

MARLBORO TOWNSHIP COUNCIL MEETING

December 2, 2021

The Marlboro Township Council held its regularly scheduled meeting on December 2, 2021 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President Cantor opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to the Asbury Park Press, the Star Ledger, News Transcript and the Board of Education Office on November 29, 2021; published in the Asbury Park Press on November 23, 2021; 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.

The Municipal Clerk called the Roll.

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

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

Council Speaks Out: Councilman Scalea welcomed the newly elected council and stated that he was looking forward to working with them and having a successful year in 2022. Councilwoman Mazzola thanked all involved in the holiday tree lighting and noted it was the most well attended holiday lighting Marlboro has had in many years. Councilwoman Marder also thanked employees of the recreation and public works department involved with organizing the holiday tree lighting. Councilwoman Marder said that with the holiday season upon us; everyone please be safe on the roads and do not drink and drive.

Citizen's Voice: John Gibardi of 1 Hudson Bay Terrace thanked everyone for a wonderful election season and for welcoming the newly elected councilmembers.

Councilman Scalea moved that the Council meeting minutes of November 18, 2021 be approved. This was seconded by Councilwoman Mazzola, and passed on a roll call vote of 4 - 0 in favor. Council Vice President Metzger was absent.

The following Resolution #2021-359/Ordinance #2021-026 (An Ordinance Authorizing the Purchase of Real Property known and Designated as Block 132, Lot 27 (199 Beacon Hill Road) and Block 132, Lot 20.08 (Haven Way)) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Scalea and passed on a roll call vote of 4 - 0 in favor. Council Vice President Metzger was absent.

RESOLUTION #2021-359

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

ORDINANCE #2021-026

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 132, LOT 27 (199 BEACON HILL ROAD) AND BLOCK 132, LOT 20.08 (HAVEN WAY) ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, FOR THE PURPOSES OF FARMLAND AND OPEN SPACE PRESERVATION AND RECREATION

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on December 16, 2021 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE #2021-026

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 132, LOT 27 (199 BEACON HILL ROAD) AND BLOCK 132, LOT 20.08 (HAVEN WAY) ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MARLBORO, MONMOUTH COUNTY, NEW JERSEY, FOR THE PURPOSES OF FARMLAND AND OPEN SPACE PRESERVATION AND RECREATION

WHEREAS, AMERICAN DREAM AT MARLBORO, LLC ("Owner"), holds the right, title and interest in and to certain real property known and designated on the Official Tax Map of the Township of Marlboro, Monmouth County, New Jersey, as follows:

Block 132, Lot 27 approximately 10.80 acres
199 Beacon Hill Road

Block 132, Lot 20.08 approximately 4.86 acres
Haven Way

(the "Property"); and

WHEREAS, the Marlboro Township Open Space Preservation Committee has reviewed the Property for potential acquisition, and in a letter dated June 10, 2021 (attached) recommended that the Township move forward with the preservation of the Property; and

WHEREAS, the Township of Marlboro ("Township") desires to acquire the Property for the public purposes of farmland and open space preservation and recreation within the Township and has entered into discussions with the Owner to purchase the Property; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Marlboro is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Marlboro has the power to acquire any real property for a public purpose through negotiated agreement; and

WHEREAS, the Township Council of the Township of Marlboro has determined that it would serve a public purpose and be to the benefit of the health and welfare of the Township's citizens for the Township to acquire the Property in order to use the same for the preservation of farmland and open space and for recreation within the Township of Marlboro;

WHEREAS, the Township has secured 50% matching grant funding from New Jersey Green Acres which may be used to reimburse the Township for the purchase of this Property at a certified market value to be determined by New Jersey Green Acres, subject to the Township meeting the agency's administrative and technical requirements.

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

1. The Mayor is hereby authorized to enter into contract negotiations for the purchase of that certain tract or parcels of real property known and designated in said Township, as

Block 132, Lot 27 on the Official Tax Map of the Township of Marlboro, Monmouth County, New Jersey, consisting of approximately 10.80 acres and is located on 199 Beacon Hill Road; and

Block 132, Lot 20.08 on the Official Tax Map of the Township of Marlboro, Monmouth County, New Jersey, consisting of approximately 4.86 acres and is located on Haven Way; and

for the public purposes of farmland and open space preservation and recreation within the Township of Marlboro, from AMERICAN DREAM AT MARLBORO, LLC ("Owner"), for a purchase price of \$750,000.00 Dollars and 00/100 (\$750,000.00), contingent upon:

a. A certified market value determination for the Property by New Jersey Green Acres of not less than 70% of the purchase price; and

b. The availability of Township open space trust funds; and

c. The resolution of any and all environmental areas of concern by the Owner to the satisfaction of New Jersey Green Acres; and

2. The Mayor and the Municipal Clerk are hereby authorized and directed to execute and witness, any documents which may be required to effectuate the purchase and conveyance of the Property in a form to be approved by the Director of Law; and

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

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict(s); and

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

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 4 - 0 in favor. Council Vice President Metzger was absent.

RESOLUTION #2021-360

RESOLUTION AMENDING A PROFESSIONAL SERVICES CONTRACT
WITH KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF
GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC FOR ETHICS
BOARD COUNSEL SERVICES FOR THE TOWNSHIP OF MARLBORO
FOR THE YEAR 2021

WHEREAS, on January 7, 2021, the Township Council adopted Resolution #2021-022 authorizing a contract for ETHICS BOARD ATTORNEY for the period of January 1, 2021 through December 31, 2021; and

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

WHEREAS, in a letter dated November 13, 2021, Kenneth Biedzynski, Esq. of the firm of Goldzweig, Green, Eiger & Biedzynski, LLC has requested an increase in the contract amount of \$1,700.00 in order to complete the remaining services needed to be performed in 2021.

WHEREAS, in a letter dated November 28, 2021, the Chairwoman of the Ethics Board has recommended the proposed increase in the contract amount of \$1,700.00.

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 an amendment to the Professional Services Contract with KENNETH BIEDZYNSKI, ESQ. OF THE FIRM GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4, increasing the contract not to exceed amount by \$1,700.00.

2. The Chief Financial Officer has certified funds in the amount of \$1,700.00 in Current Account 01-201-20-035-226.

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

- a. Goldzweig, Green, Eiger & Biedzynski, LLC
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Township Ethics Board

RESOLUTION #2021-361

2023 ANNUAL COUNTY AND MUNICIPAL PLANNING INCENTIVE GRANT
(PIG) APPLICATION

WHEREAS, the Township has utilized the Planning Incentive Grant (PIG) Program offered by the State Agricultural Development Committee (SADC) to preserve and protect qualified farmland in Marlboro that might otherwise be developed, most recently, the Stattel Farm(stand) parcel on Routes 520 and 79; and

WHEREAS, the Township is in the final stages of preserving and protecting the VanMater Farm on Route 79 near the Freehold border; and

WHEREAS, farmland preservation is an important part of keeping Marlboro green and maintaining the quality of life residents enjoy; and

WHEREAS, the Township has an approved Municipal Comprehensive Farmland Preservation Plan on file with SADC which identifies "target farms" for preservation; and

WHEREAS, in order to be eligible for continued funding to pursue the preservation of target farms, the Township must file an annual application which requires a resolution of the municipal governing body; and

WHEREAS, the Township Agricultural Advisory Committee has reviewed the Township's proposed Fiscal Year 2023 submission to SADC; and

WHEREAS, N.J.S.A. 2:76-17.4(c) and N.J.S.A. 2:76-17A.4(b) require comprehensive farmland preservation plans be reviewed and readopted at least every 10 years; and

WHEREAS, pursuant to SADC Policy P-55, Municipal PIG towns may receive grants up to \$20,000 (not to exceed 50% of the eligible costs) to update their farmland preservation plans; and

WHEREAS, the Township Council of the Township of Marlboro supports the continued preservation of farmland through the use of State grant funding to defray the cost of doing so.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the Business Administrator is hereby authorized to submit an application to the SADC requesting additional funding in the Fiscal Year 2023 cycle.

BE IT FURTHER RESOLVED, that the Business Administrator is authorized to submit an application to the SADC for grant funding to update the Township's farmland preservation plan as required.

RESOLUTION #2021-362

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY,
NEW JERSEY AUTHORIZING PARTICIPATION IN THE NATIONWIDE OPIOID
SETTLEMENT AGREEMENTS WITH JOHNSON & JOHNSON, MCKESSON,
CARDINAL HEALTH, AND AMERISOURCEBERGEN

WHEREAS, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with New Jersey based pharmaceutical company Johnson & Johnson and the United States' three largest pharmaceutical distributors - McKesson, Cardinal Health, and AmerisourceBergen - to resolve claims involving their roles in fomenting the country's opioid crisis; and

WHEREAS, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, but will also provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

WHEREAS, participation by a significant number of states, county, and municipal governments nationwide in the settlements and agreement to the proposed terms is necessary in order for the settlements to take effect; and

WHEREAS, provided enough states opt to participate in the settlements, their subdivisions (i.e. county and municipal governments) will have through January 2, 2022 to join; and

WHEREAS, it is in the best interests of the Township and its residents to participate and join in the settlement agreements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the future.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the Mayor, Municipal Clerk, and Business

Administrator are hereby authorized to sign any documents necessary in order to join the settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis without further authorization by the governing body.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this Resolution to the Office of The Attorney General and the New Jersey League of Municipalities.

RESOLUTION #2021-363

AUTHORIZING AWARD OF BID AND EXECUTION OF CO-LOCATION LICENSE AGREEMENTS WITH DISH WIRELESS LLC FOR THE LEASE OF SPACE ON VARIOUS TOWNSHIP OWNED MONOPOLES FOR THE INSTALLATION OF CELLULAR ANTENNAS AND LEASE LAND FOR THE CONSTRUCTION OF ANCILLARY WIRELESS TELECOMMUNICATIONS SUPPORT EQUIPMENT AND/OR STRUCTURE

WHEREAS, the Township of Marlboro has advertised for the acceptance of bids for the LEASE OF SPACE ON TOWNSHIP OWNED WIRELESS TELECOMMUNICATIONS MONOPOLES LOCATED ON UNION HILL ROAD (KNOWN AS BLOCK 299, LOT 20), HARBOR ROAD (KNOWN AS BLOCK 171, LOT 71) AND THE MUNICIPAL COMPLEX (KNOWN AS BLOCK 253, LOT 37.01) FOR CO-LOCATION OF CELLULAR ANTENNAS AND LEASE LAND FOR THE CONSTRUCTION OF ANCILLARY WIRELESS TELECOMMUNICATIONS SUPPORT EQUIPMENT AND/OR STRUCTURE (the "License Agreements"); and

WHEREAS, the minimum annual base rent was established for each location at thirty six thousand dollars (\$36,000.00) to be paid to the Township of Marlboro for each year in twelve equal monthly installments; and

WHEREAS, on October 13, 2021 the Township received one (1) bid, summarized as follows:

SECTION A (UNION HILL ROAD LOT 20 of BLOCK 299)

ID	Description	Additional Square Feet (if needed)		Bid Amount (per year)
A-1	Union Hill - 118 feet			\$ 36,000.00
A-1	Additional Ground Space		x \$14.00 / sq ft	\$
A-1	Total Bid			\$ 36,000.00

SECTION B (HARBOR ROAD LOT 71 of BLOCK 171)

ID	Description	Additional Square Feet (if needed)		Bid Amount (per year)
B-1	Harbor Rd - 135 feet			\$ 36,000.00
B-1	Additional Ground Space		x \$14.00 / sq ft	\$
B-1	Total Bid			\$ 36,000.00

SECTION C (THE MUNICIPAL COMPLEX, 1979 TOWNSHIP DRIVE LOT 37.01 of BLOCK 253)

ID	Description	Additional Square Feet (if needed)		Bid Amount (per year)
C-2	Municipal Complex 135 feet			\$ 36,000.00
C-2	Additional Ground Space		x \$14.00 / sq ft	\$
C-2	Total Bid			\$ 36,000.00

; and

WHEREAS, the Administration Office and the Township Attorney have reviewed the bid received and found that the submission of the sole bidder included several exceptions which were determined to be non-material in nature; and

WHEREAS, the Administration Office recommends the award of bid to Dish Wireless LLC for the annual base rent of \$36,000.00 for co-location at a height of 118 feet at the Monopole located at UNION HILL ROAD (KNOWN AS BLOCK 299, LOT 20); and

WHEREAS, the Administration Office recommends the award of bid to Dish Wireless LLC for the annual base rent of \$36,000.00 for co-location at a height of 135 feet at the Monopole located at HARBOR ROAD (KNOWN AS BLOCK 171, LOT 71); and

WHEREAS, the Administration Office recommends the award of bid to Dish Wireless LLC for the annual base rent of \$36,000.00 for co-location at a height of 135 feet at the Monopole located at THE MUNICIPAL COMPLEX (KNOWN AS BLOCK 253, LOT 37.01); and

WHEREAS, the Mayor and Township Council have indicated their desire to enter into Co-Location License Agreements with Dish Wireless LLC as described hereinabove.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, the award of bids to Dish

Wireless LLC, whose address is 9601 S. Meridian Boulevard, Englewood, CO in an amount not to exceed \$36,000.00 for co-location at a height of 118 feet at the Monopole located at UNION HILL ROAD (KNOWN AS BLOCK 299, LOT 20), \$36,000.00 for co-location at a height of 135 feet at the Monopole located at HARBOR ROAD (KNOWN AS BLOCK 171, LOT 71), and \$36,000.00 co-location at a height of 135 feet at the Monopole located at THE MUNICIPAL COMPLEX (KNOWN AS BLOCK 253, LOT 37.01) in accordance with the terms and conditions of the bid specification.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness License Agreements in a form substantially similar to the attached with Dish Wireless LLC in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

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

- a. Dish Wireless LLC
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Township Attorney

RESOLUTION #2021-364

A RESOLUTION AUTHORIZING CONTRACT EXTENSION ON A MONTHLY BASIS TO STAVOLA CONSTRUCTION MATERIALS, INC. FOR THE PROVISION OF VARIOUS STREET & ROAD MATERIALS THROUGH BIDS OBTAINED BY THE WESTERN MONMOUTH PURCHASING GROUP COOPERATIVE PRICING SYSTEM FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on December 12, 2019 (Resolution #2019-369) the Township Council of the Township of Marlboro awarded a contract to STAVOLA CONSTRUCTION MATERIALS, INC. for THE PROVISION OF VARIOUS STREET & ROAD MATERIALS THROUGH BIDS OBTAINED BY THE WESTERN MONMOUTH PURCHASING GROUP COOPERATIVE PRICING SYSTEM FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, on January 21, 2021 (Resolution #2021-064) the Township renewed said contract for a final extension on the same terms and conditions; and

WHEREAS, Freehold Borough, the Lead Agency of the Western Monmouth Purchasing Group has been unable to solicit for new bids for the provision of various street and road materials; and

WHEREAS, in anticipation of the expiration of the contract on December 31, 2021, the Township of Marlboro has begun the process of obtaining bids for the provision of various street and road

materials; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, a contract may be extended by mutual agreement of the parties to the contract when a contracting unit has commenced rebidding prior to the time the contract expires; and

WHEREAS, the Director of Public Works has recommended that the Township extend the current contract with STAVOLA CONSTRUCTION MATERIALS, INC. on a monthly basis until such time as a new contract can be awarded; and

WHEREAS, STAVOLA CONSTRUCTION MATERIALS, INC. has consented to same; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract be extended on a monthly basis with STAVOLA CONSTRUCTION MATERIALS, INC. whose address is 120 Old Bergen Mill Road, Millstone, NJ 08535, commencing on January 1, 2022, in a total amount not to exceed \$210,000.00.

BE IT FURTHER RESOLVED, funds in the amount of \$75,000.00 have been certified by the Chief Financial Officer in Capital Accounts 04-215-18-01C-060288 and 04-215-19-01D-060288, with additional amounts to be certified at the time materials are ordered.

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

- a. STAVOLA CONSTRUCTION MATERIALS, INC.
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2021-365

A RESOLUTION OF THE TOWNSHIP OF MARLBORO AUTHORIZING A SITE ACCESS AGREEMENT BETWEEN KEITH BADLER, CALVITTI POOLS AND SPAS AND THE TOWNSHIP OF MARLBORO FOR TEMPORARY ACCESS TO BLOCK 275, LOT 44.01 OWNED BY THE TOWNSHIP OF MARLBORO, NEW JERSEY

WHEREAS, Keith Badler ("Resident") is the owner of 14 Longfellow Terrace, Morganville, NJ 07751, and has contracted with Calvitti Pools and Spas ("Contractor"), 2273 No. Penn Road, Hatfield, PA 19440 for the construction of an in-ground pool on his property ("Project"); and

WHEREAS, the Township of Marlboro is the owner of record of a parcel located at Longfellow Terrace, also known as Block 275, Lot 44.01 as further identified and depicted in the attached Exhibit A ("Property"); and

WHEREAS, Resident and Contractor have requested right of access to the Property to allow construction vehicles to access 14 Longfellow Terrace for the sole purpose of constructing an in-ground pool in connection with the Project; and

WHEREAS, no disturbance to the Property is contemplated or anticipated under this agreement; and

WHEREAS, if for any reason the Property is disturbed as a result of any activities related to the project, the Resident and Contractor will restore the Property equivalent to pre-access condition; and

WHEREAS, Resident and Contractor will ensure that the Township has access to the Property at all times during the project; and

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

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

1. The Township, the owner of the Property described above, consents to Keith Badler and Calvitti Pools and Spas entering and having access to the Property for the purposes outlined above between December 4, 2021 and April 1, 2022.

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute and witness, respectively, the Site Access Agreement in a form to be approved by the Township Attorney.

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

- a. Keith Badler
- b. Calvitti Pools and Spas
- c. Business Administrator
- d. Director of Public Works
- e. Township Attorney
- f. Township Engineer

RESOLUTION #2021-366

A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN SUPLEE, CLOONEY & COMPANY AND THE TOWNSHIP OF MARLBORO FOR SUPPLEMENTARY INDEPENDENT AUDIT SERVICES

WHEREAS, the Township of Marlboro and Suplee, Clooney & Company previously entered into a Professional Services Contract for TOWNSHIP AUDITOR (Resolution #2021-033); and

WHEREAS, the Township of Marlboro requires supplementary TOWNSHIP AUDITOR services due to the Township's 2021 Bond Sale ("Project"); and

WHEREAS, the Township of Marlboro and Suplee, Clooney & Company seek to amend the Professional Services Contract for TOWNSHIP AUDITOR, awarded under a fair and open process, to include the supplementary Audit Services (as defined hereinabove) at a fee not to exceed \$8,500.00 for such Professional Services; and

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

WHEREAS, the Chief Financial Officer has certified that funds in the additional amount of \$8,500.00 are available for this purpose in the relevant capital fund accounts; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the Township of Marlboro to amend its contract with Suplee, Clooney & Company to provide the required additional Professional Services for the Project; and

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

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that an amendment to the Professional Services Contract between Suplee, Clooney & Company and the Township of Marlboro, to expand the scope of services as

described hereinabove by way of its Township Auditor ("Professional Services"), at a fee not to exceed \$8,500.00 for such Professional Services, be and is hereby authorized.

BE IT FURTHER RESOLVED, that this Professional Services Contract amendment is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation in an amount not to exceed \$8,500.00 for such additional Professional Services for the Projects.

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

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

- a. Suplee, Clooney & Company
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION #2021-367

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

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

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

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

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

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

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

At 7:08 p.m., Councilwoman Marder moved that the meeting be adjourned. This was seconded by Councilman Scalea, and as there was no objection, the Municipal Clerk was asked to cast one ballot.

MINUTES APPROVED: DECEMBER 16, 2021

OFFERED BY: SCALEA

AYES: 4

SECONDED BY: MARDER

NAYS: 0

ABSTAIN: METZGER

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
121621

JEFF CANTOR,
COUNCIL PRESIDENT