

MARLBORO TOWNSHIP COUNCIL MEETING

January 7, 2021

The Marlboro Township Council held its reorganization meeting remotely on January 7, 2021 at 7:00 P.M.

Council President Mazzola opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this meeting of the Township Council of the Township of Marlboro was noticed to the Asbury Park Press, the Star Ledger, News Transcript and Marlboro Township Board of Education on December 21, 2020; published in the Asbury Park Press on December 18, 2020; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

Invocation was given by Rabbi Kanelnski of the Center for Jewish Life.

The Clerk called the Roll.

PRESENT: Council Vice President Cantor, Councilwoman Marder, Councilman Metzger, Councilman Scalea, and Council President Mazzola.

Also present were: Mayor Jonathan L. Hornik, Louis N. Rainone, Esq., Business Administrator Jonathan Capp, and Municipal Clerk Susan A. Branagan.

The following Resolution #2021-001 (Election of Council President) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-001

ELECTION OF COUNCIL PRESIDENT

BE IT RESOLVED, by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro Jeff Cantor shall serve as the Council President of the Marlboro Township Council.

Former Council President Mazzola thanked everyone for giving her the honor of serving as Council President. Newly appointed Council President Cantor chaired the remaining portion of the reorganization meeting.

The following Resolution #2021-002 (Election of Council Vice President) was introduced by reference, offered by Councilwoman

Mazzola, seconded by Councilwoman Marder and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-002

ELECTION OF COUNCIL VICE PRESIDENT

BE IT RESOLVED, by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro, Scott Metzger shall serve as the Council Vice President of the Marlboro Township Council.

The following Resolution #2021-003 (Confirmation of Re-Appointments of Municipal Officials) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Marder and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-003

RESOLUTION CONFIRMING APPOINTMENT OF MUNICIPAL OFFICIALS FOR THE TOWNSHIP OF MARLBORO

WHEREAS, Mayor Jonathan Hornik has appointed Suzanne Leifer as Recreation Director for the Township of Marlboro for a term ending on December 31, 2023; and

WHEREAS, Mayor Jonathan Hornik has appointed Pasquale (Pat) Menna as Municipal Prosecutor for the Township of Marlboro for a term ending on December 31, 2021; and

WHEREAS, Mayor Jonathan Hornik has appointed Michael Dupont as Public Defender for the Township of Marlboro for a term ending on December 31, 2021; and

WHEREAS, Mayor Jonathan Hornik has appointed Raymond Raya as Public Defender for the Township of Marlboro for a term ending on December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that it hereby confirms the appointments made by Mayor Jonathan Hornik as follows:

- 1) Suzanne Leifer as Recreation Director for a term ending December 31, 2023
- 2) Pasquale (Pat) Menna as Municipal Prosecutor for a term ending December 31, 2021
- 3) Michael Dupont as Public Defender for a term ending December 31, 2021

- 4) Raymond Raya as Public Defender for a term ending December 31, 2021

The following Resolution #2021-004 (Appointment Class III member to Planning Board) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-004

RESOLUTION APPOINTING CLASS III  
PLANNING BOARD MEMBER

BE IT RESOLVED, by the Township Council of the Township of Marlboro that pursuant to Section 220-9 of the Code of the Township of Marlboro, Carol Mazzola be and is hereby appointed to the Planning Board, as a Class III member.

The following Resolution #2021-005 (Appointments to Zoning Board) was introduced by reference, offered by Councilman Metzger, seconded by Councilwoman Marder and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-005

RESOLUTION APPOINTING ZONING BOARD  
OF ADJUSTMENT MEMBERS

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

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

WHEREAS, the Township Council wishes to reappoint MICHAEL SHAPIRO for a four (4) year term; and

WHEREAS, the Township Council wishes to reappoint ALON SOLON for a four (4) year term; and

WHEREAS, the Township Council wishes to reappoint IRA LEVIN to serve as Alternate #1 for a two year term; and

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

That it hereby appoints MICHAEL SHAPIRO, ALON SOLON and IRA LEVIN to serve as members of the Marlboro Township Zoning Board of Adjustment in the positions specified above, and for the terms indicated above.

The following Resolution #2021-006 (Confirming Appointment Agricultural Advisory Committee) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-006

A RESOLUTION REAPPOINTING MEMBERS TO SERVE ON THE  
TOWNSHIP OF MARLBORO AGRICULTURAL ADVISORY COMMITTEE AND DESIGNATING  
A CHAIRPERSON OF SAID COMMITTEE

WHEREAS, pursuant to Chapter 30 "Farmland, Open Space and Historic Sites" of the Code of the Township of Marlboro, specifically Sections 30-12 through 30-17, the Township of Marlboro created an Agricultural Advisory Committee; and

WHEREAS, pursuant to Section 30-13, the Mayor shall appoint three (3) citizens to the Agricultural Advisory Committee with the consent of the Township Council and the Mayor shall designate a Chairperson; and

WHEREAS, the Mayor wishes to reappoint ELMER GERAN to the Agriculture Advisory Committee for a term of two (2) years; and

WHEREAS, the Mayor has indicated that HEIDI RAJAN shall be the Chairperson of said Committee for a term of one (1) year; and

WHEREAS, the Township Council now desires to consent to said reappointments.

NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED, that the Township Council of the Township of Marlboro consents to the reappointment of ELMER GERAN to the Agricultural Advisory Committee for a term of two (2) years and also consents to the designation of HEIDI RAJAN as the Chairperson of the Agricultural Advisory Committee for a term of one (1) year.

The following Resolution #2021-007 (Reappointment Youth Exchange Advisory Committee Chairperson) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Metzger and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-007

A RESOLUTION DESIGNATING A CHAIRPERSON OF THE  
YOUTH EXCHANGE ADVISORY COMMITTEE

WHEREAS, pursuant to Section 4-100 of the Code of the Township of Marlboro, the Township Council established the Youth Exchange Advisory Committee as a special committee of the Township Council to undertake the administration, management and planning of the Youth Exchange Program between the Township of Marlboro and the Nanto City, Toyama Prefecture, Japan, Wujiang, China and other cities or regions designated by the Mayor and Township Council; and

WHEREAS, pursuant to Section 4-100(C) (1) of the Code, the Youth Exchange Advisory Committee shall consist of up to but not more than 14 members appointed by the Township Council; and

WHEREAS, pursuant to Section 4-100(C) (4) of the Code, the Township Council shall designate one of the members to serve as Chair and presiding officer of the Youth Exchange Advisory Committee for a term of one (1) year; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, that the Township Council of the Township of Marlboro designates CONNIE MO as Chairperson of the Youth Exchange Advisory Committee for a term of one (1) year expiring December 31, 2021.

The following Resolution #2021-008 (Appointment of Council Liaisons) was introduced by reference, offered by Councilman Scalea, seconded by Councilwoman Marder, and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-008

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the following are hereby appointed as Council Liaisons, to serve at the discretion of the Township Council:

Open Space Committee	- Randi Marder
Recreation & Swim Advisory Committee	- Randi Marder and Michael Scalea
W.M.U.A.	- Joseph Pernice
Senior Advisory Committee	- Terry Lau
Freehold Regional Board of Education	- Michael Messinger
Environmental Commission	- Rohit Gupta
Youth Exchange Advisory Committee	- Michael Scalea
Economic Development Committee	- Carol Mazzola
Veterans & Volunteers Committee	- Jeff Cantor
Teen Advisory Committee	- Scott Metzger
Historical Commission	- Douglas Tilton
Marlboro Drug Alliance	- Randi Marder
Affordable Housing	- Carol Mazzola
Shade Tree Committee	- Randi Marder
Local Emergency Planning Committee	- Jeff Cantor
Ethics Board	- Carol Mazzola and

Police Department  
Department of Public Works

Michael Scalea  
- Jeff Cantor  
- Jeff Cantor

The following Resolution #2021-009 (Meeting Dates - 2021) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilman Metzger, and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-009

WHEREAS, the Township Council of the Township of Marlboro wishes to establish dates for its regularly scheduled meetings in 2021, set forth the PUBLIC MEETING GENERAL RULES OF ORDER, and EMERGENCY REMOTE MEETING PROTOCOL, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS AND RULES OF DECORUM FOR PUBLIC PARTICIPATION AT ALL PUBLIC OR REMOTE PUBLIC MEETINGS, and INSTRUCTIONS ON HOW TO PARTICIPATE IN A REMOTE PUBLIC MEETING.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that it hereby adopts the following dates for it's regularly scheduled meetings in 2021:

January 21, 2021

February 4, 2021

February 18, 2021

March 4, 2021

March 18, 2021

April 22, 2021

May 6, 2021

June 17, 2021

July 15, 2021

August 19, 2021

September 16, 2021

October 7, 2021

October 21, 2021

November 18, 2021

December 16, 2021

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that the following general rules of order shall govern the meetings of the Township Council for 2021:

Rule 1. The Regular Meetings of the Council shall be held on the first and third Thursday of each month, either remotely or in-person at the Marlboro Municipal Complex unless otherwise posted.

Rule 2. The Order of Business at Meetings of the Council shall be as follows:

1. Salute to the Flag
2. Announcement of Meeting (Sunshine Law)
3. Roll Call
4. Citizen's Voice
5. Council Speaks Out
6. Administrative Report
7. Correction and/or Approval of Minutes
8. Public Hearings
9. Introduction of Ordinances
10. Resolutions
11. Adjournment of Meeting

Rule 3. At Regular Meetings of the Council, any individual desiring to speak or provide a written comment for the Citizen's Voice section of the meeting will be allotted a maximum of five (5) minutes and will not be permitted to transfer unused time. Citizen's Voice will be limited to a total of fifteen (15) minutes at Special Meetings. Said time shall be divided equally among those speakers listed on the sign in sheet for an in-person Special Meeting or amongst those who have registered to speak at a remotely-held Special Meeting, but shall not exceed five (5) minutes for any one speaker.

Rule 4. Matters listed on the Consent Agenda are considered to be routine and may be enacted by one motion and one roll call vote. If discussion is desired by a Council Member, the item will be removed from the Consent Agenda and considered separately. All Consent Agenda items will be reflected in full in the minutes.

BE IT FURTHER RESOLVED, that the following Emergency Remote Meeting Protocols as codified at N.J.A.C. 5:39-1 et seq. are hereby adopted in order to ensure that the Township Council of the Township of Marlboro can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public, and to safeguard public participation in any public or remote public meetings in the Township of Marlboro:

(1) "Declared Emergency" means a public health emergency pursuant to the Emergency Health Powers Act (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to N.J.S.A. App. A: 9-33 et seq., or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

(2) N.J.A.C 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and

(3) No in-person meeting shall proceed if the room capacity does not permit any member of the public to attend; and

(4) Pursuant to N.J.A.C 5:39-1 et seq., if the Township of Marlboro holds a remote meeting to conduct public business they shall use electronic communication technology routinely used in business settings that can be accessed by the public at no cost and with participant capacity consistent with the reasonable expectations of the public body for the type of public meeting being held and shall at minimum, not be limited to fewer than fifty (50) public participants, beyond those persons required to conduct business at the meeting; and

(5) Remote public meetings will be held by the Township of Marlboro in audio and the public shall also have an opportunity to participate in the meeting in audio capacity pursuant to N.J.A.C 5:39-1.4(c) and the Council shall additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment; and

(6) When the Township of Marlboro holds a remote public meeting, they shall allow members of the public to make public comment by audio; and

(7) Any remote public meeting where sworn testimony is being taken shall be broadcast by video as well as audio and all individuals giving sworn testimony shall appear by video in addition to audio; and

(8) Any presentation or documents that would otherwise be viewed or made available to members of the public physically attending a local public meeting shall be made visible on a video broadcast of the remote public meeting or made available on the internet website of the Township of Marlboro; and

(9) For matters not involving a public hearing, any member who wishes to speak at the public portion of the remote public Council meeting may do so by contacting the Township Clerk 72 hours prior to the scheduled meeting date; and

(10) In addition to making public comments at any remote public meeting, the Township Council of the Township of Marlboro, in advance of the remote meeting shall allow public comments to be submitted to



the Township Clerk by electronic mail and in written letter form which shall be received by the Clerk 72 hours prior to the scheduled meeting date, said deadline shall have been established and posted on the website in advance of any remote public meeting; and

(11) Public comments submitted 72 hours prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public; and

(12) A reasonable time limit on public comments shall be placed on the reading of written comments, which shall be read from beginning until the time limit is reached; and

(13) The Township Council has the discretion to pass over duplicative written comments, however each comment shall be noted for the record with the content summarized; and

(14) If the Township Council elects to summarize duplicative comments, the Council will not summarize certain duplicative comments while reading other duplicative comments individually; and

(15) The electronic communications used for a remote public meeting shall have a function that allows the Township of Marlboro to mute the audio of all members of the public as well as allow members of the public to mute themselves and same shall be announced at the beginning of every remote public session; and

(16) Adequate notice of the remote public meeting shall also include, in addition to the requirements of N.J.S.A. 10:4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on their internet website in the manner as set forth at N.J.A.C. 5:39-1.5; and

(17) In addition to adequate notice, the Township of Marlboro shall also provide electronic notice of a remote public meeting except as may be permitted N.J.S.A. 19:4-9.3 and N.J.A.C. 5:39-1.5(c) and shall contain the content required under N.J.S.A. 10:4-8 and N.J.A.C. 5:39-1.5(a) and shall be posted on the internet website of the Township of Marlboro; and

(18) The content of the electronic notice shall be posted on the main access door of the building where the public would routinely attend public meetings of the local public body in person and the notice must be viewable from the outside; and

(19) At the commencement of a remote public meeting the Council President shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic

notice or an explanation of the reason it was not adequately provided as set forth in N.J.A.C. 5:39-1.5(g); and

(20) Prior to the commencement of a remote public meeting of the Township Council, notice shall be provided and

- a. A copy of the agenda shall be made available to the public for download via the Township of Marlboro website;
  - b. Notice of the meeting shall be posted at the building where the meeting would otherwise be held;
  - c. Notice of the meeting shall be posted at any designated and clearly delineated handicap access entrance to the building;
- and

(21) In support of and respect for an open, fair and informed decision-making process, the Township Council recognizes that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and

(22) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and the Township Council's decision making, it has been decided that policies and rules should be established to promote civility and maintain decorum at local public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h); and

(23) If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Council President shall direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting; and

(24) Disruptive conduct at a public or remote public meeting includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity; and

(25) Any member of the public who continues to act in a disruptive manner at a remote public meeting after receiving an initial warning, may be muted while other members of the public are allowed to proceed with their questions or comments; and

(26) If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment and if the person still remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting.

BE IT FURTHER RESOLVED, that the INSTRUCTIONS FOR ADDRESSING THE TOWNSHIP COUNCIL AT THE CITIZEN'S VOICE PORTION OF A REMOTELY-HELD TOWNSHIP COUNCIL MEETING WILL BE IN ACCORDANCE WITH THE FOLLOWING:

- (1) Contact the Township Clerk 72 hours prior to the scheduled meeting date at 732 536-0200 x1805, and leave your name, address, phone number and email address. If you are directed to voicemail when you call, please indicate that you wish to speak or submit a written comment at Citizen's Voice, and indicate which meeting date and leave your name, address, phone number and email address.
- (2) Just prior to the start of the meeting you will be called at your phone number to attend. The call will come from an out of state "Webex" number and you must accept the call in order to participate. At the appropriate point in the meeting, you will be unmuted by the meeting host so that you may identify yourself and speak. Comments both oral and written are limited to five minutes.
- (3) If you choose to submit written comments, you will be directed to mail or email your comments 72 hours prior to the scheduled meeting date, at which time it will be read into the record at the appropriate time during the meeting.
- (4) The Township of Marlboro reserves the right to pass over duplicative written comments. However, each comment shall be noted for the record with the content summarized.

BE IT FURTHER RESOLVED, that the INSTRUCTIONS FOR SPEAKING AT A PUBLIC HEARING ADVERTISED TO BE HELD DURING A REMOTELY-HELD TOWNSHIP COUNCIL MEETING WILL BE IN ACCORDANCE WITH THE FOLLOWING:

- (1) Contact the Township Clerk 72 hours prior to the scheduled meeting date at 732 536-0200 x1805. You will be requested to leave your name, address, phone number, email address, and indicate the specific Public Hearing of interest. If you are directed to voicemail when you call, please indicate the specific Public Hearing of interest and the meeting date. In addition, leave your name, address, phone number, email address and specify whether you wish to speak or submit a written comment.
- (2) Just prior to the start of the meeting you will be called at your phone number to attend. The call will come from an out of state "Webex" number, and you must accept the call in order to participate. At the appropriate point in the meeting, you will be unmuted by the meeting host so that you may identify yourself and speak.
- (3) If you choose to submit written comments, you will be directed to mail or email your comments 72 hours prior to the scheduled meeting date, at which time it will be read into the record at the appropriate time during the meeting.

- (4) The Township of Marlboro reserves the right to pass over duplicative written comments. However, each comment shall be noted for the record with the content summarized.

BE IT FURTHER RESOLVED, that notice of these meeting dates, rules of order and emergency remote meeting protocols shall be emailed to the Asbury Park Press and the Star Ledger and published in accordance with the requirements of the Open Public Meetings Act and N.J.S.A. 10:4-18 and posted on the Township's website at <https://www.marlboro-nj.gov/township-council-agendas-and-minutes>.

The following Resolution #2021-010 (Municipal Clerk Appointment) was introduced by reference, offered by Councilwoman Mazzola, seconded by Councilwoman Marder, and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2021-10

A RESOLUTION APPOINTING SUSAN A. BRANAGAN AS MUNICIPAL CLERK FOR  
THE TOWNSHIP OF MARLBORO

WHEREAS, Alida Manco, who has served as the Municipal Clerk since 1999 retired effective August 31, 2020; and

WHEREAS, pursuant to N.J.S.A. 40A:9-133, in every municipality there shall be a municipal clerk appointed for a three-year term by the governing body of the municipality; and

WHEREAS, in the event of a vacancy in the office of Municipal Clerk, an appointment shall be made for a new term; and

WHEREAS, Susan A. Branagan has been serving as the Deputy Municipal Clerk since her appointment in 2015; and

WHEREAS, Susan A. Branagan is licensed and qualified to perform the services as Municipal Clerk in accordance with the Code of the Township of Marlboro and New Jersey State law; and

WHEREAS, pursuant to law, the appointment of the Municipal Clerk is made by the Township Council; and

WHEREAS, the Township Council wishes to appoint Susan A. Branagan as the Municipal Clerk for the Township of Marlboro effective September 1, 2020 following the retirement of Alida Manco.

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

1. The aforesaid recitals are incorporated herein by reference as if set forth at length.

2. The Township Council of the Township of Marlboro hereby appoints Susan A. Branagan as Municipal Clerk for the Township of Marlboro effective with the retirement of Alida Manco.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilman Scalea, seconded by Councilwoman Mazzola, and passed on a roll call vote of 5 - 0 in favor:

RESOLUTION # 2021-011

APPOINTING TOWNSHIP OF MARLBORO COMMUNITY DEVELOPMENT REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE COUNTY OF MONMOUTH COMMUNITY DEVELOPMENT OFFICE

WHEREAS, the County of Monmouth requires that the Township of Marlboro appoint a Community Development Representative and an Alternate Community Development Representative to act as liaison between County's Community Development staff and the Township of Marlboro; and

WHEREAS, the Mayor & Township Council desire to appoint ROBERT MILLER as the Community Development Representative and JONATHAN CAPP as the Alternate Community Development Representative for the year 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Marlboro that ROBERT MILLER is hereby appointed as Community Development Representative to the County of Monmouth Community Development Office and JONATHAN CAPP be and is hereby appointed as Alternate Community Development Representative.

RESOLUTION # 2021-012

RESOLUTION DESIGNATING JONATHAN CAPP AS COORDINATOR OF COMPLIANCE EFFORTS IN CONNECTION WITH THE AMERICANS WITH DISABILITIES ACT AND ROBERT MILLER AS DEPUTY OR ALTERNATE COORDINATOR FOR 2021

WHEREAS, a coordinator must be named to facilitate compliance with the Americans with Disabilities Act (hereinafter "ADA"); and

WHEREAS, the Township wishes to designate JONATHAN CAPP as the Coordinator of ADA Compliance; and

WHEREAS, the Township also wishes to designate an alternate or Deputy ADA Coordinator to work in conjunction with, or in the absence of, the Coordinator to ensure that the important work of compliance continues and is maintained.

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

1. JONATHAN CAPP be and is hereby designated as Coordinator of compliance efforts in connection with the Americans with Disabilities Act; and

2. ROBERT MILLER is designated as Deputy/Alternate Coordinator of compliance efforts in connection with the Americans with Disabilities Act.

RESOLUTION # 2021-013

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO LOUIS N. RAINONE, ESQ. OF RAINONE COUGHLIN MINCHELLO, LLC FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, pursuant to N.J.S.A. 40A:69A-43, Mayor Jonathan Hornik appointed Louis N. Rainone, Esq. as Director of Law of the Township of Marlboro for the period of January 1, 2020 through December 31, 2023, such appointment receiving the advice and consent of the Township Council by Resolution #2020-003; and

WHEREAS, the Township requires general legal and labor counsel services, and legal defense pertaining to affordable housing lawsuits, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 23, 2020 (the "Proposal") from RAINONE COUGHLIN MINCHELLO, LLC, 555 US Highway One South, Suite 440, Iselin, New Jersey, 08830, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to RAINONE COUGHLIN MINCHELLO, LLC, 555 US Highway One South, Suite 440, Iselin, New Jersey, 08830 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 23, 2020, not to exceed \$270,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. RAINONE COUGHLIN MINCHELLO, LLC
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-014

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO RAYMOND ALBERT RAYA, ESQ AS PUBLIC DEFENDER FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, in accordance with Chapter 4, Article XII, Section 4-63 of the Municipal Code of the Township of Marlboro, Mayor Jonathan Hornik appointed Raymond Albert Raya as Public Defender for the Township of Marlboro for the period of January 1, 2021 through

December 31, 2021, such appointment receiving the advice and consent of the Township Council by Resolution #2021-003; and

WHEREAS, the Township requires general legal and labor counsel services, and legal defense pertaining to affordable housing lawsuits, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 4, 2020 (the "Proposal") from RAYMOND ALBERT RAYA, ESQ., 55 Cornell Court, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to RAYMOND ALBERT RAYA, ESQ., 55 Cornell Court, Freehold, New Jersey 07728 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 4, 2020, not to exceed \$9,360.00; and

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



4. That notice of the award of this contract shall be published in accordance with law.

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

- a. RAYMOND ALBERT RAYA, ESQ.
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-015

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ALTERNATE TOWNSHIP PROSECUTOR SERVICES TO CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires alternate Township Prosecutor legal services, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 24, 2020 (the "Proposal") from CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 24, 2020, not to exceed \$5,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-016

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO MCMANIMON, SCOTLAND & BAUMANN, LLC AS BOND COUNSEL FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires bond counsel services such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated December 1, 2020 (the "Proposal") from MCMANIMON, SCOTLAND & BAUMANN, LLC, 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to MCMANIMON, SCOTLAND & BAUMANN, LLC, 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received December 1, 2020; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. MCMANIMON, SCOTLAND & BAUMANN, LLC
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-017

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP AS ALTERNATE BOND COUNSEL FOR FINANCING PROJECTS THROUGH THE NEW JERSEY INFRASTRUCTURE BANK (NJIB) FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires alternate bond counsel services for financing projects through the New Jersey Infrastructure Bank

(NJIB) such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 30, 2020 (the "Proposal") from DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP, 61 SOUTH PARAMUS ROAD, PARAMUS, New Jersey 07652, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP, 61 SOUTH PARAMUS ROAD, PARAMUS, New Jersey 07652 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received December 1, 2020; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-018

RESOLUTION APPOINTING CME ASSOCIATES AS TOWNSHIP ENGINEER AND  
AWARDING A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES FOR THE  
YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH  
N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires a Township Engineer of Record, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 25, 2020 (the "Proposal") from CME ASSOCIATES, 1460 ROUTE 9 SOUTH, HOWELL, NEW JERSEY, 07731, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CME ASSOCIATES, 1460 ROUTE 9 SOUTH, HOWELL, NEW JERSEY, 07731 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 25, 2020, not to exceed \$135,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. CME ASSOCIATES
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-019

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ALTERNATE TOWNSHIP ENGINEER SERVICES TO REMINGTON & VERNICK ENGINEERS FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires an Alternate Township Engineer, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 27, 2020 (the "Proposal") from REMINGTON & VERNICK ENGINEERS, 3 Jicama Boulevard, Suite 300-400, Old Bridge, NJ 08857, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to REMINGTON & VERNICK ENGINEERS, 3 Jicama Boulevard, Suite 300-400, Old Bridge, NJ 08857 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 27, 2020, not to exceed \$20,370.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. REMINGTON & VERNICK ENGINEERS
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-020

RESOLUTION APPOINTING CME ASSOCIATES AS TOWNSHIP PLANNER AND AWARDING  
A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES FOR THE YEAR 2021  
PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A.  
19:44A-20.5

WHEREAS, the Township requires a Township Planner, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized by law to practice such

services, and accordingly, such services constitute professional services exempt from public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Township received a proposal dated November 25, 2020 (the "Proposal") from CME ASSOCIATES, 1460 ROUTE 9 SOUTH, HOWELL, NEW JERSEY, 07731, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CME ASSOCIATES, 1460 ROUTE 9 SOUTH, HOWELL, NEW JERSEY, 07731 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 25, 2020, not to exceed \$60,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. CME ASSOCIATES
- b. Business Administrator



c. Chief Financial Officer

RESOLUTION # 2021-021

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR SPECIAL COUNSEL ON AFFORDABLE HOUSING TO KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires a special counsel on Affordable Housing, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 30, 2020 (the "Proposal") from GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 220, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 220, Freehold, New Jersey 07728 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts

Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 30, 2020, not to exceed \$30,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-022

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ETHICS BOARD LEGAL COUNSEL SERVICES TO KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires a special legal counsel to the Ethics Board, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 30, 2020 (the "Proposal") from GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 220, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the

time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 220, Freehold, New Jersey 07728 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 30, 2020, not to exceed \$5,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-023

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR SPECIAL TAX COUNSEL SERVICES TO CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special tax appeal legal counsel services, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 24, 2020 (the "Proposal") from CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 24, 2020, not to exceed \$70,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-024

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR CONFLICT SPECIAL TAX COUNSEL SERVICES TO STEVEN P. SUKEL, ESQ., P.C. FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires conflict special tax appeal legal counsel services, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 30, 2020 (the "Proposal") from STEVEN P. SUKEL, ESQ., P.C. , 4400 ROUTE 9 SOUTH, SUITE 3100, FREEHOLD, NEW JERSEY, 07728, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to STEVEN P. SUKEL, ESQ., P.C. , 4400 ROUTE 9 SOUTH, SUITE 3100, FREEHOLD, NEW JERSEY, 07728 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 30, 2020, not to exceed \$7,500.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. STEVEN P. SUKEL, ESQ., P.C.
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-025

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH NORTH AMERICAN INSURANCE MANAGEMENT CORPORATION ("NAIM") FOR BENEFITS CONSULTING, RISK MANAGEMENT AND BROKERAGE SERVICES AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER N.J.S.A. 40A:11-5(M) PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires the services of a consultant to provide insurance benefits consulting, risk management and brokerage services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5, pursuant to the provisions of N.J.S.A. 40A:10-36; and

WHEREAS, such services, i.e., insurance, including the benefits consulting and brokerage services are Extraordinary Unspecifiable Services, are exceptions pursuant to N.J.S.A. 40A:11-5(m) and may be awarded without competitive bidding therefor; and

WHEREAS, said services cannot reasonably be described by written specifications; and

WHEREAS, the Township received and opened a proposal on November 20, 2020 (the "Proposal") from North American Insurance Management Corporation ("NAIM"), 1460 Route 9 North, Suite 310, Woodbridge, New Jersey 07095, in response to a Request for Qualifications for insurance consulting and brokerage services issued by the Township on October 30, 2020 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. as amended requires that the Resolution authorizing the award of

contracts which are treated in accordance with the requirements for extraordinary unspecifiable services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, it has been determined and certified that the value of the contract will exceed \$17,500.00; and

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

1. The Township Council of the Township of Marlboro, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of a Broker of Record Letter with North American Insurance Management Corporation ("NAIM"), 1460 Route 9 North, Suite 310, Woodbridge, New Jersey 07095, regarding the provision of insurance benefits consulting, risk management and brokerage services, beginning January 1, 2021 and terminating on December 31, 2021, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(m) and in accordance with the terms of the Contract; and

2. The contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(m); and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. North American Insurance Management Corporation
- b. Monmouth County Municipal Joint Insurance Fund
- c. Township Business Administrator
- d. Chief Financial Officer

RESOLUTION # 2021-026

RESOLUTION APPOINTING COMMUNITY GRANTS, PLANNING & HOUSING, LLC AS AFFORDABLE HOUSING AGENT AND AUTHORIZING AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT FOR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:97-1, et. seq.); and

WHEREAS, a municipality's fair share obligation pursuant to N.J.A.C. 5:97-2.2(a) is comprised, in part, of an owner-occupied rehabilitation obligation as well a rental rehabilitation obligation which pertains to housing units that are both deficient and occupied by low and/or moderate households; and

WHEREAS, the Township has an Affordability Assistance obligation pursuant to N.J.A.C.5:97-8.8; and

WHEREAS, the Township of Marlboro requires the services of an Administrative Agent, same to be appointed pursuant to a fair and open process pursuant to the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Township received and opened a proposal on December 1, 2020 (the "Proposal") from COMMUNITY GRANTS, PLANNING & HOUSING, LLC ("CGP&H"), 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512, in response to a Request for Qualifications for the services of an Affordable Housing Administrative Agent issued by the Township on October 30, 2020 ("proposal") which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC employs licensed professional planners that are certified affordable housing administrative agents; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC, 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512, will provide the day-to-day Administrative Agent services for a fixed monthly rate of \$1,600.00 to be paid in equal monthly payments totaling \$19,200.00; and

WHEREAS, the additional costs under this contract are variable in nature depending upon program demand, and have been estimated as follows:

Sale of Units	\$2,000.00 x 15 = \$30,000.00
Allowance for Hamilton Park	at hourly rates not to exceed \$10,000.00



Affordability Assistance at hourly rates not to exceed  
\$16,500.00  
Rehabilitation Admin Services at hourly rates not to exceed  
\$12,278.00  
Rehabilitation of Units \$5,350.00 x 10 = \$53,500.00

WHEREAS, with the goal of maximizing the preservation of the Township's affordable unit housing stock, the Administrative Agent's fees associated with the resale of units which are included under this contract will be absorbed by the Affordable Housing Trust Fund; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals in Trust Account 15-228-55-054; and

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves of the award of contract to COMMUNITY GRANTS, PLANNING & HOUSING, LLC, 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The contract shall provide for compensation at the rates set forth in the proposal received December 1, 2020, a copy of which is attached hereto, in an amount not to exceed \$141,478.00; and

3. That notice of the award of this contract shall be published in accordance with law.

4. That a certified copy of this Resolution shall be provided to each of the following:

- a. COMMUNITY GRANTS, PLANNING & HOUSING, LLC
- b. Municipal Housing Liaison
- c. Special Counsel on COAH
- d. Business Administrator
- e. Township Attorney
- f. Chief Financial Officer
- g. Director of Community Development

RESOLUTION # 2021-027

RESOLUTION AUTHORIZING A CONTRACT WITH ADAMS, REHMANN & HEGGAN ASSOCIATES, INC FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO FOR THE YEAR 2020 AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER N.J.S.A. 40A:11-5(d) AND PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro requires tax map maintenance services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, pursuant to the provisions of N.J.S.A. 40A:10-36; and

WHEREAS, such services are exceptions pursuant to N.J.S.A. 40A:11-5(d) and may be awarded without competitive bidding therefor; and

WHEREAS, the Township received and opened a proposal on December 1, 2020 (the "Proposal") from ADAMS, REHMANN & HEGGAN ASSOCIATES, INC ("ARH"), 215 Bellevue Avenue, Hammonton, New Jersey 08037, in response to a Request for Qualifications for THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO issued by the Township on October 30, 2020 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will not exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals; and

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

1. The Township Council of the Township of Marlboro, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of an agreement with ADAMS, REHMANN & HEGGAN ASSOCIATES, INC., ("ARH"), 215 Bellevue Avenue, Hammonton, New Jersey 08037, FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO, beginning January 1, 2021 and terminating on December 31, 2021, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(d) and in accordance with the terms of the Contract, in an amount not to exceed \$17,500.00; and

2. The contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(d); and

3. The Mayor and Municipal Clerk are hereby authorized and directed to execute, seal and deliver said Contract for Maintenance of Tax Map Services on behalf of and in the name of the Township of Marlboro; and

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. ADAMS, REHMANN & HEGGAN ASSOCIATES, INC. ("ARH")
- b. Township Business Administrator
- c. Chief Information Officer
- d. Tax Assessor
- e. Chief Financial Officer

RESOLUTION # 2021-028

RESOLUTION OF THE TOWNSHIP OF MARLBORO  
AWARDING CONTRACTS FOR PROFESSIONAL REAL ESTATE APPRAISAL  
SERVICES IN CONJUNCTION WITH PROPERTY ACQUISITION INITIATIVES AND  
REAL PROPERTY TAX APPEALS ON AN AS-NEEDED BASIS

WHEREAS, the Township of Marlboro desires to create a pool of qualified professionals to perform REAL ESTATE APPRAISAL SERVICES IN CONJUNCTION WITH PROPERTY ACQUISITION INITIATIVES AND REAL PROPERTY TAX APPEALS ("Services") for the Township as the need arises, using a fair and open process pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Township of Marlboro (the "Township") received and reviewed statements of qualifications from appraisal services firms and determined to pre-qualify those firms that possess the professional and administrative capabilities to provide such services and that they offer the terms and conditions determined by the Township to provide the greatest benefit to the taxpayers of the Township (the "Qualified Firms"), so that the Township may engage any one or more of the Qualified Firms when the need for such Services arises; and

WHEREAS, it has been determined that the value of the contracts may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro (the "Township") hereby approves the following Qualified Firms:

Gagliano & Company  
287 Rumson Road  
Little Silver, New Jersey 07739

Sockler Realty Services Group Incorporated  
299 Ward Street, Suite C  
Hightstown, New Jersey 08520

Bettina Durmaskin Sholk, MAI, AI-GRS, MA, MBA  
5 Rosemary Road  
East Brunswick, New Jersey 08816

Sterling DiSanto & Associates  
145 West End Avenue  
Somerville, New Jersey 08876

Integra Realty Resources Coastal NJ  
1415 Hooper Avenue, Suite 306  
Toms River, New Jersey 08753

Associated Appraisal Group, Inc.  
6 Commerce Drive, Suite 303  
Cranford, New Jersey 07016

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

- (1) The Mayor and Municipal Clerk are hereby authorized and directed to execute contracts ("Contracts") by and between the Township and the Qualified Firms, which Contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Firms are called upon by the Township to render services; and
- (2) That a copy of this resolution and the Contracts upon execution shall be placed on file with the Township Clerk; and
- (3) That a notice in accordance with Local Public Contracts Law shall be published in a local newspaper within ten (10) days of passage of this resolution.

RESOLUTION # 2021-029

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC FOR THE PROVISION OF SERVICES FOR THE OPERATION OF THE TOWNSHIP OF MARLBORO CABLE TELEVISION STATION FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires special services for the operation of the Township of Marlboro Cable Television Station, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, pursuant to 40A:11-2(6), Professional Services are defined as services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field of artistic endeavor; and

WHEREAS, the Township received and opened a proposal on November 20, 2020 (the "Proposal") from CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC, 55 Stevenson Drive, Marlboro, New Jersey 07746, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC, 55 Stevenson Drive, Marlboro, New Jersey 07746, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 20, 2020, not to exceed \$29,000.00; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-030

A RESOLUTION AUTHORIZING THE TOWNSHIP OF MARLBORO  
TO RENEW A COOPERATIVE PRICING SYSTEM AND TO RENEW  
COOPERATIVE PRICING AGREEMENTS WITH OTHER CONTRACTING UNITS

WHEREAS, *N.J.S.A. 40A:11-11(5)* authorizes two (2) or more contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the Township of Marlboro, County of Monmouth, and State of New Jersey is desirous of establishing a Cooperative Pricing System and entering into a Cooperative Pricing Agreement with other contracting units;

WHEREAS, the Township of Marlboro has agreed to serve as the Lead Agency for a Cooperative Pricing System; and

WHEREAS, on March 4, 2011, the State of New Jersey approved a Cooperative Pricing System for Electric Generation Service with the Township of Marlboro as Lead Agency, and on April 7, 2011 approved the Marlboro Board of Education as a participating member in the Cooperative Pricing System,

WHEREAS, the Township of Marlboro wishes to renew the Cooperative Pricing System with the Marlboro Board of Education as a participating member, with the ultimate goal of obtaining the most advantageous electricity supply rates for municipal and school facilities to the benefit of local taxpayers.

NOW, THEREFORE BE IT RESOLVED as follows:

COOPERATIVE PRICING SYSTEM RENEWED

The Township Council of the Township of Marlboro hereby authorizes the renewal of a Cooperative Pricing System to be known as *Marlboro Township Cooperative Pricing System for Electric Generation Service* with the Township of Marlboro serving as the Lead Agency.

COOPERATIVE PRICING AGREEMENT

The Mayor of Marlboro Township is hereby authorized to enter into separate Cooperative Pricing Agreements with the participating contracting units and said Agreement(s) shall be deemed a single Agreement.

COPY OF RESOLUTION TO DIVISION OF LOCAL GOVERNMENT SERVICES

A single certified copy of this resolution shall be forwarded to the Division of Local Government Services as part of the Application for the registration of the *Marlboro Township Cooperative Pricing System for Electric Generation Service*.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

RESOLUTION # 2021-031

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO SELECTIVE BENEFITS GROUP FOR INVESTMENT ADVISORY SERVICES FOR DEFERRED COMPENSATION PLANS FOR THE YEAR 2021 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires investment advisory services for deferred compensation plans, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Township received and opened a proposal on November 4, 2020 (the "Proposal") from SELECTIVE BENEFITS GROUP, 50 Hart Street, Ramsey, NJ 07446 in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded

pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the fees for such services are proposed to be paid directly by the deferred compensation plan providers, in an annual amount which may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to SELECTIVE BENEFITS GROUP, 50 Hart Street, Ramsey, NJ 07446, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the rates specified in the proposal received November 4, 2020 to be paid directly by the deferred compensation plan providers; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. SELECTIVE BENEFITS GROUP
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION #2021-032

A RESOLUTION OF THE MARLBORO TOWNSHIP TOWN COUNCIL AUTHORIZING A DISCHARGE OF A MORTGAGE DATED DECEMBER 15, 2010, WHICH WAS RECORDED AGAINST A RESIDENTIAL PROPERTY LOCATED AT 24 DAMASCUS DRIVE, MARLBORO, NEW JERSEY, WHICH WAS OWNED BY ALFONSO DILIBERTO AND ROSE MARIE DILIBERTO



WHEREAS, the Township of Marlboro has implemented a housing rehabilitation program in the Township, which was administered in accordance with the New Jersey's Fair Housing Act (N.J.S.A. 52:27D-301 et. seq.) and the administrative rules of the Council on Affordable Housing; and

WHEREAS, as part of the foregoing rehabilitation program Marlboro has in fact provided rehabilitation assistance to various residents in The Township of Marlboro; and

WHEREAS, as a condition of the rehabilitation program residents who were offered financial assistance must have retained ownership of their units for a period of ten (10) years from the date of such assistance and if they had done so, the financial assistance (which is in the form of a forgivable loan), would be discharged and forgiven; and

WHEREAS, on or about July 9, 2009, the homeowners hereunder Alfonso DiLiberto and Rose Marie DiLiberto (hereinafter "the Homeowners") acquired title to a certain residential premise by means of a deed which was recorded in the Monmouth County Clerk's Office on July 16, 2009, in Deed Book OR-8786; at Page 4385 et. seq.; and

WHEREAS, the address of the aforesaid property is commonly known as 24 Damascus Drive, Marlboro, New Jersey (hereinafter "the Property"); and

WHEREAS, the Homeowners then made application for rehabilitation assistance for the Property and they were granted such assistance and subsequently, repairs and/or improvements were then made to the Property as a consequence of the foregoing rehabilitation program; and

WHEREAS, the purpose of the foregoing rehabilitation services and funding was to correct defects at the Premises and to bring said home up to applicable code standards; and

WHEREAS, the Township of Marlboro had financed the foregoing improvements to the Property in furtherance of the foregoing rehabilitation project; and

WHEREAS, proof and receipt of the foregoing financing and forgivable loan was evidenced by a mortgage given to the Township of Marlboro which was dated December 15, 2010, with said mortgage being recording in the Monmouth County Clerk's Office on July 5, 2011, in Deed Book OR-8897, at page 3178 et. seq. (hereinafter "the Marlboro Mortgage"); and

WHEREAS, the amount secured under the Marlboro Mortgage was due and payable in ten (10) years from December 15, 2010 if the Property would have been sold within that ten (10) year period, which meant the

debt matured and became due on December 15, 2020, however, said amount would be forgiven if the Homeowners had continued to own and maintain the Premises beyond December 15, 2020; and

WHEREAS, the Homeowner Rose Marie DiLiberto has owned and maintained the Premises beyond December 15, 2020, which is a condition which justifies forgiving the Marlboro Mortgage (subsequent to the execution of the Marlboro Mortgage the Homeowners divorced and Alfonso DiLiberto was no longer a Homeowner of the Property); and

WHEREAS, the Homeowner Rose Marie DiLiberto now desires to obtain a discharge of the Marlboro Mortgage so that she may refinance the Property; and

WHEREAS, the Marlboro Township Town Council finds that there is good cause for the discharge of the Marlboro Mortgage based on the foregoing;

NOW, THEREFORE, BE IT RESOLVED, that the Honorable Mayor Jonathan L. Hornik is hereby authorized to sign the attached discharge of the Marlboro Mortgage;

BE IT FURTHER RESOLVED, that subsequent to Mayor Hornik's signature of said discharge of the Marlboro Mortgage against the Property that the discharge will be recorded in the Monmouth County Clerk's Office.

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

- a. Mayor Jonathan L. Hornik;
- b. Township Business Administrator, Jonathan Capp;
- c. Township Attorney, Rainone, Coughlin & Minchello;
- d. Ms. Rose Marie DiLiberto; and
- e. Kenneth W. Biedzynski, Affordable Housing Special Counsel.

RESOLUTION # 2021-33

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO SUPLEE, CLOONEY & COMPANY AS INDEPENDENT AUDITOR FOR THE YEAR 2020 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of an independent auditor to provide the 2020 statutory audit of Township financial records and the perform the duties and render such services as may from time to time be requested by the Township Council, the Chief Financial Officer or the Township Administrator; and

WHEREAS, such audit and related services are to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Township received a proposal dated November 17, 2020 (the "Proposal") from SUPLEE, CLOONEY & COMPANY, 308 East Broad Street, Westfield, NJ 07090, in response to the Request for Qualifications for professional services issued by the Township on October 30, 2020 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, it has been determined that the value of the contract will exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2021 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to SUPLEE, CLOONEY & COMPANY, 308 East Broad Street, Westfield, NJ 07090 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 25, 2020, not to exceed \$43,850.00 for the annual audit; and

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

4. That notice of the award of this contract shall be published in accordance with law.

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

- a. SUPLEE, CLOONEY & COMPANY
- b. Business Administrator
- c. Chief Financial Officer

RESOLUTION # 2021-34

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the following newspapers are hereby designated as the official newspapers of the Township of Marlboro for the year 2021:

ASBURY PARK PRESS

NEWARK STAR LEDGER

RESOLUTION # 2021-35

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the cost charged by the Tax Collector for Duplicate Bills for 2021 be as follows:

Duplicate Bills	-	\$ 5.00
Duplicate Bills (second copy)	-	\$25.00

RESOLUTION # 2021-36

WHEREAS, N.J.S.A. 54:5-11 provides that the governing body of each municipality shall from time to time by resolution designate an official in the municipality to make examinations of its records as to unpaid municipal liens and to certify the results thereof.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that COLLEEN DOLAN be and she is hereby appointed Tax Search Officer for the Township of Marlboro, until a successor is duly qualified and appointed.

RESOLUTION # 2021-37

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments and also permits the fixing of said rate at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum of any amount in excess of \$1,500.00 and allows an additional penalty of a flat 6% to be collected against a delinquency

in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that the Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes or other municipal charges becoming delinquent after due date and 18% per annum on any amount of taxes or other municipal charges in excess of \$1,500.00 becoming delinquent after due date, and if a delinquency (including interest) is in excess of \$10,000.00 and remains in arrears after December 31, an additional flat penalty of 6% shall be charged against the delinquency.

BE IT FURTHER RESOLVED, that this resolution shall be effective as of January 7, 2021.

RESOLUTION # 2021-38

WHEREAS, N.J.S.A. 40:5-18 authorizes a municipality to impose a service charge of \$20.00 to be added to any account owing to the municipality if payment tendered on the account was by a check or other instrument which was returned for insufficient funds; and

WHEREAS, whenever an account owing to a municipality is for tax or special assessment, the service charge authorized by N.J.S.A. 40:5-18 shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien; and

WHEREAS, the Township is required to determine the service charge for a check or other instrument returned for insufficient funds from time to time, as appropriate; and

WHEREAS, any service charge shall be collected in the same manner as prescribed by law for the collection of the account for which the check or other instrument was tendered and the governing body may require that future payments be tendered in cash or by certified or cashier's check.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that, Colleen Dolan, Tax Collector, be and hereby is authorized to impose a service charge of \$20.00 per check or other instrument returned for insufficient funds; and

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to require that once a check or other instrument is returned for insufficient funds, that all future payments to be tendered in cash or by certified or cashier's check.

RESOLUTION # 2021-39

WHEREAS, the Tax Collector of the Township of Marlboro has requested that the Township Council of the Township of Marlboro adopt a resolution annually authorizing the Tax Collector to cancel all underpayment and overpayment of taxes of \$5.00 or less at year end.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Marlboro that the Tax Collector is hereby authorized to cancel all underpayment and overpayments of \$5.00 or less at year end.

RESOLUTION # 2021-40

CONTINUATION OF BONDS FOR OFFICERS AND EMPLOYEES

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the bonds presently in effect for the officers and employees of the Township of Marlboro, which are required by Township Code Section 4-104, be continued for the year 2021.

RESOLUTION # 2021-41

DESIGNATING MUNICIPAL CLERK TO MAKE OFFICIAL CERTIFICATES AS TO LIABILITY FOR ASSESSMENT FOR MUNICIPAL IMPROVEMENTS

WHEREAS, N.J.S.A. 54:5-18.3 requires that the governing body of a municipality designate by resolution either the Municipal Clerk or the Municipal Engineer as the person to make official "Certificates as to Liability for Assessment for Municipal Improvements".

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that, Susan A. Branagan the Municipal Clerk, be and is hereby designated as the person to make Certificates as to Liability for Assessment for Municipal Improvements.

RESOLUTION # 2021-42

RESOLUTION ESTABLISHING A CASH MANAGEMENT PLAN  
AND NAMING OFFICIAL DEPOSITORIES  
FOR THE TOWNSHIP OF MARLBORO FOR 2021

WHEREAS, N.J.S.A. 40A:5-14 mandates that a Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, N.J.S.A 40A:5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth wish to comply with the above statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth adopts a cash management plan including the official depositories for the Township of Marlboro, County of Monmouth for the calendar year 2021.

RESOLUTION # 2021-43

RESOLUTION AUTHORIZING PETTY CASH FUND  
FOR CALENDAR YEAR 2021

WHEREAS, in accordance with N.J.S.A. 40A:5-21 "A local unit may establish a petty cash fund upon written application to and after approval by the Director. All matters relating to the establishment, accounting, repayment and discontinuance of such funds shall be in the discretion of the Director, who shall promulgate reasonable rules and regulation in respect thereto."

WHEREAS, regulations require all petty cash funds be returned to the Local Unit's Chief Financial Officer prior to December 31<sup>st</sup> of each year to be re-established by subsequent resolution on or after January 1<sup>st</sup> of the following year.

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

1. That the Township Council authorizes continuation of Petty Cash funds for immediate needs. By virtue of this resolution, a petition is filed to the Division of Local Government Services to reestablish a petty cash funds consistent with prior year's levels at:

<u>DEPARTMENT</u>	<u>2020 LEVEL</u>	<u>2021 REQUEST</u>
FINANCE	\$ 200.00	\$ 200.00
RECREATION	\$ 1,500.00	\$ 1,500.00
POLICE	\$ 200.00	\$ 200.00

2. That certified copies of this resolution be provided to the Director of the Division of Local Government Services, Business Administrator, Chief Financial Officer, Auditor and any other interested parties.

RESOLUTION # 2021-44

A RESOLUTION AUTHORIZING THE APPOINTMENT OF A QUALIFIED PURCHASING  
AGENT AND ESTABLISHING THE BID THRESHOLD  
(Pursuant to N.J.S.A. 40A:11-9(g))

WHEREAS, the recent changes to the Local Public Contracts Law gave local Contracting units the ability to increase their bid threshold; and

WHEREAS, N.J.S.A. 40A:11-3(a) permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et. Seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Jonathan A. Capp, Business Administrator possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.S.A. 40A:11-2(30) and will be appointed as the Qualified Purchasing Agent without any additional compensation; and

WHEREAS, effective July 1, 2020, the bid threshold established by the State of New Jersey Department of Treasury is \$44,000.00 for municipalities with an appointed Qualified Purchasing Agent; and

WHEREAS, the Township of Marlboro wishes to maintain a local bid threshold of \$40,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, hereby appoints Jonathan A. Capp, Business Administrator as the Qualified Purchasing Agent commencing January 1, 2021. As Qualified Purchasing Agent Jonathan A. Capp is authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

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

- a. Township Administrator
- b. Director of the Local Government Services  
(With a copy of the QPA Certification)



RESOLUTION # 2021-45

A RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE  
CONTRACTS UP TO \$40,000.00

WHEREAS, with Resolution #2021-045, the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, authorized the appointment of Jonathan A. Capp, Business Administrator as the Qualified Purchasing Agent commencing January 1, 2021; and

WHEREAS, in addition, pursuant to N.J.S.A. 40A:11-3(a), the Township Council established a bid threshold of \$40,000 and authorized the Business Administrator to execute and approve any and all contracts up to \$40,000.00; and

WHEREAS, when awarding such contracts, the Business Administrator shall be obligated to adhere to all applicable provisions of the Local Public Contracts Law, including N.J.S.A. 40A:11-6.1 requiring that, if practicable, at least two competitive quotations must be solicited for all contracts that are less than the bid threshold, but 15% or more of that amount; and

WHEREAS, the Township Council believes that providing such authorization to the Business Administrator will allow the business of the Township to proceed in the most efficient manner, while at the same time, allowing the Business Administrator to ensure that the process by which all contracts under and up to \$40,000.00 are awarded complies with the applicable requirements and the intent of the Local Public Contracts Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro in the County of Monmouth that the Business Administrator, is hereby authorized to execute and approve any and all contracts up to and including \$40,000.00; and

BE IT FURTHER RESOLVED, that the Business Administra, when awarding such contracts, is obligated to adhere to all applicable provisions of the Local Public Contracts Law, including N.J.S.A. 40A:11-6.1 requiring that, if practicable, at least two competitive quotations must be solicited for all contracts that are less than the bid threshold, but 15% or more of that amount; and

BE IT FURTHER RESOLVED, that the Business Administrator, is authorized, in accordance with N.J.S.A. 40A:11-6.1, to award contracts that are less than 15% of the bid threshold without soliciting competitive quotations; and

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

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

RESOLUTION # 2021-46

RESOLUTION AUTHORIZING THE TAX ASSESSOR TO PERFORM  
VARIOUS DUTIES ASSOCIATED WITH HER POSITION

WHEREAS, statutory provision is made for the review and correction of errors by the local Tax Assessor prior to certification of an assessment list; and

WHEREAS, statutory provision is also made for the discovery and correction of errors by the local Tax Assessor during the establishment of the tax rate; and

WHEREAS, changes in the property ownership at times necessitates adjustments in the Veterans and/or Senior Citizen deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local Tax Assessor subject to laws and regulations; and

WHEREAS, in certain instances outlined in N.J.S.A. 54:3-21, taxpayers and taxing districts are authorized to file appeals to the county board of taxation or, if the statutory requirements are satisfied, to file a complaint directly with the Tax Court; and

WHEREAS, in the case of an appeal or complaint filed by a taxpayer, the taxing district may file a cross petition of appeal or counterclaim; and

WHEREAS, the Township Council now desires to authorize the Tax Assessor to perform certain duties associated with her position.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that, in addition to those powers given to the Tax Assessor by statute, the Tax Assessor may authorize the filing with the Monmouth County Board of Taxation or Tax Court such appeals or complaints as may be necessary to maintain the accuracy and equality in the assessment list of the Township of Marlboro, in accordance with the procedures set forth by the applicable statutory provisions and/or approved by the New Jersey Division of Taxation and/or the New Jersey Attorney General's Office; and

BE IT FURTHER RESOLVED, that the Tax Assessor is hereby authorized to file complaints on behalf of the Township of Marlboro based upon farmland and rollback procedures; and

BE IT FURTHER RESOLVED, that, with respect to appeals or complaints filed by a taxpayer with the Monmouth County Board of Taxation or Tax Court, the Tax Assessor may authorize the filing of cross petitions of appeal and counterclaims; and

BE IT FURTHER RESOLVED, that the Tax Assessor is authorized to negotiate settlements of appeals or complaints filed with the Monmouth County Board of Taxation or the Tax Court and to authorize settlements of such appeals without obtaining Township Council's approval in the event the settlement involves less than the local bid threshold per parcel per tax year on behalf of the Township of Marlboro.

BE IT FURTHER RESOLVED, that the Tax Assessor shall notify the Chief Financial Officer and the Township Council of all tax appeals upon filing, by June 1.

RESOLUTION # 2021-47

RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE TOWNSHIP OF MARLBORO TO ENTER INTO INSTALLMENT PAYMENT AGREEMENTS FOR PROPERTY TAX ARREARS AND DELINQUENT WATER CHARGES IN AN AMOUNT NOT TO EXCEED ONE THOUSAND (\$1,000.00) DOLLARS

WHEREAS, N.J.S.A. 54:5-19 authorizes installment payment agreements for property tax arrears and other charges which would be a lien against real property such as delinquent water charges; and

WHEREAS, Colleen Dolan, the Tax Collector of the Township of Marlboro, has requested approval from the Township Council to enter into installment payment agreements for property tax arrears and/or delinquent water charges in cases of hardship provided the amount of the arrears or delinquent charges do not exceed One Thousand (\$1,000.00) Dollars; and

WHEREAS, the installment payment agreements must provide payments large enough to pay back the tax arrears or delinquent charges and must require that all taxes or other charges are kept current as they come due; and

WHEREAS, the installment payment agreements must be reduced to a written agreement signed by the property owner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that it hereby grants its authority to Colleen Dolan, the Tax Collector of the Township of Marlboro to enter into

installment payment agreements for tax arrears and delinquent water charges in the case of hardships in an amount not to exceed One Thousand (\$1,000.00) Dollars and said installment payment agreements are to provide that all taxes or other charges are to be kept current as they become due and shall require prompt payments of the installment payments agreed to; and

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. Colleen Dolan, Tax Collector

RESOLUTION # 2021-48

RESOLUTION ESTABLISHING RATES PAYABLE FOR INSPECTION SERVICES PERFORMED OUTSIDE OF THE TOWNSHIP'S NORMAL BUSINESS HOURS AND DAYS OF OPERATION

WHEREAS, the Code of the Township of Marlboro establishes the Department of Community Development in Section 4-65 which consists of the Division of Engineering, the Division of Planning, the Division of Zoning/Code Enforcement and the Division of Uniform Construction Code; and

WHEREAS, the Code of the Township of Marlboro establishes the Bureau of Fire Prevention in Section 183-1 in order to enforce the Uniform Fire Code in buildings, structures and premises within the Township of Marlboro; and

WHEREAS, upon occasion, there is a need for special inspections to be performed by the Department of Community Development outside of the Township's normal business hours and days of operation; and

WHEREAS, there is a need to establish the rate to be charged for the Department of Community Development for purposes of providing inspection services outside of the normal business hours and days of operation of the Township; and

WHEREAS, the Chief Financial Officer has calculated that the rates to be charged for such special inspections outside of the normal business hours and days of operation are as follows:

Fire Official/Inspector \$88.50 per hour  
Engineering Inspector \$106.50 per hour  
Construction Subcode Official/Inspector \$82.50 per hour; and

WHEREAS, the rate to be charged for such special inspections outside of the normal business hours and days of operation of the

Township shall be charged at a minimum of two hours per discipline times the applicable rate.

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 fees to be charged for inspections performed by the Department of Community Development outside of the normal business hours and days of operation of the Township of Marlboro shall be \$88.50 per hour for a Fire Official/Inspector, and \$106.50 per hour for an Engineer/Inspector and \$82.50 for a Subcode Official/Inspector with a minimum charge of two hours per discipline for such special inspections; and

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 Community Development
- d. Township Engineer
- e. Construction Code Official
- f. Fire Official

RESOLUTION # 2021-49

A RESOLUTION AUTHORIZING A CONTRACT WITH TELESEARCH STAFFING SOLUTIONS FOR THE PROVISION OF TEMPORARY PERSONNEL AGENCY SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, the Township advertised for bids to be received FOR THE PROVISION OF TEMPORARY PERSONNEL AGENCY SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW) on August 25, 2020 and September 22, 2020 (Bids 2020-10 and 2020-10A); 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 TELESEARCH STAFFING SOLUTIONS to provide "Laborers - Including Operation of Motor Vehicle", incorporating the following financial terms as indicated in its proposal dated October 26, 2020:

		Item D	Item E	Item E	Item F	Item F	Total
		Set-up	Hourly	Subtotal	Overtime	Subtotal	
			Rate		Rate		
Telesearch Staffing Solutions	251 US Highway 206 Flanders, NJ 07836	0.00	23.10	206,121.30	34.65	15,246.00	221,367.30

WHEREAS, the Superintendent of Public Works has recommended an award of contract to TELESEARCH STAFFING SOLUTIONS based upon the negotiated terms of an agreement; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation 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 TELESEARCH STAFFING SOLUTIONS whose address is 251 Highway 206, Flanders, NJ 07836, for an initial term of one year beginning January 1, 2021 and ending December 31, 2021, in a total amount not to exceed \$221,367.30, 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; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds in the amount of \$162,720.43 are available for the aforesaid contract in Accounts 02-213-18-703-123000, 02-213-19-703-123000, 02-213-15-701-117000, 02-213-16-701-117000 and 02-213-17-701-117000, with additional amounts required under the contract to be certified upon adoption of the 2021 municipal budget and at the time services are requested.

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

- a. TELESEARCH STAFFING SOLUTIONS
- b. Township Business Administrator
- c. Superintendent of Public Works
- d. Chief Financial Officer

RESOLUTION # 2021-50

RESOLUTION APPROVING THE OFFICIAL HUNTING MAP FOR THE TOWNSHIP OF  
MARLBORO PURSUANT TO SECTION 177-1 OF THE CODE OF THE TOWNSHIP OF  
MARLBORO ENTITLED FIREARMS: DISCHARGE RESTRICTIONS

WHEREAS, Section 177-1 of the Code of the Township of Marlboro reads as follows:

"No person shall discharge a gun or any firearm within the areas shown and marked with bold diagonal lines on the Official Hunting Map of the Township of Marlboro, dated May 31, 1995, to be amended and updated annually by the Township Engineer to include new schools, public recreational facilities, ballfields and lands which have obtained final site plan and or subdivision approval upon which site work has commenced. The Hunting Map, as amended, shall be approved by formal resolution of the Township Council. Copies of said map are on file in the offices of the Township Clerk and Township Engineer."  
; and

WHEREAS, in accordance with State Law (R.S.23:4-16), "no person, except the owner or lessee of the building and persons specifically authorized by him in writing...shall, for the purposes of hunting, taking or killing any wildlife, have in his possession a loaded firearm while within 450 feet of any occupied building in this State, or of any school playground"; and

WHEREAS, in accordance with Township Code and State law, the Township Engineer has proposed changes listed in Attachment A to the Hunting Map dated and approved December 22, 2020 (Attachment B) to incorporate the structures, and facilities that have been constructed or approved; and

WHEREAS, the Chief of Police recommends that the changes proposed by the Township Engineer be incorporated into the official Hunting Map of the Township of Marlboro; and

WHEREAS, the Township Council supports the recommendation of the Township Engineer and Chief of Police and believes that it is prudent to approve the amended Hunting Map.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the Hunting Map dated and approved December

22, 2020 be amended to reflect the changes proposed by the Township Engineer in Attachment A.

BE IT FURTHER RESOLVED, that a copy of the updated Hunting Map will be posted on the Township website upon completion.

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

- a. Township Administrator
- b. Chief of Police
- c. Township Engineer

RESOLUTION # 2021-051

RESOLUTION AUTHORIZING THE REPLACEMENT OF PERFORMANCE GUARANTEES FOR THE SITE KNOWN AS K. HOVNANIAN AT MARLBORO PLACE, LLC, FKA "BUCKDALE, LLC", BLOCK 355, LOTS 6, 7, 8, AND 11 LOCATED AT BUCKLEY ROAD AND SCHOOL ROAD, MARLBORO TOWNSHIP, NEW JERSEY 07746

WHEREAS, pursuant to Resolution #2020-287 adopted on November 12, 2020, the Township Council of the Township of Marlboro approved THE ASSIGNMENT AND ASSUMPTION OF THE DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND BUCKDALE, LLC TO K. HOVNANIAN AT MARLBORO PLACE, LLC IN CONNECTION WITH THE SUBDIVISION APPROVAL FOR THE SITE LOCATED AT BLOCK 355 LOTS 6, 7, 8 & 11 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY; and

WHEREAS, the Original Developer, Buckdale, LLC (the "Original Developer") delivered a Performance Guarantee issued by Lexon Insurance Company, No. 1161853 in the amount of \$558,879.21, (the "Original Bond"), and a Cash Deposit in the amount of \$62,097.69 (excludes accrued interest), for site improvements on property known as K. Hovnanian at Marlboro Place, LLC FKA "Buckdale, LLC", Block 355, Lots 6, 7, 8, and 11, Township of Marlboro, New Jersey; and

WHEREAS, the New Developer, K. Hovnanian at Marlboro Place, LLC (the "New Developer") desires to replace the Original Bond and Cash Deposit with a replacement Performance Surety Bond issued by Lexon Insurance Company, No. LICX11200360, and a Cash Deposit in the amount of \$62,097.69 (collectively, the "Replacement Bond"); and

WHEREAS, the New Developer requests that the Township accept the Replacement Bond and release and return the Original Bond issued by Lexon Insurance Company and Cash Deposit to the Developer's Attorney, Salvatore Alfieri, Esq.; and

WHEREAS, the Township Council is amenable to the release and return of the Original Bond issued by Lexon Insurance Company and Cash Deposit, and the posting of the Replacement Bond issued by Lexon Insurance



Company as guarantee of the New Developer's performance for the site improvements.

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 it hereby authorizes the release and return of the Original Bond in the form of a Performance Guarantee issued by Lexon Insurance Company, No. 1161853 in the amount of \$558,879.21, and a Cash Deposit in the amount of \$62,097.69 (excludes accrued interest), for site improvements on the property known as K. Hovnanian at Marlboro Place, LLC FKA "Buckdale, LLC", Block 355, Lots 6, 7, 8, and 11, Township of Marlboro, New Jersey, and the return of same to the Original Developer's Attorney, Salvatore Alfieri, Esq.;

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro hereby authorizes the acceptance of the Replacement Bond in the form of a Performance Surety Bond issued by Lexon Insurance Company, No. LICX11200360, and a Cash Deposit in the amount of \$62,097.69, for site improvements on the property known as Block 355, Lots 6, 7, 8 and 11, Township of Marlboro, New Jersey; and

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

- a. Salvatore Alfieri, Esq.
- b. Lexon Insurance Company
- c. K. Hovnanian at Marlboro Place, LLC
- d. Township Business Administrator
- e. Township Engineer
- f. Township Chief Financial Officer
- g. Louis N. Rainone, Esq., Township Attorney

RESOLUTION # 2021-052

RESOLUTION OF THE TOWNSHIP OF MARLBORO  
AWARDING CONTRACTS FOR FINANCIAL ADVISORY  
SERVICES ON AN AS-NEEDED BASIS

WHEREAS, the Township of Marlboro desires to create a pool of qualified professionals to perform financial advisory services ("Services") for the Township as the need arises, using a fair and open process pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Township of Marlboro (the "Township") received and reviewed statements of qualifications from financial advisory services firms and determined to pre-qualify those firms that possess the professional and administrative capabilities to provide such services and that they offer the terms and conditions determined by the Township to provide the greatest benefit to the taxpayers of the Township (the "Qualified Firms"), so that the Township may engage any

one or more of the Qualified Firms when the need for such Services arises; and

WHEREAS, it has been determined that the value of the contracts may exceed \$17,500.00; and

WHEREAS, certification of available funds shall be made by the Chief Financial Officer at the time that services, if any, are requested from the qualified professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro (the "Township") hereby approves the following Qualified Firms:

Phoenix Advisors, LLC  
4 West Park Street  
Bordentown, NJ 08505

NW Financial Group, LLC  
2 Hudson Place, 3<sup>rd</sup> FLOOR  
Hoboken, NJ 07030

Acacia Financial Group, INC.  
6000 Midlantic Drive, Suite 410 North  
Mount Laurel, NJ 08054

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

- (1) The Mayor and Municipal Clerk are hereby authorized and directed to execute contracts ("Contracts") by and between the Township and the Qualified Firms, which Contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Firms are called upon by the Township to render services; and
- (2) That a copy of this resolution and the Contracts upon execution shall be placed on file with the Municipal Clerk; and
- (3) That a notice in accordance with Local Public Contracts Law shall be published in a local newspaper within ten (10) days of passage of this resolution.

RESOLUTION #2021-053

A RESOLUTION APPROVING RENEWAL OF CONTRACT (YEAR 2) WITH ACTION UNIFORM COMPANY, LLC. FOR THE PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO DIVISION OF POLICE

WHEREAS, on October 2, 2019 (R. #2019-296) the Township Council of the Township of Marlboro awarded a contract to ACTION UNIFORM COMPANY, LLC. FOR THE PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO DIVISION

OF POLICE; and

WHEREAS, the bid specifications included the option to renew said contract for an additional one (1) two-year period or two (2) one-year periods based on the same terms and conditions as specified in the bid proposal at the exclusive option of the Township; and

WHEREAS, the Chief of Police has recommended that the Township approve a one (1) year extension of the contract; 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 one year extension of contract be awarded to ACTION UNIFORM COMPANY, LLC., whose address is 3164 Fire Road, Egg Harbor, NJ 08234 in an amount not to exceed \$138,638.00 for the PROVISION OF UNIFORMS FOR THE TOWNSHIP OF MARLBORO POLICE DEPARTMENT for the period of January 1, 2021 - December 31, 2021.

BE IT FURTHER RESOLVED, that funds will be certified by the Chief Financial Officer in Current Accounts #01-201-25-212-266212 and 01-201-25-106-266 upon adoption of the 2021 municipal budget.

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

- a. ACTION UNIFORM COMPANY, LLC
- b. Township Business Administrator
- c. Township Chief of Police
- d. Township Chief Financial Officer

RESOLUTION # 2021-054

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 2020-96 AND APPROVING  
CLOSE OUT AND FINAL PAYMENT FOR THE PURCHASE AND INSTALLATION OF  
REPLACEMENT PLAYGROUND EQUIPMENT FOR THE TOWNSHIP OF MARLBORO  
RECREATION DEPARTMENT

WHEREAS, on March 5, 2020 (R.#2020-96), the Township of Marlboro authorized the award of contracts to Ben Shaffer Recreation Inc. in the amount of \$71,366.07 and Whirl Construction in the amount of \$22,400.00 for the purchase and installation of replacement playground equipment at Falson Park ("Project") for a total amount not to exceed \$93,766.07; and

WHEREAS, the Recreation Department recommends the amendment to the award of contract for the purchase and installation of playground equipment at Falson Park, representing a reduction of \$1,344.06 from the original authorization, as follows:

<b>Vendor</b>	<b>Product</b>	<b>Contract FLEET-</b>	<b>Amount</b>
BCI Burke	Playground equipment	00134	\$46,115.14
Whirl Construction	Installation		\$22,400.00
Rubbercycle LLC	Rubber mulch	00131	\$12,593.84
Ben Shaffer	Various components	00135	\$11,313.03
TOTAL			\$92,422.01

WHEREAS, funds for the project were previously certified as available by the Chief Financial Officer in the amount not to exceed \$93,766.07 in Capital Account #04-215-19-01J-145288; and

WHEREAS, the playground equipment was installed and completed on October 9, 2020; and

WHEREAS, upon completion of the installation the Township received a Certification of Compliance covering the playground components sold on Order #201554, certifying that the products identified comply with all rules, bans, standards of regulations applicable to the product under the "Consumer Product Safety Improvement Act of 2008", Sections 101, 102, 103 and 108; and

WHEREAS, in a communication dated November 13, 2020, Whirl Construction has represented that the installation of the playground equipment at Falson Park was performed by certified installers per manufacturer's specifications, which meet or exceed Consumer Product Safety Commission (CPSC) guidelines and ASTM International (formerly known as American Society for Testing and Materials) standards; and

WHEREAS, the Township has received a copy of the applicable playground equipment warranty and certificates of insurance; and

WHEREAS, the Director of Recreation has recommended acceptance of the project improvements and the issuance of the final payment in the amount of \$46,115.14 to BCI Burke Company, LLC, final payment of \$11,313.30 to Ben Shaffer Recreation, Inc., final payment of \$12,593.84 to Rubbercycle, LLC and final payment of \$22,400.00 to Whirl Construction, for a total amount of \$92,422.01; and

WHEREAS, the Township Council is in agreement with the recommendation as presented.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to amend the authorization of award of contracts for the replacement of playground equipment at Falson Park as follows:

BCI BURKE COMPANY, LLC, 660 Van Dyne Road, Fon du Lac, WI 54937, under State Contract #16-FLEET-00134 in an amount not to exceed \$46,115.14

BEN SHAFFER RECREATION INC., P.O. Box 844, Lake Hopatcong, New Jersey 07849 under State Contract #16-FLEET-00135 not to exceed \$11,313.03

WHIRL CONSTRUCTION, 194 Main Street, Port Monmouth, New Jersey 07758 not to exceed \$22,400.00

RUBBERCYCLE, LLC, 1985 Rutgers University Boulevard, Lakewood, New Jersey 08701 under State Contract #16-FLEET-00131 not to exceed \$12,593.84

BE IT FURTHER RESOLVED, that the improvements be and are hereby accepted for the Project, and that final payment in the amount of \$46,115.14 be made to BCI Burke Company, LLC, \$11,313.30 to Ben Shaffer Recreation, Inc., \$12,593.84 to Rubbercycle, LLC and final payment of \$22,400.00 to Whirl Construction, totaling \$92,422.01.

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

RESOLUTION # 2021-055

RESOLUTION AUTHORIZING AN APPLICATION TO THE ARBOR DAY FOUNDATION FOR  
RECERTIFICATION OF MARLBORO TOWNSHIP'S TREE CITY USA STATUS

WHEREAS, in 2010 Marlboro Township was certified as a Tree City by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters; and

WHEREAS, the Township of Marlboro Shade Tree Committee desires to apply for recertification of Marlboro Township's Tree City USA title.

BE IT THEREFORE RESOLVED, that the Township Council of the Township of Marlboro does hereby authorize the Shade Tree Committee and Business Administrator to apply for the recertification.

Benediction was given by Pastor Ken Jasko of the Monmouth Worship Center.

At 7:35 PM, Councilwoman Mazzola moved that the meeting be adjourned. This was seconded by Councilman Scalea, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: JANUARY 21, 2021

OFFERED BY: SCALEA

AYES: 4

SECONDED BY: MAZZOLA

NAYS: 0

ABSENT: METZGER

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SUSAN A. BRANAGAN,  
MUNICIPAL CLERK  
010721

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JEFF CANTOR,  
COUNCIL PRESIDENT