

MARLBORO TOWNSHIP COUNCIL MEETING

September 19, 2024

The Marlboro Township Council held its regularly scheduled meeting on September 19, 2024 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President DiNuzzo opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled meeting of the Township Council of the Township of Marlboro was emailed to the Asbury Park Press, the Star Ledger, and the Board of Education Office on September 17, 2024; published in the Asbury Park Press on December 26, 2023; posted on the Bulletin Board of the Municipal Building; filed in the Office of the Municipal Clerk and placed on the township's website and Channel 77.

Municipal Clerk, Susan A. Branagan called the roll.

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

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

Citizen's Voice:

Frank Festa of Scotch Plains, New Jersey said that he has not received engineering approval for building on his commercial property. He also had questions regarding stormwater management.

William Waple of Marlboro, New Jersey discussed the conditions of sidewalks on Route 520 and ongoing sidewalk construction within the Township.

Robert Scutro of Marlboro, New Jersey had questions regarding the variance process with the zoning board for renovations to his garage.

Renzo Kolevonik of Marlboro, New Jersey had questions regarding the petition process for adding a question to an election ballot. It was explained to him that election laws are governed at the state level.

Council Speaks Out:

Councilwoman Viridi mentioned the Patriot's Day memorial service. Councilman Qazi presented a report on police, public works and water departments' activities. Council Vice President Milman thanked everyone who participated in the Patriot's Day memorial service. He said that Marlboro Day was a great success. He wished those who celebrate Rosh Hashanah a Happy New Year and he recognized Hispanic American Month. Council President DiNuzzo wished happy holidays to the Jewish community. She said that any concerns from residents will be addressed by the council at Marlboro Day. She attended a recent ribbon cutting at Faenza's Gourmet Market and reminded everyone that the upcoming economic development committee breakfast is scheduled at the Marlboro Township's Recreation Center. She thanked all who attended the Patriot's Day Memorial Service.

Councilman Qazi moved that the Council meeting minutes of August 15, 2024 be approved. This was seconded by Councilwoman Viridi, and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

Councilman Qazi introduced a motion to open the public hearing for Ordinance #2024-022 (Ordinance Appropriating \$76,350 from the United States Department of Energy Efficiency and Conservation Block Grant (EECBG) for Improvements to Municipal HVAC Equipment in and by the Township of Marlboro) this was seconded by Council Vice President Milman and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

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

The following Ordinance #2024-022 (Ordinance Appropriating \$76,350 from the United States Department of Energy Efficiency and Conservation Block Grant (EECBG) for Improvements to Municipal HVAC Equipment in and by the Township of Marlboro) was introduced by reference, offered by Councilman Qazi, seconded by Councilwoman Viridi and adopted on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

ORDINANCE #2024-022

ORDINANCE APPROPRIATING \$76,350 UNITED STATES DEPARTMENT OF ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FOR IMPROVEMENTS TO MUNICIPAL HVAC EQUIPMENT IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY

The following Ordinance #2024-023 (An Ordinance Appropriating a \$475,000 Grant to be Received by the Township of Marlboro for Sidewalk Improvements to Texas Road and Ryan Road) was introduced by reference, offered by Council Vice President Milman, seconded by Councilwoman Viridi and adopted on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

ORDINANCE #2024-023

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN
THE COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING A \$475,000 GRANT TO BE RECEIVED
BY THE TOWNSHIP FOR SIDEWALK IMPROVEMENTS TO
TEXAS ROAD AND RYAN ROAD IN AND FOR THE
TOWNSHIP OF MARLBORO, IN THE COUNTY OF
MONMOUTH, NEW JERSEY

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

Section 1. The \$475,000 grant expected to be received by the Township from the NJDOT Transportation Projects Fund Program is hereby appropriated for the purpose of providing funds for sidewalk improvements to Texas Road and Ryan Road, including all work and materials necessary therefor and incidental thereto.

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

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

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

RESOLUTION #2024-225

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE
PROVISION OF COMMUNITY SPRING BULK PICK-UP AND DISPOSAL
SERVICES FOR THE TOWNSHIP OF
MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro accepted bids for the PROVISION OF COMMUNITY SPRING BULK PICK-UP AND DISPOSAL SERVICES (Bid 2024-16), and on September 11, 2024, received one (1) proposal as follows:

		Freehold Cartage, Inc. 825 Park Ave, PO Box 5010 Freehold, NJ 07728	
BASE BID - COLLECTION AND DISPOSAL	Est. Tons	Price Per Ton	Amount
2025 - Pick-Up and Transfer			127,317.28
2025 - Disposal	1,000	104.00	104,000.00
BASE BID TOTAL - 2025			231,317.28
2026 - Pick-Up and Transfer			128,514.85
2026 - Disposal	1,000	107.00	107,000.00
BASE BID TOTAL - 2026			235,514.85
2027- Pick-Up and Transfer			134,685.32
2027- Disposal	1,000	110.00	110,000.00
BASE BID TOTAL - 2027			244,685.32
2028 - Pick-Up and Transfer			146,042.58
2028 - Disposal	1,000	113.00	113,000.00
BASE BID TOTAL - 2028			259,042.58
2029 - Pick-Up and Transfer			148,022.70
2029- Disposal	1,000	116.00	116,000.00
BASE BID TOTAL - 2029			264,022.70
BASE BID GRAND TOTAL (2025-2029)			\$1,234,582.73
ALTERNATE BID - COLLECTION, TRANSPORT AND DISPOSAL AT TWP CONTRACTED RATE	Est. Tons	Price Per Ton	Amount
ALTERNATE BID 2025 - Pick-Up and Transport			N/A
ALTERNATE BID 2025 - Disposal	1,000	85.50	85,500.00
ALTERNATE BID GRAND TOTAL (2025)			\$85,500.00

; and

WHEREAS, in a memo dated September 12, 2024, the Director of Public Works has reported that Freehold Cartage Inc., whose address is 825 Park Avenue, P.O. Box 5010, Freehold, New Jersey 07728, is responsive and has recommended that a contract for the base bid, be awarded for year one of services expiring on December 31, 2025, for the PROVISION OF COMMUNITY SPRING BULK PICK-UP AND DISPOSAL SERVICES in an amount not to exceed \$231,317.28; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Freehold Cartage Inc., whose address is 825 Park Avenue, P.O. Box 5010, Freehold, New Jersey 07728 in an amount not to exceed \$231,317.28 for the PROVISION OF COMMUNITY SPRING BULK PICK-UP AND DISPOSAL SERVICES, for the period of one year expiring on December 31, 2025 with the option to renew for four (4) additional one (1) year periods in accordance with N.J.S.A. 40A:11-15(3) on the same terms and conditions as specified in the bid.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness a contract with Freehold Cartage Inc., whose address is 825 Park Avenue, P.O. Box 5010, Freehold, New Jersey 07728 in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, that funds in the amount of \$231,317.28 will be made available and certified by the Chief Financial Officer for the aforesaid contract in Operating Accounts 01-201-26-117-233112 & 01-201-32-170-233112 upon adoption of the 2025 municipal budget.

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

- a. Freehold Cartage Inc.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-226

A RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION OF A DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, the Township advertised for bids to be received FOR THE PROVISION OF A DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) on July 17,

2024 and August 14, 2024 (Bids 2024-14 and 2024-14B); and

WHEREAS, the Township received no responses in response to its bid solicitations; and

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

WHEREAS, in accordance with 40A:11-5 (3), a reasonable effort has been made by the contracting agent to determine that the same or equivalent goods or services, at a cost which is lower than the negotiated price, are not available from an agency or authority of the United States, the State of New Jersey or of the county in which the contracting unit is located, or any municipality in close proximity to the contracting unit; and

WHEREAS, the Township has negotiated an agreement with HERC RENTALS, INC. whose address is 49 Wesley Street, South Hackensack, NJ 07606 to provide the equipment rental services, incorporating the following financial terms as indicated in its proposal dated September 11, 2024:

		Herc Rentals, Inc. 49 Wesley Street South Hackensack, NJ 07606	
Unit Price No. 1		Weekly	Monthly
1	5 to 6 Yard Dump Truck	1,395.00	3,075.00
2	10' Truck Snow Plow	375.00	900.00
Unit Price No. 2			
3	3 to 4 Yard Dump Truck	1,267.00	2,247.00
4	7' – 8' Truck Snow Plow	325.00	900.00
Unit Price No. 3			One-Time
5	Delivery Charge, One Time Fee		750.00
6	Pickup Charge, One Time Fee		750.00

; and

WHEREAS, in a memo dated September 12, 2024 the Director of Public Works has recommended an award of contract to HERC RENTALS, INC. whose address is 49 Wesley Street, South Hackensack, NJ 07606 based upon the negotiated terms of an agreement in an amount not to exceed \$45,888.00; 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 HERC RENTALS, INC. whose address is 49 Wesley Street, South Hackensack, NJ 07606, for an initial term of one year beginning September 1, 2024 and ending August 31, 2025, in a total amount not to exceed \$45,888.00, with an option to renew for one two-year or two one-year extensions as specified in the bid specifications, at the sole discretion of the Township.

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$11,847.00 are available in Trust Account No. 11-228-55-020 for the services estimated for 2024.

BE IT FURTHER RESOLVED, funds for the 2025 portion of the contract totaling \$34,041.00 will be made available and certified by the Chief Financial Officer upon adoption of the 2025 municipal budget.

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

- a. HERC RENTALS, INC.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-227

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE HARBOR
ROAD WATER TREATMENT PLANT LAGOON RESTORATION AND REPAIRS FOR
THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)
WATER UTILITY DIVISION

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-500-8) authorized the restoration and repair of the lagoon at the Harbor Road Water Treatment Plant (P-24-00038); and

WHEREAS, the Township of Marlboro advertised for the receipt of bids for the PROVISION OF LAGOON RESTORATION AND REPAIRS (Bid 2024-20) and on September 6, 2024 received one (1) bid as follows:

Spectraserv,
 Inc.
 75 Jacobus
 Avenue
 Kearny, NJ
 07032

ITEM DESCRIPTION	BID PRICE	
	\$ per Cu. Yd.	TOTAL
A. 405 Cubic Yards of Sludge Removal	\$ 375.00	\$ 151,875.00
B. Liner Repair Allowance	ALLOWANCE	\$ 25,000.00
TOTAL		\$ 176,875.00

; and

WHEREAS, in a memo dated September 6, 2024, the Director of Public Works has recommended that the contract be awarded to the sole and responsive bidder, Spectraserv Inc., whose address is, 75 Jacobus Avenue, Kearney, NJ 07032 for the PROVISION OF A LAGOON RESTORATION AND REPAIRS in the amount not to exceed \$176,875.00; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Spectraserv Inc., whose address is, 75 Jacobus Avenue, Kearney, NJ 07032 in an amount not to exceed \$176,875.00 for the PROVISION OF LAGOON RESTORATION AND REPAIRS.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$176,875.00 for the aforesaid contract in Water Capital Account #06-215-24-09K-500288.

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

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

RESOLUTION #2024-228

A RESOLUTION AUTHORIZING CHANGE ORDER TO EXISTING CONTRACT AND THE AWARD OF CONTRACT FOR MAINTENANCE AND SERVICE OF WELLS AND PUMPS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its annual capital program (2024-500-26) authorized the redevelopment and rehabilitation of wells for the Water Utility Division (P-24-00044) and

WHEREAS, the Township Water Utility and Parks Maintenance Divisions require a contract for the maintenance and service of wells and pumps; and

WHEREAS, on March 21, 2024 (Resolution #2024-094) the Township of Marlboro authorized the final renewal of a contract to A.C. SCHULTES, INC. whose address is 664 South Evergreen Avenue, Woodbury Heights, New Jersey 08097, Bid 2022-03, for the provision of MAINTENANCE AND SERVICE OF WELLS AND PUMPS through April 30, 2024 in the amount not to exceed \$165,300.00; and

WHEREAS, in a memo dated September 9, 2024, the Director of Public Works has determined that a change order in the amount of \$8,265.00 representing 5% of the contract is needed to cover additional anticipated services; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$8,265.00 are available for this Change Order in Utility Account 05-201-55-500-288020; and

WHEREAS, with the anticipation of additional services needed prior to the expiration of the current contract, the Township of Marlboro has authorized the acceptance of bids (Bid #2024-21) for the provision of MAINTENANCE AND SERVICE OF WELLS AND PUMPS, and on September 6, 2024, received one (1) bid, as follows:

#	Bidder	Bid Amount
1	A.C. Schultes, Inc. 664 South Evergreen Ave, Woodbury Heights, NJ 08097	\$329,500.00

; and

WHEREAS, the Director of Public Works has advised that the bid submission of the sole bidder, A.C. SCHULTES, INC. whose address is 664 South Evergreen Avenue, Woodbury Heights, New Jersey 08097 is responsive and has recommended that a contract for the provision of MAINTENANCE AND SERVICE OF WELLS AND PUMPS be awarded for a period of one year expiring on September 30, 2025 in the amount of

\$329,500.00; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director of Public Works to authorize a change order to the existing contract for the provision MAINTENANCE AND SERVICE OF WELLS AND PUMPS and the award the bid as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that change order #1 to the existing contract with A.C. SCHULTES, INC., whose address is 664 South Evergreen Avenue, Woodbury Heights, NJ 08097 for the provision of MAINTENANCE AND SERVICE OF WELLS AND PUMPS be and is hereby approved, increasing the original contract total of \$165,300.00 to \$173,565.00 a net increase of \$8,265.00.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to A.C. SCHULTES, INC., whose address is 664 South Evergreen Avenue, Woodbury Heights, NJ 08097 in an amount not to exceed \$329,500.00 for the provision of MAINTENANCE AND SERVICE OF WELLS AND PUMPS for a period of one (1) year beginning on October 1, 2024, with an option to renew for one two-year or two one-year periods on the same terms and conditions as specified in the bid.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract with A.C. SCHULTES, INC., whose address is 664 South Evergreen Avenue, Woodbury Heights, NJ 08097 in an amount not to exceed \$329,500.00.

BE IT FURTHER RESOLVED, that funds have been certified by the Chief Financial Officer in the amount of \$185,000.00 in Water Capital Account #06-215-24-09L-500288.

BE IT FURTHER RESOLVED, that funds for the remaining portion of the contract will be certified by the Chief Financial Officer upon adoption of the 2025 budget at the time services are ordered.

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

- a. A.C. SCHULTES, INC.
- b. Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2024-229

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE
IMPROVEMENTS TO TICETOWN ROAD FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-060-4) authorized improvements to Ticetown Road located between Greenwood Road and the Old Bridge border (P-22-00062); and

WHEREAS, the Township of Marlboro has received a New Jersey Department of Transportation (NJDOT) Local Aid grant of \$246,850 to offset the cost of this project; and

WHEREAS, the Township of Marlboro advertised for the receipt of bids (2024-12) for the IMPROVEMENTS TO TICETOWN ROAD for the Township of Marlboro (the "Services"), and on July 10, 2024 received seven (7) bids; and

WHEREAS, the Township Council rejected the received bids on July 18, 2024 (Resolution #2024-197) to substantially revise the specifications for the goods or services pursuant to 40A:11-13.2(d); and

WHEREAS, the Township of Marlboro re-advertised for the receipt of bids for the IMPROVEMENTS TO TICETOWN ROAD (Bid 2024-12B) and on September 11, 2024 received eight (8) bids as follows:

Bidder	Total Bid Amount
Lucas Brothers, Inc	\$ 295,295.00
S Brothers, Inc.	\$ 317,688.64
Earle Asphalt Company	\$ 320,613.13
Black Rock Enterprises LLC	\$ 330,000.00
Meco Inc.	\$ 356,813.50
Fiore Paving Co.	\$ 358,981.34
L&L Paving Company, Inc.	\$ 368,911.00
Z Brothers Concrete Contractors, Inc.	\$ 453,770.00

; and

WHEREAS, in a memo dated September 12, 2024, the Contract Engineer has recommended that the contract be awarded to the lowest and responsive bidder, LUCAS BROTHERS, Inc., whose address is 90 AMBOY ROAD, MORGANVILLE, NJ 07751 for the IMPROVEMENTS TO TICETOWN ROAD in the amount not to exceed \$295,295.00; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Contract Engineer 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 LUCAS BROTHERS, INC., whose address is 90 AMBOY ROAD, MORGANVILLE, NJ in an amount not to exceed \$295,295.00 for the IMPROVEMENTS TO TICETOWN ROAD.

BE IT FURTHER RESOLVED, that this award is subject to approval by the NJDOT and the New Jersey Infrastructure Bank (NJIB).

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract with LUCAS BROTHERS, INC., in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney, subject to approval by the NJDOT and the NJIB.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$295,295.00 for the aforesaid contract in Capital Accounts 04-215-23-06A-060288 and 04-215-24-08F-060288.

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

- a. LUCAS BROTHERS, INC.
- b. Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works
- e. Township Engineer

RESOLUTION #2024-230

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE PROVISION OF A PARTIAL ROOF REPLACEMENT FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-122-103) authorized the partial roof replacement of the police station and court room (P-24-00028); and

WHEREAS, the Township of Marlboro advertised for the receipt of bids for the PROVISION OF A PARTIAL ROOF REPLACEMENT (Bid 2024-19) and on September 11, 2024 received six (6) bids as follows:

Vendor	Total Lump Sum
MTB LLC 100 Steiner Ave. Neptune City, NJ 07753	\$391,100.00
VMG Group 288 Cox St. Roselle, NJ 07203	\$456,000.00

Premier Roofing 1520 Rt 37 W. #4 Toms River, NJ 08755	\$566,900.00
USA General Contractors Corp 167 Route 33 Manalapan, NJ 07726	\$597,700.00
Mak Group 82 Midland Ave. Ste. D Saddle Brook, NJ 07663	\$659,758.00
G.C. Dynatech Construction 2066 Rt 35 N. South Amboy, NJ 08879	\$720,000.00

; and

WHEREAS, in a memo dated September 12, 2024, the Contract Architect has recommended that the contract be awarded to the lowest and responsive bidder, MTB LLC, whose address is 100 Steiner Avenue, Neptune City, New Jersey, 07753 for the PROVISION OF A PARTIAL ROOF REPLACEMENT in the amount not to exceed \$391,100.00; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Contract Architect as set forth herein; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to MTB LLC, whose address is, 100 Steiner Avenue, Neptune City, New Jersey, 07753 in an amount not to exceed \$391,100.00 for the PROVISION OF A PARTIAL ROOF REPLACEMENT.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$391,100.00 for the aforesaid contract in Capital Account #04-215-24-08K-122288.

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

- a. MTB LLC
- b. Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works
- e. Township Architect

RESOLUTION #2024-231

A RESOLUTION AUTHORIZING YEAR 3 OF THE AGREEMENT FOR THE FARMING RIGHTS TO THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "STATTEL FARM PROPERTY" (BLOCK 206/LOT 25) LOCATED ON STATE HIGHWAY 79 AT COUNTY ROUTE 520

WHEREAS, on August 18, 2022 (Resolution #2022-194) the Township Council of the Township of Marlboro awarded a contract to AKC Inc. FOR FARMING RIGHTS TO THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "STATTEL FARM PROPERTY" (BLOCK 206/LOT 25) LOCATED ON STATE HIGHWAY 79 AT COUNTY ROUTE 520 (Bid #2022-09) for a period of 24 months; and

WHEREAS, the bid specifications included the option to renew said agreement for an additional one year extension on the same terms and conditions, and at the exclusive option of the Township; and

WHEREAS, in a memo dated July 19, 2024, the Director of Public Works has recommended that the Township approve the first and final one (1) year extension of the agreement terminating on December 31, 2024; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract with AKC Inc. whose address is 178 Highway 34, Holmdel, New Jersey 07733 for the FARMING RIGHTS TO THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "STATTEL FARM PROPERTY" (BLOCK 206/LOT 25) LOCATED ON STATE HIGHWAY 79 AT COUNTY ROUTE 520, be extended for an additional one (1) year period expiring on December 31, 2025 in an amount not to exceed \$2,653.00.

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

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

RESOLUTION #2024-232

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

WHEREAS, on December 21, 2023 (Resolution #2023-270) 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 2025; 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 2025 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 #2024-233

AUTHORIZING A 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 enter into a 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 525 tons at a rate of \$85.60 per ton in 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 2025 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk are hereby authorized and directed to execute the documents necessary consistent with the County's posted Rules and Regulations for the disposal of debris with the Monmouth County Reclamation Center, 6000 Asbury Avenue, Tinton Falls, NJ 07753.

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

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 #2024-234

RESOLUTION AMENDING RESOLUTION #2024-095 FOR SECOND AND FINAL CONTRACT RENEWAL OPTION FOR THE PROVISION OF VARIOUS STREET & ROAD MATERIALS OBTAINED BY THE WESTERN MONMOUTH PURCHASING GROUP FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on March 21, 2024 (Resolution #2024-095), the Township Council of the Township of Marlboro authorized the second and final optional contract renewal for the PROVISION OF VARIOUS STREET & ROAD MATERIALS OBTAINED BY THE WESTERN MONMOUTH PURCHASING GROUP FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

WHEREAS, it has been discovered that the renewal resolution contained a typographical error, citing incorrect contract renewal amounts; and

WHEREAS, in accordance with the original bid and contract award (Resolution #2022-124), the contract renewal amounts should reflect the following:

Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724, in an amount not to exceed \$693,362.50

American Bituminous Company, Inc., 100 Main Street, West Collingswood Heights, New Jersey 08059, in an amount not to exceed \$23,250.00

; and

WHEREAS, the Township recommends that in accordance with the original bid and contract award, the resolution authorizing the second and final optional contract renewal of record be corrected as follows:

Stavola Construction Materials, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724, in an amount not to exceed \$693,362.50

American Bituminous Company, Inc., 100 Main Street, West Collingswood Heights, New Jersey 08059, in an amount not to exceed \$23,250.00

; and

WHEREAS, the Mayor and Township Council have indicated their desire to correct the resolution of record as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the second and final contract renewal option for the PROVISION OF VARIOUS STREET & ROAD MATERIALS OBTAINED BY THE WESTERN MONMOUTH PURCHASING GROUP FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS be confirmed.

BE IT FURTHER RESOLVED, that funds will be certified by the Chief Financial Officer at the time materials are ordered.

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

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

RESOLUTION #2024-235

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR
THE BUFFER IMPROVEMENTS AT THE SITE KNOWN AS 49 ROUTE 520
LLC, BLOCK 268, LOT 69, LOCATED AT 49 ROUTE 520,
ENGLISHTOWN, NEW JERSEY 07726

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request from Mr. Felix Bruselovsky, of New Horizon Properties for release of the Township held Performance Guarantees in the form of a Bond for buffer improvements ("Buffer Improvements") on the Site known as "49 Route 520 LLC" (the "Site"), property known as Block 268, Lot 69 on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by 49 Route 520 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 August 9, 2024, 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 amount in accordance with the recommendation of the Township Engineer's report dated August 9, 2024.

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 posted by the Developer, 49 Route 520 LLC, for the site known as 49

Route 520 LLC, located on property known as Block 268, Lot 69, Township of Marlboro, New Jersey, shall be released as follows:

1. The Bond (NGM Insurance Company, Bond No. S315809), in the original and present amount of \$11,075.00, shall be released in its entirety.

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.

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

- a. 49 Route 520 LLC, Applicant
- b. NGM Insurance Company
- c. Kenneth L. Pape, Esq., Applicant's Attorney
- d. Township Business Administrator
- e. Township Chief Financial Officer
- f. Township Engineer
- g. Louis N. Rainone, Esq., Township Attorney

RESOLUTION #2024-236

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR
THE WATER IMPROVEMENTS AT THE SITE KNOWN AS 49 ROUTE 520
LLC, BLOCK 268, LOTS 66-68, LOCATED AT 49 ROUTE 520,
ENGLISHTOWN, NEW JERSEY 07726

WHEREAS, in accordance with N.J.S.A. 40:55D-53, the Township of Marlboro has received a request from Mr. Felix Bruselovsky, of New Horizon Properties for release of the Township held Performance Guarantees in the form of a Bond for water improvements ("Water Improvements") on the Site known as "49 Route 520 LLC" (the "Site"), property known as Block 268, Lots 66-68 on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by 49 Route 520 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 August 9, 2024, 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 amount in accordance with the recommendation of the Township Engineer's report dated August 9, 2024.

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 posted by the Developer, 49 Route 520 LLC, for the site known as 49 Route 520 LLC, located on property known as Block 268, Lots 66-68, Township of Marlboro, New Jersey, shall be released as follows:

2. The Bond (NGM Insurance Company, Bond No. S339728), in the original and present amount of \$45,599.76, shall be released in its entirety.
3. The Cash Deposit, in the original and present amount of \$5,066.64 (excludes accrued interest), shall be released in its entirety.

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 \$7,599.96; and

- a. 49 Route 520 LLC, Applicant
- b. NGM Insurance Company
- c. Kenneth L. Pape, Esq., Applicant's Attorney
- d. Township Business Administrator
- e. Township Chief Financial Officer
- f. Township Engineer
- g. Louis N. Rainone, Esq., Township Attorney

RESOLUTION #2024-237

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR
THE SITE IMPROVEMENTS AT THE SITE KNOWN AS WOOLEYTOWN ROAD,
BLOCK 120.02, LOT 38, LOCATED AT 14 WOOLEYTOWN 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 Ms. Yanky Blonder, of H&S Builders LLC for release of the Township held Performance Guarantees in the form of cash deposits for site improvements ("Public Improvements") on the Site known as "Wooleytown Road"(the "Site"), property known as Block 120.02, Lot 38 on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Real Edge 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 August 23, 2024, a copy of which is attached hereto and made a part hereof; and

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

WHEREAS, the Township Council desires to release the performance guarantee amount in accordance with the recommendation of the Township Engineer's report dated August 23, 2024.

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 cash deposits posted by the Developer, Real Edge LLC, for the site known as Real Edge LLC, located on property known as Block 120.02, Lot 38, Township of Marlboro, New Jersey, shall be released as follows:

4. The Cash Deposit in the original and present amount of \$11,134.86 (excludes accrued interest), shall be released in its entirety.

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.

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

- a. Real Edge LLC, Applicant
- b. Daniel M. Alfieri, Esq., Applicant's Attorney
- c. Township Business Administrator
- d. Township Chief Financial Officer
- e. Township Engineer
- f. Louis N. Rainone, Esq., Township Attorney

RESOLUTION #2024-238

A RESOLUTION OF THE TOWNSHIP OF MARLBORO AUTHORIZING A RIGHT OF ENTRY AGREEMENT WITH ARKYS AUTO SALES, AMERICAN PROPERTIES AT MARLBORO II LLC and ECOLSCIENCES, INC. FOR LIMITED RIGHT OF ACCESS TO TOWNSHIP-OWNED PROPERTY KNOWN AS BLOCK 268.04, LOT 1 (CREST DRIVE AND ROUTE 520) IN CONNECTION WITH ENVIRONMENTAL REMEDIATION ACTIVITIES ASSOCIATED WITH BLOCK 268 LOT 79 (77 ROUTE 520, ENGLISHTOWN, NJ 07726)

WHEREAS, the Township of Marlboro ("Township") owns property which is designated on the Township of Marlboro Tax Map as Block 268.04, Lot 1 ("Premises"); and

WHEREAS, Arkys Auto Sales ("Arkys") owns Block 268, Lot 79 on the tax map of the Township of Marlboro; and

WHEREAS, American Properties is the contract purchaser of Block 268, Lot 79 on the tax map of the Township of Marlboro and desires a non-exclusive right of access to the Premises by its environmental consultant, ECOLSCIENCES, INC. ("EcolSciences" or "Consultant") to perform certain "Environmental Remediation Activities" at the Premises; and

WHEREAS, the Environmental Remediation Activities permitted under this Site Access Agreement are set forth in the attached: (a) EcolSciences Scope of Work Proposal (see Exhibit A); and (b) EcolSciences Site Map dated August 19, 2024 (see Exhibit B); and

WHEREAS, Marlboro is willing to grant Consultant a limited right of access to the Premises to undertake the Environmental Remediation Activities in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, NEW JERSEY, THAT ECOLSCIENCES, INC. is hereby authorized to undertake Environmental Remediation Activities on BLOCK 268.04, LOT 1 (CREST DRIVE AND ROUTE 520).

BE IT FURTHER RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, NEW JERSEY, THAT the Township of Marlboro is authorized to enter into a Site Access Agreement with ARKYS AUTO SALES, AMERICAN PROPERTIES AT MARLBORO II LLC and ECOLSCIENCES, INC. for purposes of conducting the Environmental Remediation Activities described herein and detailed further in attached Exhibits A and B.

RESOLUTION #2024-239

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$56,062.60, which has been received by the municipality for the "National Opioid Settlements".

BE IT FURTHER RESOLVED, that the amount of \$56,062.60 be hereby appropriated under the caption "National Opioid Settlements".

RESOLUTION #2024-240

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$10,000.00, which has been received by the municipality for the "Emergency Management Agency Assistance".

BE IT FURTHER RESOLVED, that the amount of \$10,000.00 be hereby appropriated under the caption "Emergency Management Agency Assistance".

RESOLUTION #2024-241

RESOLUTION AUTHORIZING THE TOWNSHIP OF MARLBORO, COUNTY OF
MONMOUTH TO ACCEPT A FFY23 EMERGENCY MANAGEMENT PERFORMANCE
GRANT FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC
SAFETY, OFFICE OF THE ATTORNEY GENERAL

WHEREAS, the Township of Marlboro Office of Emergency Management has been awarded the State Homeland Security Grant Program Sub-grant AFN #97.042, Sub-Grant Award #FY23-EMPG- EMAA-1330 from the New Jersey Department of Law and Public Safety, Office of the Attorney General; and

WHEREAS, the Sub-Grant, consisting of a \$10,000.00 Federal award is for the purpose of enhancing the Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Township of Marlboro will use these funds for Emergency Management purposes, and to enhance its Emergency

Management Program; and

WHEREAS, the award period is from July 1, 2023 to June 30, 2024; and

WHEREAS, the Sub-Grant Award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Township of Marlboro Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Sub-Grant Award that has been required by the said New Jersey State Office of Emergency Management.

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

BE IT FURTHER RESOLVED, that the Council accepts the award of the FFY23 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Sub-grant (EMAA) in the amount of up to \$10,000.00 of Federal Funds from the New Jersey State Police, Office of Emergency Management.

BE IT FURTHER RESOLVED, that the Chief Financial Officer and Director/Deputy of Emergency Management are authorized to sign the appropriate Sub-Grant Award documents.

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

- a. Township Administrator
- b. Township Chief of Police
- c. Township Chief Financial Officer
- d. New Jersey State Police, OEM
- e. Monmouth County OEM

RESOLUTION #2024-242

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #21-
TELE-01517 FOR THE PURCHASE OF NETWORKING EQUIPMENT
FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2024 capital program authorized the purchase of replacement of various hardware, including networking switches for the Marlboro Township Division of Information Technology (IT) (2024-033-04); 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, Derive Technologies whose address is 40 Wall Street, 20th Floor, New York, New York 10005 was awarded State Contract #21-TELE-01517 for the networking switches and supporting equipment as indicated in the supporting documentation and vendor quotations dated May 17, 2024 and August 20, 2024 in an amount not to exceed \$67,122.46; 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 networking switches and supporting equipment to be utilized by IT through the State Contract #21-TELE-01517; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$67,122.46 from capital accounts #04-215-20-05B-033297, #04-215-19-01B-033297 and #04-215-18-01A-033297; and

WHEREAS, the Township Council desires to approve the purchase of the networking switches and supporting equipment through the State Contract #21-TELE-01517.

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 networking switches and supporting equipment for the Marlboro Township Division of Information Technology from Derive Technologies whose address is 40 Wall Street, 20th Floor, New York, New York 10005 under the State Contract #21-TELE-01517 in a total amount not to exceed \$67,122.46.

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

- a. Derive Technologies
- b. Township Business Administrator
- c. Chief of Information Technology
- d. Chief Financial Officer
- e. Insurance

RESOLUTION #2024-243

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 2025; 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 2025.

RESOLUTION #2024-244

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT FOR THE PROVISION OF T-SHIRTS IN VARIOUS COLORS AND SIZES FOR THE TOWNSHIP OF MARLBORO

WHEREAS, on April 20, 2023 (Resolution #2023-117) the Township Council of the Township of Marlboro awarded a contract to Dot Designing LLC FOR THE PROVISION OF T-SHIRTS IN VARIOUS COLORS AND SIZES FOR THE TOWNSHIP OF MARLBORO (Bid #2023-04);and

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

WHEREAS, on August 17, 2023 (Resolution #2023-207) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated August 29, 2024, the Director of Recreation has recommended that the Township approve the second and final one (1) year extension of the contract terminating on December 31, 2024; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract with Dot

Designing LLC whose address is 242 Possum Hollow Road, Monroe Township, New Jersey 08831 for the PROVISION OF T-SHIRTS IN VARIOUS COLORS AND SIZES, be extended for an additional one (1) year period expiring on December 31, 2025 in an amount not to exceed \$96,857.80

BE IT FURTHER RESOLVED, funds for the contract totaling \$96,857.80 will be made available and certified by the Chief Financial Officer upon adoption of the 2025 municipal budget.

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

- a. Dot Designing LLC
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Director of Recreation

RESOLUTION #2024-245

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT FOR THE
PROVISION OF POOL MAINTENANCE SERVICES FOR THE TOWNSHIP OF
MARLBORO

WHEREAS, on September 15, 2022 (Resolution #2022-211) the Township Council of the Township of Marlboro awarded a two year contract to Aquatic Service Inc. FOR THE PROVISION OF POOL MAINTENANCE SERVICES FOR THE TOWNSHIP OF MARLBORO (Bid #2022-12);and

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

WHEREAS, in a memo dated September 6, 2024, the Director of Recreation has recommended that the Township approve the final one (1) year extension of the contract terminating on December 31, 2024; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract with Aquatic Service Inc. whose address is 550 Hartle Street, Suite F, Sayreville, New Jersey 08872 for the PROVISION OF POOL MAINTENANCE SERVICES, be extended for an additional one (1) year period expiring on December 31, 2025 in an amount not to exceed \$119,138.05

BE IT FURTHER RESOLVED, funds for the contract totaling \$119,138.05 will be made available and certified by the Chief Financial Officer in Utility Accounts 09-201-55-400-288482, 09-201-55-400-288451, 09-201-55-400-251452 and 09-201-55-400-251451 upon

adoption of the 2025 municipal budget.

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

- a. Aquatic Service Inc.
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Director of Recreation

RESOLUTION #2024-246

RESOLUTION AUTHORIZING ACCEPTANCE OF THE DONATION OF
AN ELECTRONIC SCOREBOARD FROM THE MAX SPIVAK FOUNDATION FOR
THE TOWNSHIP OF MARLBORO RECREATION SOCCER PROGRAM

WHEREAS, Max Spivak was a Marlboro High School graduate and an integral part of the Marlboro Soccer Association; and

WHEREAS, Max Spivak tragically lost his life in an automobile accident in February of 2023; and

WHEREAS, the Max Spivak Foundation was founded to honor his life and all of his achievements and contributions within the soccer community; and

WHEREAS, the Max Spivak Foundation is graciously donating an electronic scoreboard in the memory of Max Spivak to be installed at the Vanderburg Stadium Field; and

WHEREAS, the Max Spivak Foundation will purchase and install the electronic scoreboard with an estimated value of approximately \$28,000.00; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the donation of the electronic scoreboard in the memory of Max Spivak as described above is hereby accepted.

BE IT FURTHER RESOLVED, that the Mayor and Council express thanks and appreciation to the Foundation for honoring Max's life and achievements through its support of the Marlboro Recreation Soccer Program.

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

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

RESOLUTION #2024-247

TAX LIEN REDEMPTIONS

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$21,052.35 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 \$21,052.35 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>
2022-037	398/4	Pro Cap 8 FBO Firstrust Bank PO Box 774 Fort Washington, PA 19034	\$ 4,113.52
2021-007	120.02/4	Fig Cust FIGNJ19 LLC PO Box 669507 Dallas, TX 75266	\$ 2,713.42
2023-033	288/29 C0494	C AND E Tax Lien Fund 1 PO Box 5021 Philadelphia, PA 19111	\$11,503.73
2023-037	339/73	CHANGSHENG LU 628 N Butrick Street Waukegan, IL 60085	\$ 2,721.68

RESOLUTION #2024-248

A RESOLUTION AUTHORIZING THE CANCELLATION OF
CERTAIN TAXES ON EXEMPT PROPERTIES (Township Owned)

WHEREAS, the attached list in the amount of \$19,198.36 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 \$19,198.36 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	\$7,220.83
132/27		Twp of Marlboro 1979 Township Dr. Marlboro, NJ 07746	\$11,709.24
119/23.01		Twp of Marlboro 1979 Township Dr. Marlboro, NJ 07746	\$ 268.29

Total: \$19,198.36

RESOLUTION #2024-249

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 2024 property taxes totaling \$4,681.94 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 \$4,681.94 for 2024 taxes.

SCHEDULE "A"

BLOCK/LOT	EFFECTIVE DATE	PROPERTY INFORMATION	AMOUNT
219/7	8/23/2024	Perri, John Jr. & Helena 10 Orchard Street	\$4,681.94
Total			\$4,681.94

RESOLUTION #2024-250

AUTHORIZING REFUND OF PAYMENTS TO WMUA

WHEREAS, delinquent sewer charges totaling \$132.70 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 \$132.70 be refunded to Western Monmouth Utilities Authority.

Schedule A

BLOCK	LOT	QUALIFIER	PROPERTY LOCATION	AMOUNT
339	73		15 Alison Ct.	\$132.70
Total Refunded to WMUA				\$132.70

RESOLUTION #2024-251

REFUND OF TAX OVERPAYMENTS

WHEREAS, the attached list in the amount of \$254.45 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
355.01/1	Holland Drive	\$ 254.45
		\$ 254.45

At 7:38 p.m., Council Vice President Milman moved that the meeting be adjourned. This was seconded by Councilwoman Viridi, and as there was no objection. The municipal clerk was asked to cast one ballot.

MINUTES APPROVED: OCTOBER 17, 2024

OFFERED BY: MILMAN

AYES: 4

SECONDED BY: QAZI

NAYS: 0

ABSENT: SCALEA

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
101724

ANTOINETTE M. DINUZZO,
COUNCIL PRESIDENT