from LGB Mechanical, Inc., whose address is 555 North Route 73, West Berlin, NJ 08091, failed to include the required list of subcontractors; and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.2(d), the failure to include the mandatory list of subcontractors, shall render the bid unresponsive and cannot be cured by the governing body; and

WHEREAS, in a memo dated December 13, 2023, the Township Engineer has reported that the bid received from EAMC Corp., whose address is 20 Meridian Road, Unit 1, Eatontown, NJ 07724 exceeds the Township's budgeted costs for the PROVISION OF HVAC IMPROVEMENTS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLICS WORKS; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2(b), a contracting unit may reject all bids if the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid received for the project titled PROVISION OF HVAC IMPROVEMENTS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLICS WORKS (Bid 2023-19) is hereby rejected pursuant to N.J.S.A. 40A:11-13.2(b).

BE IT FURTHER RESOLVED, that the Business Administrator is hereby authorized to rebid the contract for the PROVISION OF HVAC

IMPROVEMENTS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLICS WORKS.

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

The following resolution #2023-255 (Authorizing the Execution of a Deed Termination Notice from the New Jersey Department of Environmental Protection for the Site Remediation Program for Nolan Park, 34 Nolan Road (Block 127, Lot 11)) was introduced by reference, offered by Councilman Milman, seconded by Councilman Scalea and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-255

RESOLUTION AUTHORIZING THE EXECUTION FOR THE TERMINATION OF A DEED NOTICE FOR NOLAN PARK, 34 NOLAN ROAD, BLOCK 127, LOT 11 TOWNSHIP OF MARLBORO

WHEREAS, the Township received grant awards totaling \$345,000 from the Monmouth County Park System to undertake capital improvements at Nolan Road Park, located on Nolan Road, Block 127, Lot 11 (the "property"); and

WHEREAS, the Township retained Remington & Vernick Engineers to perform environmental engineering services in connection with these improvements; and

WHEREAS, the capital improvements have been completed with the imposition of environmental controls in designated areas of the property, designed by Remington & Vernick and approved by the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, on January 6, 2023, Remington & Vernick Engineers prepared an environmental deed notice to memorialize the environmental controls which was submitted to the New Jersey Department of Environmental Protection (NJDEP), filed with and recorded by Monmouth County attached as Exhibit "A"; and

WHEREAS, in a letter dated April 30, 2023, Remington and Vernick advised that a termination to the filed deed notice was required; and

WHEREAS, Remington & Vernick prepared a Deed Notice Termination form to be submitted to the NJDEP, attached as Exhibit "B" to terminate the initial filing and required in order to file an amended deed notice, attached as Exhibit "C".

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. (a) The Mayor and Business Administrator are hereby authorized and directed to execute Exhibits B and C as identified herein and attached, subject to the review of the Township Attorney for Nolan Park, Block 127, and Lot 11.

(b) The Municipal Clerk is hereby authorized and directed, upon the execution of Exhibit C, to attest to the signature of the Mayor upon such document.

3. This Resolution shall take effect immediately.

The following resolution #2023-256 (Authorizing a Shared Service Agreement for (A) the Acquisition of Communications Equipment by, and (B) the Purchase of Notes from and Payment of Principal of And Interest on Notes and Associated Fees by the Board of Fire Commissioners of Fire District No. 3., Township of Marlboro, in the County of Monmouth, State of New Jersey) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-256

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT FOR (A) THE ACQUISITION OF COMMUNICATIONS EQUIPMENT BY, AND (B) THE PURCHASE OF NOTES FROM AND PAYMENT OF PRINCIPAL OF AND INTEREST ON NOTES AND ASSOCIATED FEES BY THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 3., TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

WHEREAS, the Commissioners of Fire District No. 3 in the Township of Marlboro, in the County of Monmouth (the "Fire District") held and the voters passed a referendum on February 18, 2023 authorizing (a) the expenditure of \$300,000 for various improvements to the radio communications infrastructure, including the acquisition of various items of communications equipment (the "Project") and (b) the financing of the \$300,000 in costs of the Project through the execution of a shared service agreement with the Township and the issuance of bond anticipation notes to the Township (the "Financing"); and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., as amended and supplemented, allows local units of government, like the Township and the Fire District, to enter into a Shared Service Agreement to undertake the Project and Financing (the "Shared Service Agreement"); and

WHEREAS, pursuant to the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq., as amended and supplemented, the Township desires to purchase an amount not to exceed \$300,000 in bond anticipation notes (the "Fire District Notes") of the Fire District to finance the Project, which Fire District Notes shall mature within one year from the date of issuance and said notes shall only be renewed each year unless a principal paydown has been made in accordance with Schedule A attached to the Shared Service Agreement. The Fire District shall use the proceeds from the Fire District Notes solely to undertake and pay for the Project. At the time of each renewal, the Township shall set the interest rate on the Fire District Notes for the coming next year. The principal on the Fire District Notes shall be paid in full within three (3) years from the date of original issuance and in accordance with Schedule A attached to the Shared Service Agreement; and

WHEREAS, in addition to the Project costs, the Fire District will be responsible for paying the Township's costs incurred in connection with the preparation of the Shared Service Agreement and the purchase of the Fire District Notes annually; and

WHEREAS, the Fire District has made application to the New Jersey Local Finance Board (the "Local Finance Board") for findings in respect of the Project and the Financing represented by the execution of the Shared Service Agreement and the issuance of the Fire District Notes, which findings have been issued by the Local Finance Board on October 11, 2023; and

WHEREAS, the Township and the Fire District have determined to enter into the Shared Service Agreement in order to provide for an orderly and efficient means to undertake the Project and the Financing for the collective benefit of the Township and the Fire District.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, in the County of Monmouth, State of New Jersey that the attached Shared Service Agreement is hereby approved in substantially the same form attached hereto, with such deletions, additions and other modifications as are deemed appropriate by the Mayor, in consultation with counsel. The Mayor is further authorized to take all actions necessary, and to prepare, negotiate and execute any other documents or agreements necessary or required, to effectuate the terms of this Resolution. The Mayor, acting Mayor and any other Township officer, official or professional are each hereby authorized and

directed to execute and deliver such documents as are necessary to effectuate the terms of this Resolution, and to take such actions or refrain from such actions as are necessary for same, in consultation with counsel, and all such actions or inactions by the aforesaid Township officers, officials and professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

The following resolution #2023-257 (Authorizing 2023 Budget Transfers) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-257

RESOLUTION AUTHORIZING 2023 BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Calendar Year 2023 Municipal Budget as follows:

| CURRENT: | | | |
|----------------------|---|----------------------|----------------------|
| | Account | From | To |
| 01-201-20-060-101 | Engineering Salaries & Wages | \$ 3,000.00 | |
| 01-201-23-100-202 | Health Insurance Other Expenses | 102,000.00 | |
| 01-201-26-119-139 | Snow Removal Salaries & Wages | 30,000.00 | |
| 01-201-21-075-101 | Zoning Salaries & Wages | | \$ 3,000.00 |
| 01-201-23-103-202 | Health Insurance Waivers Other Expenses | | 2,000.00 |
| 01-201-25-106-101 | Police Salaries & Wages | | 50,000.00 |
| 01-201-26-120-139104 | Road Maintenance Salaries & Wages | | 30,000.00 |
| 01-201-31-168-238 | Gasoline Other Expenses | | 50,000.00 |
| | | <u>\$ 135,000.00</u> | <u>\$ 135,000.00</u> |

The following resolution #2023-258 (Authorizing Unexpended 2022 Balances Budgeted for Snow Removal to Lapse into Snow Removal Reserve) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-258

RESOLUTION AUTHORIZING UNEXPENDED 2022 BALANCES BUDGETED FOR SNOW REMOVAL TO BE LAPSED INTO THE SNOW REMOVAL RESERVE PURSUANT TO NJSA 40A:4-62.1

WHEREAS, NJSA 40A:4-62.1 permits a local unit to establish a snow removal reserve; and

WHEREAS, the Township of Marlboro has established a snow removal reserve; and

WHEREAS, once a snow removal reserve is established, unexpended balances budgeted annually for snow removal may be lapsed into the reserve; and

WHEREAS, due to the severity of extreme weather events, during which the Township utilizes an extraordinary amount of de-icing agent to maintain the safety of the roadways, it is recommended that the Township transfer \$378,390.39 to the snow removal reserve.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that \$378,390.39 of unexpended 2022 budget appropriations for snow removal be transferred to the snow removal reserve.

The following resolution #2023-259 (Consenting to the Mayor's Appointment to the Marlboro Township Ethics Board) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-259

A RESOLUTION CONSENTING TO THE MAYOR'S APPOINTMENT OF FRANCINE COHEN TO THE MARLBORO TOWNSHIP ETHICS BOARD

WHEREAS, Section 4-102 of the Code of the Township of Marlboro establishes the Marlboro Township Ethics Board; and

WHEREAS, said Board shall consist of six (6) members who shall be appointed by the Mayor with the advice and consent of the Township Council; and

WHEREAS, the members of the Marlboro Township Ethics Board shall be chosen by virtue of their known and consistent reputation for integrity and their knowledge of local government affairs; and

WHEREAS, there is a vacancy in one of the five (5) year term appointments; and

WHEREAS, the Township Council desires to consent to the Mayor's appointment of FRANCINE COHEN to the Marlboro Township Ethics Board for a term ending March 31, 2028.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that it hereby consents to the Mayor's appointment of FRANCINE COHEN to the Marlboro Township Ethics Board for a term ending March 31, 2028.

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

- a. FRANCINE COHEN
- b. Ethics Board Chair
- c. Ethics Board Attorney

The following resolution #2023-260 (Resolution Confirming Emergency Contracts and Payments for Goods and Services Required in Response to EM# 23-33 Pursuant to N.J.S.A. 40A:11-6 for the Township of Marlboro) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-260

A RESOLUTION CONFIRMING EMERGENCY CONTRACTS AND PAYMENTS FOR
GOODS AND SERVICES REQUIRED IN RESPONSE TO EM# 23-33 PURSUANT
TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on August 15, 2023, the Department of Public Works and Division of Police reported that during a heavy rain event, a roof-top drainpipe disconnected causing a leakage into the patrol room closet (EM #23-33); and

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

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

WHEREAS, the water leakage posed a threat to the public health, safety and welfare, constituting an emergency under the terms of N.J.S.A. 40A:11-6; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township employed the services of existing contract vendors and others holding state or cooperative contracts to provide the necessary goods and services wherever possible; and

WHEREAS, the Chief Financial Officer previously certified the availability of funds in an amount not to exceed \$45,851.62 per SCHEDULE A below.

WHEREAS, the Township immediately filed a claim, and has subsequently been advised that the majority of costs will be recoverable through insurance; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that various emergency contracts as depicted in SCHEDULE A be confirmed and payments approved pursuant to N.J.S.A. 40A:11-6 for the provision of various goods and services related EM# 23-33.

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

- a. Business Administrator
- b. Chief Financial Officer

The following resolution #2023-261 (Authorizing the Purchase of Emergency First Responder Pagers Under State Contract #83900 from PMC Associates (22 212-01)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Scalea and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-261

RESOLUTION AUTHORIZING THE PURCHASE OF PAGERS AND RELATED
EQUIPMENT FOR DISPATCHING OF EMERGENCY MEDICAL SERVICES
PERSONNEL UTILIZING STATE CONTRACT #83900 FOR THE TOWNSHIP OF
MARLBORO DEPARTMENT OF PUBLIC SAFETY

WHEREAS, the Township authorized improvements to the public safety communication system under its 2022 capital program (212-01) (Resolution #2022-255 & Resolution #2023-121) ("Project"); and

WHEREAS, to continue the public safety communication system improvements, in accordance with the initial scope and budget, in a

memo dated December 1, 2023, the Division of Police is requesting the purchase of 175 radio system pagers for the dispatching of emergency medical services personnel; 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, PMC Associates, whose address is 8 Crown Plaza, Unit 106, Hazlet, NJ 07730, was awarded the State Contract #83900 for the G5 Dual Band Pagers, charging cables, adaptors, programing and warranty as indicated in the supporting documents and a vendor quotation dated May 3, 2023 in an amount not to exceed \$163,616.25; and

WHEREAS, in a communication dated October 4, 2023, the State Contract Manager has confirmed that the pricing received is in accordance with the State Contract #83900; 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 pagers and related equipment for the dispatching of emergency medical services personnel utilizing State Contract #83900; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$163,616.25 from Capital Account #4-215-22-07J-212297; and

WHEREAS, the Township Council desires to approve the purchase of the pagers and related equipment.

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 pagers and related equipment from PMC Associates, whose address is 8 Crown Plaza, Unit 106, Hazlet, NJ 07730, under State Contract #83900 in an amount not to exceed \$163,616.25.

- a. PMC Associates
- b. Business Administrator
- c. Chief Financial Officer
- d. Chief of Police

The following resolution #2023-262 (Confirming 2023 Expenditures for Party Equipment Rentals) was introduced by reference, offered by Council

Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-262

A RESOLUTION CONFIRMING EXPENDITURES AND A CONTRACT FOR EVENT AND AMUSEMENT EQUIPMENT RENTALS WITH PARTY PERFECT RENTALS, LLC FOR THE TOWNSHIP OF MARLBORO

WHEREAS, The Township of Marlboro holds numerous community events and programs for its residents throughout the year which require inflatable amusement equipment and services, tables, chairs and tents; and

WHEREAS, these community events and programs include:

- Marlboro Day
- National Night Out
- The Eggstravaganza Event
- The Halloween Event
- Holiday Lighting
- Summer Camp

; and

WHEREAS, the Township solicited quotes for the various events and amusement equipment rentals and awarded a contract to Party Perfect Rentals, LLC whose address is 312 Squankum Yellowbrook Road, Farmingdale, NJ 07727 in an amount not to exceed \$39,650.00; and

WHEREAS, due to weather-related cancellations, the largest community event of the year, Marlboro Day, originally scheduled for Sunday, September 10, 2023 was postponed twice, and finally held on Sunday, October 22, 2023; and

WHEREAS, multiple weather-related cancellations resulted in unanticipated expenditures under the contract; and

WHEREAS, the original contract was under the bid threshold pursuant to N.J.S.A. 40A:11-3(c); however, due to unforeseen circumstances the total requirement under the contract, including an allowance for additional unforeseen weather-related postponements through year end is estimated to be \$52,027.50; and

WHEREAS, the Township Council desires to approve and confirm the expenditures with Party Perfect Rentals, LLC whose address is 312 Squankum Yellowbrook Road, Farmingdale, NJ 07727 for the purchase of

event and amusement equipment rentals in a total amount not to exceed \$52,027.50; and

WHEREAS, in accordance with N.J.S.A. 40A:11-3(c), the Township will prepare a formal bid solicitation for the required event and amusement equipment rentals for 2024; and

WHEREAS, the Chief Financial Officer previously certified the availability of funds in an amount not to exceed \$52,027.50 from various operating and utility accounts.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that expenditures to date and a contract with Party Perfect Rentals, LLC whose address is 312 Squankum Yellowbrook Road, Farmingdale, NJ 07727 for the rental of event and amusement equipment in an amount not to exceed \$52,027.50 are hereby approved.

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

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

The following resolution #2023-263 (Confirming Emergency Contracts for the Provision of Emergency Water Main Repairs and Emergency Water Distribution Products Pursuant to N.J.S.A. 40a:11-6) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-263

A RESOLUTION CONFIRMING EMERGENCY CONTRACTS WITH AND PAYMENTS TO LUCAS CONSTRUCTION GROUP, INC. FOR THE PROVISION OF EMERGENCY WATER MAIN REPAIRS AND FERGUSON ENT., LLC FOR THE SUPPLY OF EMERGENCY WATER DISTRIBUTION PRODUCTS PURSUANT TO N.J.S.A. 40A:11-6 FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, the Department of Public Works Water Utility Division has reported water emergencies in various areas of the Township designated as EM# 22-19, 22-27, 22-36, 22-37, 22-38, 22-42, 23-02, 23-03, 23-04, 23-05, 23-06, 23-08, 23-09, 23-10, 23-11, 23-12, 23-13, 23-19, 23-20, 23-21, 23-23, 23-24, 23-25, 23-27, 23-28, 23-29, 23-31, 23-34, 23-35, 23-36, 23-37, 23-38, 23-39 & 23-40; and

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

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

WHEREAS, the water emergencies posed a serious threat to the public health, safety and welfare, constituting an emergency under the terms of N.J.S.A. 40A:11-6; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Water Utility contacted its existing emergency water main repair vendor, LUCAS CONSTRUCTION GROUP, INC., PO BOX 8939, RED BANK, NEW JERSEY, 07701 to provide the emergency repairs related to the above mentioned emergencies invoiced pursuant to the contract in an amount of \$550,814.67; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the Township contacted its existing water distribution product supplier, FERGUSON ENT., LLC, 190 Oberlin Ave, Lakewood, NJ 08701 to provide the necessary emergency water distribution products related to the above mentioned emergencies invoiced pursuant to the contract in an amount not to exceed \$55,363.35; and

WHEREAS, the Chief Financial Officer previously certified the availability of funds in an amount not to exceed \$606,178.02 from various water utility operating and capital accounts.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the emergency contracts be confirmed and payments approved pursuant to N.J.S.A. 40A:11-6 with LUCAS CONSTRUCTION GROUP, INC. for the provision of emergency water main repairs and FERGUSON ENT., LLC for emergency water distribution products.

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

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

Council Vice President DiNuzzo introduced a motion to vote on Resolution #2023-285 (Authorizing Cancellation of Unexpended Capital Fund Balances) separately from the Consent Agenda. Seconded by Councilman Milman. All in favor. Councilwoman Marder was absent.

The following resolution #2023-285 (Authorizing Cancellation of Unexpended Capital Fund Balances) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilwoman Marder was absent.

RESOLUTION #2023-285

CANCELLING UNEXPENDED CAPITAL FUND BALANCES

WHEREAS, certain capital ordinances within the Township of Marlboro Capital Accounts have balances remaining for capital improvement authorizations previously authorized by the Township Council of the Township of Marlboro, Monmouth County, State of New Jersey; and

WHEREAS, certain projects for which remaining funding exists have been deemed as unnecessary or no longer needed; and

WHEREAS, the cancellation of these balances must be completed through resolution of this Governing Body.

NOW, THEREFORE, BE IT RESOLVED, that the following capital ordinances be cancelled in the amounts depicted with the funded balances being cancelled into capital surplus and the unfunded balances being recorded to reduce debt authorization.

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

RESOLUTION #2023-264

AUTHORIZING THE TOWNSHIP OF MARLBORO TO APPLY FOR FUNDING FROM THE NEW JERSEY CYBERSECURITY & COMMUNICATIONS INTEGRATION CELL (NJCCIC) FEDERAL FISCAL YEAR (FFY) 2023 STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (SLCGP)

WHEREAS, the State of New Jersey is making federal funds available to municipalities through a State and Local Cybersecurity Grant Program ("SLCGP" or "Program"); and

WHEREAS, the Program offers up to 4 years of Endpoint Detection and Response (EDR) and managed detection and response and other cybersecurity related services; and

WHEREAS, Marlboro Township's cyber program includes EDR and managed detection and response services, multi-factor authentication, secure access to websites and critical infrastructure resources, cyber liability insurance coverage, education and capital infrastructure, including firewalls; and

WHEREAS, Township is interested in maintaining and improving its cyber health and preparedness, and wishes to apply to the SLCGP for funding.

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 to the FFY 2023 New Jersey State and Local Cybersecurity Grant Program for Endpoint Detection and Response and managed detection and response and monitoring services, multi-factor authentication, web application firewalls, and education.

BE IT FURTHER RESOLVED, that Mayor Jonathan Hornik and Municipal Clerk Susan A. Branagan are authorized to execute any agreements required in order to secure such funding.

RESOLUTION #2023-265 - WAS REMOVED FROM THE AGENDA

RESOLUTION #2023-266

COUNCIL MEETING DATES
FOR THE 2024 CALENDAR YEAR

BE IT RESOLVED, by the Township Council of the Township of Marlboro that it hereby adopts the following dates for its regularly scheduled meetings in 2024 and the reorganization meeting of 2025. Notice of these dates shall be emailed to the Asbury Park Press and the Star Ledger in accordance with the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-18. Notice of any other meetings of the Township Council shall be provided in accordance with the Open Public Meetings Act. All meetings shall be held at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

January 25, 2024

February 15, 2024

February 29, 2024 (Council Meeting 6 p.m.)

February 29, 2024 (Budget Workshop following Council Meeting)

March 21, 2024

April 18, 2024

May 16, 2024

June 20, 2024

July 18, 2024

August 15, 2024

September 19, 2024

October 17, 2024

November 21, 2024

December 19, 2024

January 2, 2025 Reorganization Meeting

RESOLUTION #2023-267

RESOLUTION AUTHORIZING THE RENEWAL
OF AN AMUSEMENT GAMES LICENSE TO
PLAY BIG ZONE, INCORPORATED

WHEREAS, Play Big Zone, Incorporated, 74 Ottawa Road South, Marlboro, NJ 07746 has submitted an application to the Office of the Municipal Clerk for the renewal of an Amusement Games License pursuant to the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., and such regulations as promulgated under Chapter 3, Office of Amusement Games Control, N.J.A.C. 13:3-1.1 et seq., to operate at its location at 300 Campus Drive, Unit G/H, Morganville, New Jersey; and

WHEREAS, N.J.A.C. 13:3-1.13(a) provides that no license shall be issued in any municipality unless and until the issuance thereof has been authorized by a resolution duly adopted by the municipal governing body which shall, among other things, specifically recite that the

premises to be licensed are located in a recognized amusement park in the municipality; and

WHEREAS, Ordinance #2020-004 designates 300 Campus Drive, Unit G/H, Morganville New Jersey, located in Zone IOR (Industrial Office Research District) as a Recognized Amusement Park in accordance with N.J.A.C. 13:3-1.5; and

WHEREAS, the Municipal Clerk has deemed the application of Play Big Zone, Incorporated complete.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that Play Big Zone, Incorporated is hereby granted an Amusement Games License to operate at its location at 300 Campus Drive, Unit G/H, Morganville, New Jersey; and

WHEREAS, pursuant to N.J.A.C. 13:3-1.13(b), a certified copy of this resolution, together with a copy of the application endorsed to show the granting of the license, and fees shall be forwarded to the Legalized Games of Chance Control Commission within three business days of the Township license being granted by the Township Council of the Township of Marlboro.

RESOLUTION #2023-268

RESCINDING OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE -
PAMPINI, LLC # 1328 33 008 011

WHEREAS, on June 15, 2023, Resolution #2023-148 adopted by the Council of the Township of Marlboro renewed Pampini, LLC, plenary retail consumption license #1328 33 008 011 for the period of July 1, 2023 to June 30, 2024; and

WHEREAS, on May 9, 2022 the licensee, Pampini, LLC was notified by the Municipal Clerk that an inactive amendment was required to be filed with the New Jersey Division of Alcoholic Beverage Control placing the plenary retail consumption license to an in pocket status (license not sited at a premises); and

WHEREAS, the pocket status permits the renewal of the license by the issuing authority two (2) full license terms; and

WHEREAS, an amendment was not enacted ten days (10) prior or ten days (10) after March 1, 2021, the date of the inactive plenary retail consumption license. The inactive period occurred during the 2020-2021 renewal liquor license period; counting as the first year, and the 2021-2022 license renewal period counting as the second; and

WHEREAS, the licensee was advised by the Municipal Clerk that a Special Ruling requiring the permit renewal of inactive license pursuant to N.J.S.A. 33:1-12.39 should be petitioned to the Director of the New Jersey Division of Alcoholic Beverage; and

WHEREAS, 'the pocket' license cannot be sold until the 1239 Special Ruling has been granted from the Director of the New Jersey Division of Alcoholic Beverage Control, and a Tax Clearance has been received by the Office of the Municipal Clerk; and

BE IT RESOLVED, that after the licensee has received a Special Ruling permit consideration for the inactive license pursuant to N.J.S.A. 33:1-1-12.39 a resolution will be considered for the renewal of the plenary consumption liquor license by the Township of Council of the Township of Marlboro; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that the following liquor license be and hereby rescinded until a resolution adopted by the governing body grants renewal of plenary retail consumption license #1328 33 008 011.

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

- a. New Jersey Division of Alcoholic Beverage Control
Pampini, LLC

RESOLUTION #2023-269

A RESOLUTION AUTHORIZING THE REMOVAL OF HAZARDOUS OVERGROWN VEGETATION AND THE RECORDING OF A LIEN BY THE TAX COLLECTOR ON THE PROPERTY LOCATED AT 4 HOMESTEAD CIRCLE (BLOCK 371 LOT 33) MARLBORO, NEW JERSEY

WHEREAS, the Administration has been advised by the Code Enforcement Officer that a nuisance and hazardous condition in the form of extremely over-grown grass, weeds and brush exists on the property known as 4 Homestead Circle (Block 371 Lot 33); and

WHEREAS, attempts to abate and remediate such nuisance and hazardous condition have been unsuccessful; and

WHEREAS, pursuant to Chapter 278, Section 18 of the Code of the Township of Marlboro entitled "Abatement of hazard or nuisance by Township; lien.", the Municipality has the authority to abate a

nuisance as authorized under N.J.S.A. 40:48-2.14 and "shall cause the cost as shown thereon to be charged against said lands"; and

WHEREAS, the Township has taken the necessary enforcement action and has abated the nuisance located at 4 Homestead Circle (Block 371 Lot 33) at a total cost of \$878.65; and

WHEREAS, it is recommended that the amount of \$878.65 incurred by the Municipality to abate the nuisance be recorded as a lien against the property.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, being the governing body thereof, that the Tax Collector is hereby authorized to record a lien against the property known as 4 Homestead Circle (Block 371 Lot 33) in the amount of \$878.65 to reflect the costs incurred by the Municipality to abate the nuisance to be added to the taxes next to be assessed and levied, the same to bear interest at the same rate as taxes which shall be collected and enforced by the same officers and in the same manner as taxes.

RESOLUTION #2023-270

A RESOLUTION RENEWING SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE WESTERN MONMOUTH UTILITIES AUTHORITY TO PROVIDE FOR CONFINED SPACE RESCUE TEAM SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, on August 18, 2022 (Resolution #2022-193) the Township Council of the Township of Marlboro ("Township") authorized a shared services agreement with the Western Monmouth Utilities Authority ("WMUA") to provide for CONFINED SPACE RESCUE TEAM SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS ("Services"); 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 ("Marlboro") and the Western Monmouth Utilities Authority ("WMUA") 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 WMUA has the personnel as well as the necessary contracts in place to provide the specified services; and

WHEREAS, the Township and the WMUA wish to extend the current agreement to include calendar year 2024; and

WHEREAS, the Township and WMUA have negotiated a Shared Services Agreement, a copy of which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein.

BE IT FURTHER RESOLVED, funds in the amount \$2,750.00 will be certified by the Chief Financial Officer in Water Operating Account #05-201-55-500-297000 upon adoption of the 2024 Water Utility budget.

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 the Shared Services Agreement annexed hereto as EXHIBIT A.

RESOLUTION #2023-271

RESOLUTION RENEWING SHARED SERVICES AGREEMENT WITH THE
COUNTY OF MONMOUTH RECLAMATION CENTER FOR THE DISPOSAL OF
STREET SWEEPING DEBRIS FOR 2024 FOR THE TOWNSHIP OF
MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Board of Commissioners of the County of Monmouth has established the Monmouth County Reclamation Center; and

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

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

WHEREAS, the Township of Marlboro ("Marlboro") and the County of Monmouth ("County") 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 proposed Shared Services Agreement in the form of the County's posted Rules and Regulations is on file in the Office of the Municipal Clerk in accordance with the provisions of N.J.S.A. 40A:65-5(b); and

WHEREAS, funds for the aforesaid purpose estimated at an amount not to exceed \$44,940.00 will be certified by the Chief Financial Officer in Current Account #01-201-32-170-233107 following the adoption of the 2024 Budget.

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

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

RESOLUTION #2023-272

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION OF DE-ICING MATERIAL (SODIUM CHLORIDE TREATED WITH LIQUID MAGNESIUM CHLORIDE AND ORGANIC BASED PERFORMANCE ENHANCER) FOR THE DEPARTMENT OF PUBLIC WORKS THROUGH BIDS OBTAINED BY THE SOMERSET COUNTY COOPERATIVE PURCHASING PROGRAM UNDER SOMERSET COUNTY COOPERATIVE CONTRACT NUMBER CC-0054-22

WHEREAS, the Somerset County Cooperative Purchasing Program conducted a public bidding process and awarded a contract to Morton Salt, Inc., 444 West Lake Street, Suite 3033, Chicago, IL 60606 for the provision of de-icing material (treated sodium chloride) at a price of \$90.68 per ton; and

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

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

WHEREAS, at this time, the Public Works Department has recommended the award of a contract on an as needed basis for de-icing material (treated sodium chloride) at the contract price of \$90.68 per ton; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to secure a contract authorization for de-icing material from multiple sources including through the Somerset County Cooperative Purchasing Program; and

WHEREAS, funds have been certified by the Chief Financial Officer in the amount of \$45,340.00 (500 tons) in operating account #01-201-26-119-292106; and

WHEREAS, funds in the amount of \$136,020.00 representing the balance (1,500 tons) authorized will be certified by the Chief Financial Officer at the time of order and upon adoption of the 2024; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of de-icing material (treated sodium chloride) from Morton Salt at a price of \$90.68 per ton, for up to 2,000 tons, not to exceed \$181,360.00, pursuant to the bid obtained by the Somerset County Cooperative Purchasing Program.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase de-icing material (treated sodium chloride) from Morton Salt, Inc., 444 West Lake Street, Suite 3033, Chicago, IL 60606 at a price of \$90.68 per ton, for up to 2,000 tons, not to exceed \$181,360.00, pursuant to the bid obtained by the Somerset County Cooperative Purchasing Program.

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

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

RESOLUTION #2023-273

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION OF DE-ICING MATERIAL (SODIUM CHLORIDE TREATED WITH LIQUID MAGNESIUM CHLORIDE AND ORGANIC BASED PERFORMANCE ENHANCER) FOR THE DEPARTMENT OF PUBLIC WORKS THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM UNDER MONMOUTH COUNTY COOPERATIVE CONTRACT NUMBER F-65-2023

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded a contract to Morton Salt, 444 W. Lake Street, Suite 3000, Chicago, IL 60606 for the provision of de-icing material (treated sodium chloride) at a price of \$75.98 per ton; and

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

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

WHEREAS, at this time, the Public Works Department has recommended the award of a contract on an as needed basis for de-icing material (treated sodium chloride) at the contract price of \$75.98 per ton; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to secure a contract authorization for de-icing material from multiple sources including through the Monmouth County Cooperative Purchasing Program; and

WHEREAS, funds have been certified by the Chief Financial Officer in the amount of \$113,970.00 (1,500 tons) in operating account #01-201-26-119-292106; and

WHEREAS, funds in the amount of \$341,910.00 representing the balance (4,500 tons) authorized will be certified by the Chief Financial Officer at the time of order and upon adoption of the 2024 budget; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of de-icing material (treated

sodium chloride) from Riverside Industrial Complex at a price of \$75.98 per ton, for up to 6,000 tons, not to exceed \$455,880.00, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase de-icing material (treated sodium chloride) from Morton Salt, whose address is 444 W. Lake Street, Suite 3000, Chicago, IL 60606 at a price of \$75.98 per ton, for up to 6,000 tons, not to exceed \$455,880.00, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program.

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

- a. Morton Salt, Inc.
- b. Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION #2023-274

RESOLUTION AMENDING RESOLUTION #2023-046 FOR AWARD OF
STATE, COUNTY AND ESCNJ COOPERATIVE CONTRACTS TO VARIOUS
VENDORS FOR THE PURCHASE OF AUTO, TRUCK, HEAVY EQUIPMENT
AND LAWN MOWER PARTS AND SUPPLIES FOR THE DEPARTMENT OF
PUBLIC WORKS

WHEREAS, on January 19, 2023, the Township Council authorized the Department of Public Works to utilize various vendors approved under State Contracts, Monmouth County Cooperative Contracts, Somerset County Cooperative Contracts and Educational Service Commission of New Jersey (ESCNJ) Cooperative Contracts for the PURCHASE OF AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES (Resolution #2023-046); and

WHEREAS, based upon the nature of vehicle and equipment maintenance and repairs throughout the year, the types and quantities of parts required from vendors may differ from what was initially authorized and anticipated; and

WHEREAS, due to the nature of 2023 vehicle and equipment maintenance and repair activity, the Department of Public Works hereby recommends the following no-cost amendment to the authorization provided for under Resolution #2023-046, as follows:

| Monmouth County Cooperative Purchasing | | | | |
|---|-----------------------|---------------|-------------------|------------------|
| Vendor | Contact Number | Amount | Adjust +/- | New Total |
| Allied Diesel | F-4-2023 | \$ 5,000.00 | \$25,500.00 | \$30,500.00 |
| At Northern New Jersey LLC | F-14-2022 | \$ 27,500.00 | (\$16,500.00) | \$11,000.00 |
| Brices Auto Supply | F-34-2021 | \$ 5,000.00 | | \$5,000.00 |
| C&M Auto Parts | F-3-2022 | \$ 8,000.00 | \$23,500.00 | \$31,500.00 |
| | F-25-2022 | \$ 8,000.00 | | \$8,000.00 |
| Electro Batteries, Inc. | F-35-2022 | \$ 7,500.00 | (\$5,000.00) | \$2,500.00 |
| Jesco | F-46-2020 | \$ 3,500.00 | (\$1,000.00) | \$2,500.00 |
| Memphis Equipment Corp. | F-19-2021 | \$ 15,000.00 | (\$5,000.00) | \$10,000.00 |
| Sea Breeze Ford | F-57-2021 | \$ 7,500.00 | | \$7,500.00 |
| Sea Coast Chevrolet | F-57-2021 | \$ 8,000.00 | (\$5,000.00) | \$3,000.00 |
| Van Winkle Auto Supply | F-25-2022 | \$ 10,000.00 | (\$10,000.00) | \$0.00 |
| Varga Transmissions | F-5-2022 | \$ 10,000.00 | (\$5,000.00) | \$5,000.00 |
| Freehold Dodge | F-35-2021 | \$ 35,000.00 | \$2,000.00 | \$37,000.00 |
| Service Tire Truck Center | F-12-2022 | \$ 20,000.00 | (\$3,500.00) | \$16,500.00 |
| Total | | \$ 170,000.00 | (\$0.00) | \$170,000.00 |

| Somerset County Co-Op | | | | |
|--------------------------------|------------------------|---------------|---------------------|------------------|
| Vendor | Contract Number | Amount | Transfer +/- | New Total |
| D&B Auto | CC0113-22-2 | \$ 70,000.00 | \$10,000.00 | \$80,000.00 |
| Eastern Auto Parts | CC0113-22-1 | \$ 8,000.00 | \$5,000.00 | \$13,000.00 |
| Gabrielli Kenworth / Peterbilt | CC-0129-21 | \$ 20,000.00 | (\$15,000.00) | \$5,000.00 |
| Garwood Auto Parts | CC0113-22 | \$ 30,000.00 | | \$30,000.00 |

| Total | | 128,000.00 | 0.00 | 128,000.00 |
|--|-----------------|------------------|--------------|--------------|
| Educational Services Commission of New Jersey | | | | |
| Vendor | Contract Number | Amount | Adjust+/- | New Total |
| Foley Inc. | 18/19 - 25 | \$ 32,500.00 | (\$3,500.00) | \$29,000.00 |
| Groff | 18/19 - 25 | \$ 5,000.00 | (\$4,000.00) | \$1,000.00 |
| Hudson County Motors | 20/21 - 55 | \$ 7,500.00 | (\$3,000.00) | \$4,500.00 |
| Omaha Standard | 20/21 - 55 | \$ 17,500.00 | (\$3,000.00) | \$14,500.00 |
| Parts Authority, LLC | 20/21 - 55 | \$ 17,500.00 | \$10,000.00 | \$27,500.00 |
| Sanitation Equipment Corporation | 20/21 - 55 | \$ 10,000.00 | (\$5,000.00) | \$5,000.00 |
| Storr Tractor | 18/19 - 25 | \$ 20,000.00 | (\$5,000.00) | \$15,000.00 |
| Trius, Inc | 18/19 - 25 | \$ 17,500.00 | \$17,000.00 | \$34,500.00 |
| W.E. Timmerman | 20/21 - 55 | \$ 7,500.00 | (\$3,500.00) | \$4,000.00 |
| Total | | \$ 135,000.00 | 0.00 | \$135,000.00 |

| State Contract | | | | |
|-----------------------|--------------------|-----------------|-------------------|-------------|
| Vendor | Contract Number | Amount | Adjust +/- | New Total |
| A & A Truck Parts | 19-GNSV1- 00652 | \$ 3,000.00 | | \$3,000.00 |
| A & K Equipment | 88273 | \$ 12,000.00 | | \$12,000.00 |
| Air Brake & Equipment | 40830 | \$ 5,000.00 | (\$5,000.00) | \$0.00 |
| Aurora Environmental | 42274 | \$ 10,000.00 | | \$10,000.00 |
| B. J. and M. Auto | 89295 | \$ 3,000.00 | | \$3,000.00 |
| Brown Hunterdon Mack | 20-FLEET- 00984 | \$ 10,000.00 | (\$10,000.00) | \$0.00 |
| C & M Auto Parts | 86059 | \$ 25,000.00 | \$12,000.00 | \$37,000.00 |

| | | | | |
|--------------------------|----------------------|--------------|---------------|-------------|
| Campbell Freightliner | 40814 | \$ 7,000.00 | (\$7,000.00) | \$0.00 |
| Chemung Supply | 88262 | \$ 15,000.00 | | \$15,000.00 |
| Creston Hydraulics | 40823 | \$ 15,000.00 | | \$15,000.00 |
| Custom Bandag Inc. | 20-FLEET-00948 | \$ 50,000.00 | \$10,000.00 | \$60,000.00 |
| David Weber Oil | 20-FLEET-01343 | \$ 20,000.00 | \$10,000.00 | \$30,000.00 |
| Elite Emergency Lights | 17-FLEET-00749 | \$ 5,000.00 | (\$2,500.00) | \$2,500.00 |
| Fastenal | 19-FLEET-00565 | \$ 6,000.00 | | \$6,000.00 |
| Freehold Ford | 19-FLEET-00918 | \$ 20,000.00 | \$10,000.00 | \$30,000.00 |
| Gabrielli Kenworth | 20-FLEET-01202 | \$ 10,000.00 | (\$5,000.00) | \$5,000.00 |
| HA DeHart | 40814 | \$ 10,000.00 | (\$10,000.00) | \$0.00 |
| Joseph Fazzio Steel | 19-FLEET-01112 | \$ 5,000.00 | | \$5,000.00 |
| Linde Gas & Equipment | 83290 | \$ 3,000.00 | | \$3,000.00 |
| Midland Radiator Service | 89282 | \$ 3,500.00 | | \$3,500.00 |
| Norcia | 89298 | \$ 5,000.00 | | \$5,000.00 |
| Norman's Auto Services | 21-FLEET-GNSV1-01498 | \$ 6,000.00 | (\$3,000.00) | \$3,000.00 |
| Parts Authority | 20-FLEET-00984 | \$ 10,000.00 | | \$10,000.00 |
| Perth Amboy Springs | 89276 | \$ 8,000.00 | \$8,000.00 | \$16,000.00 |
| R & H Spring | 89291 | \$ 5,000.00 | (\$5,000.00) | \$0.00 |
| Route 1 Dodge | 40802 | \$ 25,000.00 | | \$25,000.00 |
| Sea Coast Chevrolet | 40799 | \$ 5,000.00 | (\$2,000.00) | \$3,000.00 |
| Storr Tractor | 43038 | \$ 15,000.00 | | \$15,000.00 |
| Trius, Inc. | 21-FLEET-01453 | \$ 32,500.00 | \$4,500.00 | \$37,000.00 |

| | | | | |
|---------------------------------|-------|-----------------|--------------|------------------|
| Varga Transmission Center | 40828 | \$ 10,000.00 | (\$5,000.00) | \$5,000.00 |
| Total | | 359,000.0 0 | \$0.00 | \$359,000.0 0 |

;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 AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from bids obtained by a cooperative purchasing system such as the Monmouth County, Somerset County or ESCNJ pricing systems pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Township Council desires to approve the recommended amendment to Resolution #2023-046 as reflected in the table above ("New Total") for the State Contract, Monmouth County, Somerset County and ESCNJ Cooperative Contracts authorizations for the purchase of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the no-cost amendment to Resolution #2023-046 as reflected in the table above ("New Total") for the State Contract, Monmouth County, Somerset County and ESCNJ Cooperative Contracts authorizations for the purchase of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES is hereby approved.

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

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

RESOLUTION #2023-275

RESOLUTION CONFIRMING AWARD OF STATE OF NEW JERSEY
CONTRACTS FOR THE PURCHASE OF BUILDING AND MAINTENANCE
SUPPLIES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, in order to maintain and operate Township facilities, the Department of Public Works utilizes a wide variety of supplies available under multiple State and Cooperative Contracts generally classified as "BUILDING AND MAINTENANCE SUPPLIES", the cost of which is included in the annual operating budget of the Department; and

WHEREAS, N.J.S.A. 40A:11-3(c) requires the aggregation of purchases of any commodity in excess of the bid threshold, and that such purchases be authorized by the Governing Body; and

WHEREAS, N.J.A.C. 5:34-8.2(c)5 indicates that "where portions of any goods or services can be purchased through provision of law that do not require the contracting unit to publicly bid, such as a State, county, or cooperative purchasing contract, any remaining portions may be counted as separate from the portion that is not required to be bid", and that "*Such purchases may be considered as a separate aggregation calculation for the purpose of reaching the bid threshold.*"; and

WHEREAS, in accordance with Section 4-49 c(5) of the Code of the Township of Marlboro, the Purchasing Agent seeks confirmation of the sum total of such contracts generally classified as "BUILDING AND MAINTENANCE SUPPLIES" utilized by the Township which in sum exceed the local threshold; and

WHEREAS, the Department of Public Works has received State Contract pricing from the vendors listed below for the required BUILDING AND MAINTENANCE SUPPLIES; and

WHEREAS, in a memo dated November 17, 2023, the Department of Public Works has estimated the amounts to accommodate current expenditures and required needs through the end of 2023 to maintain and operate Township facilities, and at this time has recommended that contract authorizations be confirmed as follows:

| State Contract | | |
|-----------------------|------------------------|---------------|
| Vendor | Contract Number | Amount |
| W. W. Grainger | 19-FLEET-00566 | \$ 44,000.00 |
| Home Depot | 18-FLEET-00234 | \$ 40,000.00 |
| Lowe's | 18-FLEET-00235 | \$ 4,000.00 |

;and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Department of Public Works to obtain BUILDING AND MAINTENANCE SUPPLIES under the

State Contracts identified herein in order to maintain and operate Township facilities; and

WHEREAS, funds have been certified by the Chief Financial Officer at the time of purchases for the BUILDING AND MAINTENANCE SUPPLIES; and

WHEREAS, the Township Council desires to approve and confirm the purchases of said BUILDING AND MAINTENANCE SUPPLIES as recommended by the Department of Public Works.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro hereby authorizes and confirms the purchase of BUILDING AND MAINTENANCE SUPPLIES from the vendors and under the State Contracts identified above in an amount not to exceed \$88,000.00 for the year 2023.

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

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

RESOLUTION #2023-276

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR THE SITE IMPROVEMENTS AT THE SITE KNOWN AS MARLBORO ESTATES LLC, BLOCK 119, LOT 31, LOCATED AT THE INTERSECTION OF HILLSIDE ROAD & TEXAS ROAD, TOWNSHIP OF MARLBORO, NEW JERSEY 07746

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request from Mr. Vazgen Sevumyants of Falson LN Development LLC, for release of the Township held Performance Guarantees in the form of a Bond and cash deposit for site improvements ("Site Improvements") on the Site known as "Marlboro Estates, LLC" (the "Site"), property known as Block 119, Lot 31, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Falson LN Development, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated October 30, 2023, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the performance bond amount being held by the Township be released in their entirety; and

WHEREAS, the Township Council desires to release the performance guarantee Bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated October 30, 2023.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Bond and cash deposit posted by the Developer, Falson LN Development LLC, for the site known as Marlboro Estates, LLC, located on property known as Block 119, Lot 31, Township of Marlboro, New Jersey, shall be released as follows:

1. The Bond (Developers Surety and Indemnity Company, Bond No. 481771S), in the original amount of \$960,369.16, present value of \$288,110.75, shall be released in its entirety.
2. The Cash Deposit in the original amount of \$106,707.68, present value of \$32,012.30 (excludes accrued interest), shall be released in its entirety.

BE IT FURTHER RESOLVED, that in accordance with consent order No. MON-L-194-19 the Township is obligated to release the cash portion of the Bond to Diana Bolton.

BE IT FURTHER RESOLVED, that the above releases shall be subject to the posting of any and all outstanding review and/or inspections fees to the time of performance guarantee release, and the post of a two (2) year fifteen percent (15%) maintenance bond in the amount of \$133,384.61; and

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

- a. Marlboro Estates, LLC
- b. Developers Surety and Indemnity Company
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Louis N. Rainone, Esq.
- g. Salvatore Alfieri, Esq.

RESOLUTION #2023-277

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR THE
WATER IMPROVEMENTS AT THE SITE KNOWN AS MARLBORO ESTATES LLC,
BLOCK 119, LOT 31, LOCATED AT THE INTERSECTION OF HILLSIDE ROAD &
TEXAS ROAD, TOWNSHIP OF MARLBORO, NEW JERSEY 07746

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request from Mr. Vazgen Sevumyants of Falson LN Development LLC, for release of the Township held Performance Guarantees in the form of a Bond and cash deposit for water improvements ("Water Improvements") on the Site known as "Marlboro Estates, LLC" (the "Site"), property known as Block 119, Lot 31, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Falson LN Development, LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated October 30, 2023, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the performance bond amount being held by the Township be released in their entirety; and

WHEREAS, the Township Council desires to release the performance guarantee Bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated October 30, 2023.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Bond and cash deposit posted by the Developer, Falson LN Development LLC, for the site known as Marlboro Estates, LLC, located on property known as Block 119, Lot 31, Township of Marlboro, New Jersey, shall be released as follows:

3. The Bond (Developers Surety and Indemnity Company, Bond No. 481772S), in the original amount of \$210,141.00, present value of \$63,042.30, shall be released in its entirety.
4. The Cash Deposit in the original amount of \$23,349.00, present value of \$7,004.70 (excludes accrued interest), shall be released in its entirety.

BE IT FURTHER RESOLVED, that in accordance with consent order No. MON-L-194-19 the Township is obligated to release the cash portion of the Bond to Diana Bolton.

BE IT FURTHER RESOLVED, that the above releases shall be subject to the posting of any and all outstanding review and/or inspections fees to the time of performance guarantee release, and the post of a two (2) year fifteen percent (15%) maintenance bond in the amount of \$29,186.25; and

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

- a. Marlboro Estates, LLC
- b. Developers Surety and Indemnity Company
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Louis N. Rainone, Esq.
- g. Salvatore Alfieri, Esq.

RESOLUTION #2023-278

A RESOLUTION APPROVING CLOSE OUT CHANGE ORDER TO THE EXISTING CONTRACT BETWEEN THE TOWNSHIP OF MARLBORO AND MECO, INC. AND AUTHORIZING FINAL PAYMENT AND ACCEPTANCE OF THE IMPROVEMENTS TO CLUBHOUSE LANE, PHASE II PROJECT

WHEREAS, by Resolution #2023-112 the Township of Marlboro authorized the award of a contract to Mecco, Inc. for the Improvements to Clubhouse Lane, Phase II (the "Project"); and

WHEREAS, a Closeout Change Order has been requested, resulting in an decrease in the original contract amount of \$360,373.50 to \$353,163.02, a net decrease of \$7,210.48; and

WHEREAS, in a letter dated November 9, 2023, 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 \$26,473.64; and

WHEREAS, pursuant to the terms of the contract, Mecco, Inc. has provided a two-year maintenance bond in an amount equal to 15% of the final contract amount, or \$52,974.45; 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 Mecco, Inc. in the amount of \$26,473.64 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 Mecco, Inc., be and is hereby approved, decreasing the original contract total of \$360,373.50 to \$353,163.02, a net decrease of \$7,210.48.

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 \$26,473.64 for work completed by Mecco, Inc. is hereby approved.

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

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

RESOLUTION #2023-279

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR WATER IMPROVEMENTS, AT THE SITE KNOWN AS STEPPING STONE LEARNING CENTER, BLOCK 299, LOT 1, LOCATED AT 340 US HIGHWAY ROUTE 9, TOWNSHIP OF MARLBORO, NEW JERSEY 07746

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Ms. Raquel Palma of Stepping Stones Learning Center Inc., for release of the Township held Performance Guarantees in the form of a Letter of Credit for water improvements on the Site known as "Stepping Stone Learning Center." (the "Site"), property known as Block 299, Lot 1, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Stepping Stone Learning Center Inc., (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated November 7, 2023, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the current Performance Guarantee in the form of a Letter of Credit No. 1973, issued

by Amboy Bank in the amount of \$40,000.00 (excludes accrued interest) and being held by the Township, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release.

WHEREAS, the Township Council of the Township of Marlboro now wishes to take the following action regarding the aforesaid Performance Guarantee.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the above-described Performance Guarantee in the form of a Letter of Credit, Check No. 1973, issued by Amboy Bank in the amount of \$40,000.00 (excludes accrued interest) being held by the Township, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release; and

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

- a. 515 Brick Blvd LLC/Stepping Stone Learning Center
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Township Engineer
- e. Louis N. Rainone, Esq.
- f. Salvatore Alfieri, Esq.

RESOLUTION #2023-280

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR THE SITE IMPROVEMENTS AT THE SITE KNOWN AS REGENT PARK, BLOCK 143, LOT 1.02 & 12, LOCATED AT LLOYD ROAD AND THORNTON AVENUE

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request from Mr. Tomas Gough, for a reduction of the Township held Performance Guarantees in the form of a Performance Bond for the site improvements ("Site Improvements") on the Site known as "Regent Park" (the "Site"), property known as Block 143, Lot 1.02 & 12, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by KRE Lloyd Road LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated November 30, 2023, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a partial reduction be made in the current Performance Bond and Cash Deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated November 30, 2023.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Performance Bond and Cash Deposit posted by the Developer, KRE Lloyd Road LLC, for the site known as Regent Park, located on property known as Block 143, Lot 1.02 & 12, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Bond (Atlantic Specialty Insurance Company, Bond No. 800054513), in the original and present amount of \$444,606.73, shall be reduced by \$267,469.02, so that the remaining amount shall be \$177,137.71;
2. The Cash Deposit (Bank of America, Check No. 265686), in the original and present amount of \$49,400.75, shall be reduced by \$29,718.78, so that the remaining amount shall be \$19,681.97;

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the posting of any and all outstanding review and/or inspections fees required by the Planning Board and/or Township and the resolution of any valid homeowners' complaints; and

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

- a. KRE Acquisition Corp
- b. Atlantic Specialty insurance Company
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Louis N. Rainone, Esq.
- g. Salvatore Alfieri, Esq.

RESOLUTION #2023-281

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR THE
WATER IMPROVEMENTS AT THE SITE KNOWN AS REGENT PARK, BLOCK 143,
LOT 1.02 & 12, LOCATED AT LLOYD ROAD AND THORNTON AVENUE

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request from Mr. Tom Gough, for a reduction of the Township held Performance Guarantees in the form of a Performance Bond for the water improvements ("Water Improvements") on the Site known as "Regent Park" (the "Site"), property known as Block 143, Lot 1.02 & 12, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by KRE Lloyd Road LLC (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated November 30, 2023, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that a partial reduction be made in the current Performance Bond and Cash Deposit amounts being held by the Township; and

WHEREAS, the Township Council desires to reduce the performance guarantee Bond and cash deposit amounts in accordance with the recommendation of the Township Engineer's report dated November 30, 2023.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the performance guarantees in the form of a Performance Bond and Cash Deposit posted by the Developer, KRE Lloyd Road LLC, for the site known as Regent Park, located on property known as Block 143, Lot 1.02 & 12, Township of Marlboro, New Jersey, shall be reduced as follows:

1. The Bond (Atlantic Specialty Insurance Company, Bond No. 800054515), in the original and present amount of \$1,189,200.96, shall be reduced by \$832,440.67, so that the remaining amount shall be \$356,760.29;
2. The Cash Deposit (Bank of America, Check No. 266079), in the original and present amount of \$132,133.44, shall be reduced by \$92,493.41, so that the remaining amount shall be \$39,640.03;

BE IT FURTHER RESOLVED, that the above reductions shall be subject to the posting of any and all outstanding review and/or inspections fees required by the Planning Board and/or Township and the resolution of any valid homeowners' complaints; and

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

- a. KRE Acquisition Corp
- b. Atlantic Specialty insurance Company
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Louis N. Rainone, Esq.
- g. Salvatore Alfieri, Esq.

RESOLUTION #2023-282

AUTHORIZING APPROVAL TO SUBMIT A FISCAL YEAR 2024 LOCAL FREIGHT
IMPACT FUND GRANT APPLICATION TO AND EXECUTE A GRANT CONTRACT WITH
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro formally approves the grant application for the Local Freight Impact Fund which provides aid to counties and municipalities for transportation projects that address impacts of freight travel in local communities and on local transportation infrastructure.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2024-Marlboro Township-00064 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 signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION #2023-283

RESOLUTION AUTHORIZING ACCEPTANCE OF DONATION FROM VARIOUS
ENTITIES FOR THE MARLBORO TOWNSHIP POLICE DEPARTMENT K-9
UNIT AND POLICE CADET PROGRAM

WHEREAS, various entities detailed on the attached schedule have made donations to the Marlboro Township Police Department K-9 Unit and Police Cadet Program; and

WHEREAS, there have been no promises of future employment, services, goods or other things of value exchanged in return for said donations.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the donations as described herein are hereby accepted.

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro hereby extends it thanks and appreciation to the various donors for their support of the Marlboro Township Police Department K-9 Unit and Police Cadet Program.

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

- a. Township Business Administrator
- b. Chief Financial Officer
- c. Chief of Police

RESOLUTION #2023-284

AUTHORIZING ADJUSTMENTS AND CANCELLATION TO GRANT RECEIVABLE AND
APPROPRIATION RESERVE BALANCES

WHEREAS, the Township of Marlboro financial statements contain certain grant balances, and

WHEREAS, the cancellation of the grants listed is necessary to accurately represent the grant records maintained by the Township of Marlboro.

NOW, THEREFORE, BE IT RESOLVED, that the following adjustments and cancellations are hereby approved, and the Chief Financial Officer is authorized to make the appropriate entries to reflect this action.

| | Cancellation Amount |
|---|--------------------------------|
| <u>Receivables</u> | |
| FY22 Municipal Alliance Grant | \$ 4,265.17 |
| Total | \$ 4,265.17 |
| <u>Appropriated Reserves</u> | |
| FY22 Municipal Alliance Grant | \$ 4,265.17 |
| 2016 Municipal Alliance Grant Local Match | \$ 422.83 |
| Total | \$ 4,688.00 |

RESOLUTION #2023-285

CANCELLING UNEXPENDED CAPITAL FUND BALANCES
REMOVED FROM CONSENT AGENDA AND VOTED ON SEPARATELY

RESOLUTION #2023-286

CANCELLING 2023 APPROPRIATIONS

WHEREAS, appropriations exist in the 2023 Recreation and Swim Utility Operating budget that have been deemed to not be needed for the operations of 2023; and

WHEREAS, it is permissible for appropriations to be cancelled to surplus in the year budgeted.

NOW, THEREFORE, BE IT RESOLVED, that a total of \$150,000.00 in 2023 appropriations be hereby cancelled and credited to Recreation and Swim Utility Operating Surplus as follows:

| | Cancellation Amount |
|----------------|--------------------------------|
| Other Expenses | \$ 150,000.00 |
| Total | \$ 150,000.00 |

RESOLUTION #2023-287

AMENDING SECTION VI, AUTHORIZED INVESTMENTS, OF THE CASH MANAGEMENT
PLAN OF THE TOWNSHIP OF MARLBORO

WHEREAS, in accordance with N.J.S.A. 40A:5-14, the Township Council of the Township of Marlboro approved the 2023 Cash Management Plan on January 5, 2023; and

WHEREAS, Section VI, Authorized Investments, permits investment in municipal notes issued by New Jersey municipalities, counties, local authorities (including fire districts) and school districts, provided the maturity date is no more than 397 days from the date of purchase (N.J.S.A. 40A:5-15.1(a) (5); and

WHEREAS, Section VI, Authorized Investments, states that such municipal notes have a minimum Standard & Poor's rating of AA or equivalent; and

WHEREAS, the Township and the Fire District have determined to enter into a Shared Service Agreement to provide for the financing of a Fire District capital project by the Township for the collective benefit of the Township and the Fire District; and

WHEREAS, the Township recognizes that obtaining a municipal bond or note rating is costly, and is desirous of sparing Fire District 3 from incurring the cost; and

WHEREAS, the Township is authorizing elimination of the requirement that municipal notes have a minimum Standard & Poor's rating of AA or equivalent, solely in the case of the notes of fire districts operating in Marlboro Township.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, Monmouth County, State of New Jersey hereby authorizes the amendment of the Cash Management Plan to eliminate the requirement that municipal notes have a minimum Standard & Poor's rating of AA or equivalent, solely in the case of the notes of fire districts operating in Marlboro Township.

RESOLUTION #2023-288

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 2023 in the sum of \$30,289.60, which has been received by the municipality for the "National Opioid Settlements".

BE IT FURTHER RESOLVED, that the amount of \$30,289.60 be hereby appropriated under the caption "National Opioid Settlements".

RESOLUTION #2023-289

RESOLUTION APPROVING THE FIRE COMMISSIONER SALARIES FOR 2024

WHEREAS, Fire Districts No. 1, 2 and 3 of Marlboro Township authorized and approved 2024 annual compensation for the Board of Fire Commissioners; and

WHEREAS, N.J.S.A. 40A:14-88 requires the salaries of members of Board of Commissioners of Fire Districts to be reviewed and approved annually by the governing body; and

WHEREAS, the Township Council of the Township of Marlboro has reviewed the proposed annual compensation for the following members of the Board of Fire Commissioners for 2024 as follows:

| FD No. 1 | | FD No. 2 | | FD No. 3 | |
|------------------|---------|------------------|---------|------------------|---------|
| Chairperson | \$8,800 | Chairperson | \$8,000 | Chairperson | \$8,000 |
| Vice Chairperson | \$8,800 | Vice Chairperson | \$8,000 | Vice Chairperson | \$8,000 |
| Secretary | \$8,800 | Secretary | \$8,000 | Treasurer | \$9,000 |
| Treasurer | \$8,800 | Treasurer | \$8,000 | Clerk | \$8,000 |
| Commissioner | \$8,800 | Commissioner | \$8,000 | Assistant Clerk | \$8,000 |

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro hereby approve the 2024 annual compensation of the Board of Fire Commissioners of the Fire Districts No. 1, 2 and 3 of Marlboro Township.

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

- a) Fire District No. 1
- b) Fire District No. 2
- c) Fire District No. 3

RESOLUTION #2023-290

RESOLUTION AUTHORIZING THE PURCHASE OF VOICE OVER IP (VOIP) AND PLAIN
OLD TELEPHONE SERVICES (POTS)

WHEREAS, the Township of Marlboro approved Resolution #2021-403 authorizing project 2018-033-08 to migrate and upgrade its legacy phone system to a modern IP-based and cloud-hosted platform (Voice Over IP) or "VOIP"; and

WHEREAS, a cloud-hosted VOIP phone system requires VOIP hosting and software service; and

WHEREAS, the Township is authorized to purchase the VOIP Hosting and Software from bids obtained from a cooperative pricing system such as the Bergen County Cooperative Pricing System pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, SHI International has provided a quote under the Bergen County Cooperative #22-24 for the required VOIP Hosting and Software in the amount of \$80,042.28 for the 2024 services; and

WHEREAS, the Federal Communications Commission (FCC) requires an Universal Service Fee (USF) and usage fees to be paid directly to VOIP Networks; and

WHEREAS, the estimated FCC USF and usage fees for 2024 are estimated to be in an amount not to exceed \$11,700.00; and

WHEREAS, the Township of Marlboro is also in need of additional Plain Old Telephone Services (POTS) to support faxes, fire and burglar alarms in order to ensure uninterrupted services in the event of a communication outage; and

WHEREAS, individual POTS service was not available on any State Contracts or approved Cooperatives, for which the Township under N.J.S.A. 40A:11-5(f), has solicited a low quote for a two year term, in an annual amount of \$25,200.00 for a total amount not to exceed \$50,400.00 from Verizon New Jersey, Inc.; and

WHEREAS, the Chief Information Officer has recommended, in a memo dated November 16, 2023, that the Township purchase the VOIP and Backup Software from SHI International under the Bergen County Cooperative #22-24 in an amount totaling \$80,042.28, the FCC USF and usage fees to VOIP Networks in an amount totaling \$11,700.00 and the POTS from Verizon New Jersey, Inc. in an annual amount of \$25,200.00, for a total of two years not to exceed \$50,400.00; and

WHEREAS, funds will be certified by the Chief Financial Officer upon the adoption of the 2024 municipal budget in the amount of \$116,942.28 in Current Account #01-201-31-162-232; and

WHEREAS, the Township Council desires to approve the purchase of said VOIP Hosting and Software and POTS.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase VOIP hosting and backup software from SHI INTERNATIONAL CORP, 290 Davidson Ave, Somerset, NJ 08873, under Bergen County Cooperative #22-24 in an amount not to exceed \$80,042.28.

BE IT FURTHER RESOLVED, that by the Township Council of the Township of Marlboro that authorization is hereby granted to pay the FCC USF and usage fees to VOIP Networks, 1915 Old Cuthbert Road, Suite 206, Cherry Hill, NJ 08034, in an amount not to exceed \$11,700.00.

BE IT FURTHER RESOLVED, that by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the POTS from Verizon New Jersey Inc., 9 Gates Avenue, Second Floor, Montclair, NJ 07042, in an annual amount of \$25,200.00 for a total of two years in an amount not to exceed \$50,400.00.

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

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

RESOLUTION #2023-291

RESOLUTION AUTHORIZING THE PURCHASE OF WIRELESS
SERVICES FOR THE MARLBORO TOWNSHIP OF MARLBORO UNDER
STATE CONTRACTS #22-TELE-05441 & 22-TELE-05861

WHEREAS, the Township of Marlboro is in need of wireless service for use by certain personnel including those who require wireless voice and/or mobile data for their operational functions; and

WHEREAS, the Township of Marlboro currently utilizes Verizon Wireless for cellular telephone service; and

WHEREAS, the Township also utilizes Verizon Wireless internet access for vehicles, laptops and remote facilities, critical for the continuity of operations during the public health emergency; 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, Verizon Wireless offers the cellular and internet services under State Contract #22-TELE-05441, estimated in an amount not to exceed \$168,000.00; and

WHEREAS, the Township is in need of redundant cellular connections to keep telephone system connections functional in the event of a carrier outage; and

WHEREAS, AT&T Mobility is able to provide the redundant cellular connections under State Contract #22-TELE-05861, estimated in an amount not to exceed \$3,000.00, also identified in EXHIBIT A; and

WHEREAS, the purchase of wireless services described herein has been recommended by the Chief Information Officer in a memo dated November 20, 2023; and

WHEREAS, funds in the amount of \$171,000.00 will be certified to by the Chief Financial Officer in Current Account #01-201-31-162-232 at the time the 2024 budget is adopted; and

WHEREAS, the Township Council concurs with the recommendation of the Chief Information Officer and desires to approve the purchase of said wireless 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 cellular and internet services from Verizon Wireless, 10170 Junction Drive, Suite 200, Annapolis Junction, MD 20701, under the State Contract identified as #22-TELE-05441 in an amount not to exceed \$168,000.00.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase redundant cellular services from AT&T Mobility, One AT&T Way, Room 2CC224E, Bedminster, NJ 07921, under the State Contract identified as #22-TELE-05861 in an amount not to exceed \$3,000.00.

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

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

RESOLUTION #2023-292

RESOLUTION AUTHORIZING THE TOWNSHIP OF MARLBORO THROUGH THE MARLBORO DIVISION OF POLICE TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE MARLBORO DIVISION OF POLICE TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the Marlboro Division of Police is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the year 2024; and

BE IT FURTHER RESOLVED, that the Marlboro Division of Police is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Marlboro Division of Police, without restriction; and

BE IT FURTHER RESOLVED, that Marlboro Division of Police is hereby authorized to acquire any of the controlled property designated "DEMIL B through Q" in the attached schedule if it shall become available in the period of time for which this resolution authorizes; and

BE IT FURTHER RESOLVED, that Chief Peter J. Pezzullo of the Marlboro Division of Police shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED, that the Marlboro Division of Police shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the year 2024.

RESOLUTION #2023-293

A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE TOWNSHIP OF COLTS NECK FOR USE OF POLICE FIREARMS TRAINING FACILITY

WHEREAS, the Township of Marlboro ("Marlboro") must qualify officers to utilize their duty weapons at a firearms practice range; 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 ("Marlboro") and the Township of Colts Neck ("Colts Neck") 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 Colts Neck operates and maintains a police firearms training facility at 231-A Route 34, Colts Neck, NJ 07722; and

WHEREAS, Colts Neck has indicated that it can accommodate Marlboro police personnel at its facility, and the Marlboro Chief of Police has recommended that the shared services agreement with Colts Neck be renewed and extended through December 31, 2024; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro for Marlboro police personnel to utilize the Colts Neck firearms training facility; and

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

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 in a form substantially similar to that annexed hereto as EXHIBIT A, and in a form approved by the Township Attorney.

RESOLUTION #2023-294

A RESOLUTION AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT
BETWEEN THE TOWNSHIP OF MARLBORO AND THE TOWNSHIP OF COLTS NECK FOR
USE OF DECONTAMINATION FACILITY

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 ("Marlboro") and the Township of Colts Neck ("Colts Neck") 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 Marlboro Office of Emergency Management (OEM) operates and maintains a decontamination facility at 1979 Township Drive, Marlboro, NJ 07746; and

WHEREAS, in response to a request from Colts Neck, the Chief of Police has indicated that Marlboro is in a position to offer the decontamination facility, and has recommended that the shared services agreement with Colts Neck be renewed and extended through December 31, 2024; and

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

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 the Shared Services Agreement in a form substantially similar to that annexed hereto as EXHIBIT A, and in a form approved by the Township Attorney.

4. A copy of the finalized Shared Services agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.

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

- a. Township of Colts Neck
- b. Business Administrator
- c. Chief Financial Officer
- d. Chief of Police

RESOLUTION #2023-295

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY, RENEWING THE SHARED
SERVICES AGREEMENT WITH HOWELL TOWNSHIP FOR THE USE
OF THE HOWELL FIREARMS RANGE

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 ("Marlboro") and Howell Township ("Howell") 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 Council of the Township of Marlboro authorized the execution of a shared services agreement with Howell Township on December 9, 2010 (Resolution #2010-441) for use of the Howell Township Firearms Range; and

WHEREAS, Marlboro desires to continue the utilization of the Howell Township's Firearms Range; and

WHEREAS, representatives of Marlboro and Howell have negotiated an amended Shared Services Agreement, a copy of 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, funding for this agreement, in an amount not to exceed \$3,500.00 will be certified by the Chief Financial Officer under Current

Fund account 01-201-25-106-288644 at the time the 2024 budget is adopted; and

WHEREAS, the Township Council of the Township of Marlboro has determined that the entry into the Shared Services Agreement is in the best interest of the residents and taxpayers of Marlboro.

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 Mayor is hereby authorized to execute the Shared Services Agreement annexed hereto as EXHIBIT A.

RESOLUTION #2023-296

A RESOLUTION AUTHORIZING THE EXTENSION OF A SINGLE SITE LICENSE AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND DIAMOND TOWERS II LLC TO OPERATE A WIRELESS COMMUNICATION FACILITY AND ANTENNAE FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC SAFETY

WHEREAS, the Township of Marlboro ("Township") entered into a Single Site License Agreement with Diamond Towers II LLC ("Diamond Towers") in order to install, operate and maintain a wireless communications facility and antennae ("Communications Facility") located at Wilson Avenue, Matawan, New Jersey (the "Premises") for use by the Marlboro Township Department of Public Safety in order to preserve the health, safety and welfare of the citizens of the Township of Marlboro, Monmouth County, New Jersey; and

WHEREAS, on April 16, 2015 (Ordinance #2015-5), the Township Council of the Township of Marlboro authorized the extension of the Single Site License Agreement with Diamond Towers; and

WHEREAS, on March 2, 2017 (Resolution #2017-110), the Township Council of the Township of Marlboro authorized another the extension of the Single Site License Agreement with Diamond Towers; and

WHEREAS, on May 2, 2019 (Resolution #2019-165,) the Township Council of the Township of Marlboro authorized another extension of the Single Site License Agreement with Diamond Towers; and

WHEREAS, on February 18, 2021 (Resolution #2021-106), the Township Council of the Township of Marlboro authorized another extension of the Single Site License Agreement with Diamond Towers; and

WHEREAS, on March 10, 2022 (Resolution #2022-086), the Township Council of the Township of Marlboro authorized another extension of the Single Site License Agreement with Diamond Towers; and

WHEREAS, on December 15, 2022 (Resolution #2022-294), the Township Council of the Township of Marlboro authorized another extension of the Single Site License Agreement with Diamond Towers; and

WHEREAS, the Township Department of Public Safety wishes to extend the Single Site License Agreement with Diamond Towers for an additional one (1) year renewal term for compensation in the amount of five thousand seven hundred sixty-three dollars and sixty-eight cents (\$5,763.68); and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be renewed with Diamond Towers for a period of one year through December 31, 2024.

BE IT FURTHER RESOLVED, that the contract with Diamond Towers is hereby renewed in accordance with the Ordinance, this resolution, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that funds for this agreement will be certified by the Chief Financial in Current Account #01-201-25-212-216212 in an amount not to exceed \$5,763.68 at the time of 2024 budget adoption.

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

- a. Diamond Towers II LLC
- b. Township Business Administrator
- c. Chief of Police
- d. Chief Financial Officer

RESOLUTION #2023-297

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY FOR A RENEWAL OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF MONROE FOR USE OF THE MARLBORO SWIM CLUB

WHEREAS, the Township of Marlboro and the Township of Monroe entered into a Shared Services Agreement dated March 10, 2022; and

WHEREAS, the shared service agreement included a fee schedule, "which shall be updated periodically through the adoption of resolutions" by the Township of Marlboro and the Township of Monroe; and

WHEREAS, a memo dated November 20, 2023 from the Marlboro Township Director of Recreation recommending that the 2024 fee schedule remain the same as 2023; and

WHEREAS, the Township of Monroe wishes to continue to offer its residents membership in the Marlboro Swim Club; and

NOW, THEREFORE, BE IT RESOLVED, that the following EXHIBIT A fee schedule is agreed upon and adopted by the parties; and

BE IT FURTHER RESOLVED, that all other terms of the Shared Services Agreement dated March 10, 2022 shall remain in effect; and

BE IT FURTHER RESOLVED, that in the event the current public health emergency requires that membership fees be increased in order to compensate for the cost of enhanced safety measures or to accommodate membership or attendee restrictions based upon guidance issued by Federal, State or County authorities, in accordance with the terms of the agreement, the updated fee schedule will be presented to the governing bodies in both the Township of Marlboro and the Township of Monroe for consideration.

RESOLUTION #2023-298

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY FOR A RENEWAL OF A
SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF
COLTS NECK FOR USE OF THE MARLBORO SWIM CLUB

WHEREAS, the Township of Marlboro and the Township of Colts Neck entered into a Shared Services Agreement dated April 12, 2012; and

WHEREAS, the shared service agreement included a fee schedule, "which shall be updated periodically through the adoption of resolutions" by the Township of Marlboro and the Township of Colts Neck; and

WHEREAS, a memo dated November 20, 2023 from the Marlboro Township Director of Recreation recommended that the 2024 fee schedule remain the same as 2023; and

WHEREAS, the Township of Colts Neck wishes to continue to offer its residents membership in the Marlboro Swim Club; and

NOW, THEREFORE, BE IT RESOLVED, that the following EXHIBIT A fee schedule is agreed upon and adopted by the parties; and

BE IT FURTHER RESOLVED, that all other terms of the Shared Services Agreement dated April 12, 2012 shall remain in effect; and

BE IT FURTHER RESOLVED, that in the event the current public health emergency requires that membership fees be increased in order to compensate for the cost of enhanced safety measures or to accommodate membership or attendee restrictions based upon guidance issued by Federal, State or County authorities, in accordance with the terms of the agreement, the updated fee schedule will be presented to the governing bodies in both the Township of Marlboro and the Township of Colts Neck for consideration.

RESOLUTION #2023-299

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY FOR A RENEWAL OF A
SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF
MANALAPAN FOR USE OF THE MARLBORO SWIM CLUB

WHEREAS, Marlboro and Manalapan entered into a Shared Services Agreement dated June 5, 2008; and

WHEREAS, the shared service agreement included a fee schedule, "which shall be updated periodically through the adoption of resolutions" by the Township of Marlboro and the Township of Manalapan; and

WHEREAS, a memo dated November 20, 2023 from the Marlboro Township Director of Recreation recommending that the 2024 fee schedule remain the same as 2023; and

WHEREAS, the Township of Manalapan wishes to continue to offer its residents membership in the Marlboro Swim Club; and

NOW, THEREFORE, BE IT RESOLVED, that the following EXHIBIT A fee schedule is agreed upon and adopted by the parties; and

BE IT FURTHER RESOLVED, that all other terms of the Shared Services Agreement dated June 5, 2008 remain in effect; and

BE IT FURTHER RESOLVED, that in the event the current public health emergency requires that membership fees be increased in order to compensate for the cost of enhanced safety measures or to accommodate membership or attendee restrictions based upon guidance issued by Federal, State or County authorities, in accordance with the terms of the agreement, the updated fee schedule will be presented to the governing bodies in both the Township of Marlboro and the Township of Manalapan for consideration.

RESOLUTION #2023-300

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN
MONMOUTH COUNTY, NEW JERSEY FOR A RENEWAL OF A
SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF
OLD BRIDGE FOR USE OF THE MARLBORO SWIM CLUB

WHEREAS, the Township of Marlboro and the Township of Old Bridge entered into a Shared Services Agreement dated March 1, 2018; and

WHEREAS, the shared service agreement included a fee schedule, "which shall be updated periodically through the adoption of resolutions" by the Township of Marlboro and the Township of Old Bridge; and

WHEREAS, a memo dated November 20, 2023 from the Marlboro Township Director of Recreation recommending that the 2024 fee schedule remain the same as 2023; and

WHEREAS, the Township of Old Bridge wishes to continue to offer its residents membership in the Marlboro Swim Club; and

NOW, THEREFORE, BE IT RESOLVED, that the following EXHIBIT A fee schedule is agreed upon and adopted by the parties; and

BE IT FURTHER RESOLVED, that all other terms of the Shared Services Agreement dated March 1, 2018 shall remain in effect; and

BE IT FURTHER RESOLVED, that in the event the current public health emergency requires that membership fees be increased in order to compensate for the cost of enhanced safety measures or to accommodate membership or attendee restrictions based upon guidance issued by Federal, State or County authorities, in accordance with the terms of the agreement, the updated fee schedule will be presented to the governing bodies in both the

Township of Marlboro and the Township of Old Bridge for consideration.

RESOLUTION #2023-301

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE MARLBORO BASKETBALL BOOSTER CLUB, INC. ("BOOSTER CLUB") FOR THE PROVISION OF REFEREEING SERVICES, LEAGUE REGISTRATION AND SCOREKEEPERS FOR THE MARLBORO TOWNSHIP DEPARTMENT OF RECREATION BASKETBALL PROGRAM

WHEREAS, the BOOSTER CLUB is a not-for-profit organization which provides services to the Marlboro Township Department of Recreation on behalf of the residents who register for the basketball program; and

WHEREAS, the Township of Marlboro Department of Recreation is in need of refereeing and scorekeeper services for the 2024/2025 Fall/Winter basketball seasons; and

WHEREAS, the Department of Recreation must register basketball program participants with various regional leagues; and

WHEREAS, the BOOSTER CLUB has proposed continuing to provide refereeing and scorekeeper services for the 2024/2025 Fall/Winter basketball seasons and registration of program participants with various regional leagues; and

WHEREAS, the total value of the services to be provided for 2024/2025 is estimated based upon 2023/2024 registration figures and activity, and shall not exceed \$26,531.00 in the aggregate; and

WHEREAS, payments by the Township for such services are made following the submission of detailed records and confirmation of payments made by the Booster Club for such services; and

WHEREAS, the funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2024 Recreation Utility budget for the services described above from Accounts #09-201-55-400-285427 and #09-201-55-400-288427.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that the Township Council of the Township of Marlboro, hereby authorizes the Mayor and the Municipal Clerk to enter into an agreement, in a

form acceptable to the Township Attorney with the MARLBORO BASKETBALL BOOSTER CLUB, INC., 31 Meadow Lane, Marlboro NJ 07746 for the services described above.

RESOLUTION #2023-302

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE MSA BOOSTERS, INC. ("BOOSTER CLUB") FOR THE PROVISION OF REFEREEING AND LEAGUE REGISTRATION SERVICES FOR THE MARLBORO TOWNSHIP DEPARTMENT OF RECREATION SOCCER PROGRAM

WHEREAS, the BOOSTER CLUB is a not-for-profit organization which provides services to the Marlboro Township Department of Recreation on behalf of the residents who register for the soccer program; and

WHEREAS, the Township of Marlboro Department of Recreation is in need of refereeing services for the 2024 Spring and Fall soccer seasons; and

WHEREAS, the Township of Marlboro Department of Recreation must register soccer program participants with various regional leagues; and

WHEREAS, the BOOSTER CLUB has proposed to provide league registration services for the 2024 Spring and Fall soccer seasons and ensure the registration of program participants with various regional leagues; and

WHEREAS, the total value of the services including refereeing services and payment and registration of program participants with various external to be provided for 2024 are estimated based upon 2023 program participation levels and shall not exceed \$157,128.00 in the aggregate; and

WHEREAS, payments by the Township for such services are made following the submission of detailed records and confirmation of payments made by the Booster Club for such services; and

WHEREAS, the funds will be certified by the Chief Financial Officer for this purpose upon adoption of the 2024 Recreation Utility budget under accounts #09-201-55-400-285409, #09-201-55-400-285426, #09-201-55-400-296409 and #09-201-55-400-296426.

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

authorizes the Mayor and Municipal Clerk to enter into an agreement with the MSA BOOSTERS, INC., P.O. Box 436, Marlboro, New Jersey 07746 for the services described above.

RESOLUTION #2023-303

TAX LIEN REDEMPTIONS

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$375,962.04 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 \$375,962.04 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> |
|----------------|------------------|---|---------------|
| 2022-010 | 163/2 | Trystone Capital Assets LLC PO Box 1030 Brick, NJ 08723 | 4,334.70 |
| 2023-046 | 412/268 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 2,281.03 |
| 2022-042 | 412/314 | Fig 20, LLC FBO SEC PTY PO BOX 12225 Newark, NJ 07101 | 2,942.49 |
| 2022-031 | 280/4 | WSFS AS CUST LVTLOPS PO BOX 815 FORT WASHINGTON, PA 19034 | 4,092.99 |
| 2022-040 | 412/217 | Trystone Capital Assets LLC PO Box 1030 Brick, NJ 08723 | 3,528.10 |
| 2021-022 | 180/83.21 | Fundpality II, LLC 100 N LaSalle St. Ste 710 Chiacago, IL 60602 | 295,260.71 |

| | | | |
|----------|-------------|--|-----------|
| 2023-043 | 380/32 | K.C.C. Promised Lands, LLC 2560 Route 22 East #175 Scotch Plains, NJ 07076 | 14,474.01 |
| 2020-048 | 392.01/6 | Bernie K. Brevdeh 881 Circle Avenue Franklin Lakes, NJ 07417 | 5,317.88 |
| 2023-014 | 176/7/C0458 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 2,827.32 |
| 2022-023 | 221/6 | Trystone Capital Assets LLC PO Box 1030 Brick, NJ 08723 | 3,755.82 |
| 2023-020 | 178/2/C0293 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 1,722.40 |
| 2023-040 | 360.03/4 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 2,166.81 |
| 2023-029 | 269/132.02/ | T & M Professional Services Corp. C0002 P.O. Box 335 Keyport, NJ 07735 | 10,760.05 |
| 2023-034 | 299/22 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 2,651.92 |
| 2021-036 | 349/3 | Fig NJ19, Llc P.O. Box 669507 Dallas, TX 75266 | 2,830.83 |
| 2022-034 | 307/27 | Trystone Capital Assets LLC PO Box 1030 Brick, NJ 08723 | 3,241.93 |
| 2023-052 | 421.04/24 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 2,262.98 |

| | | | |
|----------|--------|---|----------|
| 2023-030 | 270/98 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 1,586.33 |
| 2021-024 | 349/3 | Fig NJ19, Llc P.O. Box 669507 Dallas, TX 75266 | 3,727.02 |
| 2022-027 | 264/3 | WSFS AS CUST LVTLOPS PO BOX 815 FORT WASHINGTON, PA 19034 | 4,001.75 |
| 2023-011 | 160/64 | Changsheng Lu 628 N. Butrick Street Waukegan, IL 60085 | 2,194.97 |

RESOLUTION #2023-304

CANCEL TAXES - VETERAN EXEMPTIONS

WHEREAS, the Tax Assessor has granted disabled veteran exemptions for the owners of the properties as per Schedule "A",

WHEREAS, pro-rated 2023 property taxes totaling \$1,002.98 need to be cancelled,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$1,002.98 for 2023 taxes.

SCHEDULE "A"

| BLOCK/LOT | EFFECTIVE DATE | PROPERTY INFORMATION | AMOUNT |
|-----------|----------------|----------------------|-------------------|
| 127/17 | 11/17/2023 | 32 Lloyd Road | \$1,002.98 |
| | | | \$1,002.98 |

RESOLUTION #2023-305

AUTHORIZING REFUND OF PAYMENTS TO WMUA

WHEREAS, delinquent sewer charges totaling \$505.49 were paid to the Township on behalf of Western Monmouth Utilities Authority as per Schedule "A",

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$505.49 be refunded to Western Monmouth Utilities Authority.

SCHEDULE A

| BLOCK | LOT | QUALIFIER | PROPERTY LOCATION | AMOUNT |
|-------------------------------|-----|-----------|----------------------|-----------------|
| 380 | 32 | | 29 Peasley Drive | \$125.00 |
| 349 | 30 | | 30 Amherst Road | \$128.68 |
| 198 | 9 | | 20 Buttonwood Drive | \$128.68 |
| 264 | 3 | | 5 Floyd Wycoff Drive | \$123.13 |
| Total Refunded to WMUA | | | | \$505.49 |

RESOLUTION #2023-306

REFUND OF TAX OVERPAYMENTS

WHEREAS, the attached list in the amount of \$25,605.95 known as Schedule "A", is comprised of amounts representing overpayments for taxes,

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",

SCHEDULE A

| BLOCK/LOT | PROPERTY INFORMATION | AMOUNT |
|------------------|----------------------|--------------|
| 139/56 | 264 Nottingham Road | \$ 3,972.96 |
| 268.01/41.01 | 184 Route 9 North | \$ 20,991.25 |
| 268.01/41.01/B01 | 184 Route 9 North | \$ 641.74 |

\$ 25,605.95

RESOLUTION #2023-307

AUTHORIZING THE CANCELLATION OF
CERTAIN WATER BALANCES DETERMINED TO BE UNCOLLECTABLE

WHEREAS, the attached list in the amount of \$4,418.16 known as Schedule "A", is comprised of balances on water accounts that remain outstanding and unpaid; and

WHEREAS, these outstanding balances were are mostly comprised of quarterly service charges some of which date back to 2010; and

WHEREAS, the accounts are no longer active in our billing system, and, the majority of these accounts are for mobile homes which have been abandoned and cannot be included in tax sale; and

WHEREAS, it has been determined that the said outstanding charges, are uncollectable; and

WHEREAS, the Township Tax Collector has recommended that they be canceled.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, in the County of Monmouth and State of New Jersey that the balances relating to these properties, which have been determined to be uncollectible are hereby canceled in the amount of \$4,418.16

SCHEDULE "A"

| ACCOUNT ID# | AMOUNT |
|-------------|------------|
| 21160 | \$591.00 |
| 25132 | \$595.30 |
| 25862 | \$1,242.96 |
| 25887 | \$1,197.51 |
| 28302 | \$791.39 |

Total to be cancelled: \$4,418.16

RESOLUTION #2023-308

A RESOLUTION AUTHORIZING THE CANCELLATION OF
CERTAIN TAXES ON EXEMPT PROPERTIES

WHEREAS, the attached list in the amount of \$4,057.61 known as Schedule "A", is comprised of taxes that remain outstanding and unpaid; and

WHEREAS, these properties were conveyed to the Township of Marlboro, and the Township Tax Collector has therefore recommended that taxes in the amount of \$4,057.61 be cancelled being that the Township of Marlboro is tax exempt.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, in the County of Monmouth and State of New Jersey to cancel the taxes as per Schedule "A"

SCHEDULE "A"

| <u>BLOCK</u> | <u>LOT</u> | <u>ASSESSED OWNER</u> | <u>CANCELLED AMOUNT</u> |
|--------------|------------|--|-------------------------|
| 132/20.08 | | Twp of Marlboro 1979 Township Dr. Marlboro, NJ 07746 | \$1,547.77 |
| 132/27 | | Twp of Marlboro 1979 Township Dr. Marlboro, NJ 07746 | \$2,509.84 |

Total: \$4,057.61

At 7:54 p.m., Council Vice President DiNuzzo moved that the meeting be adjourned. This was seconded by Councilman Scalea, and there was no objection. The municipal clerk was asked to cast one ballot.

MINUTES APPROVED: JANUARY 25, 2024

OFFERED BY: MILMAN

AYES: 4

SECONDED BY: SCALEA

NAYS: 0

ABSTAIN: VIRDI

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
012524

ANTOINETTE DINUZZO,
COUNCIL PRESIDENT