

MARLBORO TOWNSHIP COUNCIL MEETING

June 16, 2022

The Marlboro Township Council held a Council Meeting on June 16, 2022 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President Qazi opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled meeting of the Township Council of the Township of Marlboro was published in the Asbury Park Press on December 21, 2021; was sent to the Asbury Park Press, the Star Ledger, News Transcript and the Board of Education Office on June 14, 2022; 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: Council Vice President DiNuzzo, Councilwoman Marder, Councilman Milman, Councilman Scalea and Council President Qazi.

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

Council Vice President DiNuzzo made a motion to hold Citizen's Voice after the consent agenda. Councilwoman Marder seconded this and there was no objection.

Council Speaks Out: Councilman Scalea stated that a decision should be made soon for upgrading the police department's emergency communications system. Councilwoman Marder provided an overview of ongoing events through Marlboro's recreation programs. The community garden donated over 400 pounds of produce to the food pantry. The annual fireworks display is scheduled for July 10th and summer movies and concerts are also being planned for this summer. Councilwoman Marder spoke to Chief Pezzullo about the Tennent Road intersection where speeding is an ongoing issue. He said that his office would send a traffic report to the county requesting that a stop sign or traffic light be installed to this section of road as a preventative measure for the avoidance of vehicle accidents. She said that replacing the 911 communication system seems to be the better option. Councilman Milman is excited for the upcoming summer events such as the farmers market and the June 20th cricket park grand opening. He also agreed with Councilman Scalea for finalizing a decision for the emergency communications system. Council Vice President DiNuzzo added to

Councilwoman Marder's concerns regarding Tennent Road. She reiterated the urgency for a new emergency communication system.

Administrative Report: Mayor Hornik said that the Marlboro Farmers Market is now open on Sundays. A new cricket field is located behind the Middle School on Route 520. He expressed his gratitude to Councilman Scalea and Recreation Director Leifer for getting this field up and running. The 10th annual Mayor's Charity Softball Tournament will be held this coming weekend. This year's charity is STOMP the Monster, a non-profit that supports people dealing with cancer. The Mayor announced that road reconstruction project costing \$35 million dollars will be underway. This will be the central fixture of the Township's capital plan making this the largest capital investment in roads in the Township's history. The Take the Pledge initiative began after the last council meeting. Marlboro's See Something, Say Something, We Will Do Something campaign - has made headway with preventing auto thefts as more residents lock their cars and remove their fobs. Posting the lawn signs remind residents with taking these basic safety steps. The Mayor congratulated Marlboro's high school graduates and wished them all the best in their next chapter. In closing, he wished all the dads a Happy Father's Day.

Councilwoman Marder moved that the Council meeting minutes of May 19, 2022 be approved. This was seconded by Council Vice President DiNuzzo, and passed on a roll call vote of 5 - 0 in favor.

Council Vice President DiNuzzo introduced a motion to open the public hearing for Ordinance #2022-006 (Amending the Code of the Township of Marlboro by Repealing and Replacing Existing Chapter 220-46 with New Chapter 220-46 Entitled Flood Damage Prevention) seconded by Councilwoman Marder. As there was no one who wished to speak about this ordinance, a motion to close the public hearing was offered by Councilman Scalea and seconded by Councilwoman Marder. A motion to adopt Ordinance #2022-006 was offered by Council Vice President DiNuzzo and seconded by Councilman Milman. The ordinance was passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2022-006

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MARLBORO BY
REPEALING AND REPLACING EXISTING CHAPTER 220-46 WITH NEW CHAPTER
220-46 ENTITLED FLOOD DAMAGE PREVENTION

The following Ordinance #2022-007 (Ordinance Authorizing General Capital Improvements and Issuance of Bonds or Notes) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Scalea and passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2022-007

BOND ORDINANCE PROVIDING FOR VARIOUS 2022 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$9,090,604 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$8,667,236 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Township") as general capital improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$9,090,604, which appropriation is inclusive of \$423,368 as the aggregate amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$9,090,604 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$8,667,236 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$8,667,236 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include, but are not limited to, as follows:

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|---|----------------------|----------------------|--|--------------------|
| (a) Road and Drainage Improvements – Various Road And Drainage Improvements Which Improvements Shall Include, But Not Be Limited To, As Applicable, Improvements to Union Hill Road (Phase II), Improvements to Stormwater Basins, the Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement, And Where Necessary, The Sealing Of Pavement Cracks, And Associated Repairing And/Or Installation Of Curb, Curb Ramps, Sidewalks, Driveway Aprons, Resetting Of Utility Castings And Drainage Grates; Check Valve And Associated Drainage Improvements; Roadway Painting, Landscaping And Other Aesthetic Improvements; | \$2,539,800 | \$2,437,550 | \$102,250 (No Down Payment Is Being Provided On \$205,000 Appropriation The Union Hill Road (Phase II) Portion Of The Project As Such Portion Of The Project Is A Local Match To A New Jersey Department Of Transportation Grant Previously Appropriated) | 20 years |
| (b) <u>Management Information System</u> – Various Improvements to the Management Information System And The Acquisition of Management Information Equipment Including, But Not Limited To, Laser Printers and Computer Hardware and Software; | \$238,221 | \$226,543 | \$11,678 | 5 years |
| (c) <u>First Aid</u> –Acquisition Of Ambulance And Related Equipment and Improvements; | \$336,600 | \$320,100 | \$16,500 | 5 years |
| (d) <u>Police Department</u> –Acquisition of Various Non-Passenger Vehicles, Including Related Equipment; | \$207,775 | \$197,590 | \$10,185 | 5 years |
| (e) <u>Road Maintenance</u> – Acquisition of a Bucket Truck, Including Related Equipment; | \$326,400 | \$310,400 | \$16,000 | 5 years |
| (f) <u>Vehicle Maintenance</u> – Various Improvements to the Township Fueling System; | \$76,501 | \$72,751 | \$3,750 | 15 years |
| (g) <u>Grounds Maintenance</u> – Various Improvements To Township Buildings And Grounds Including, But Not Limited To, Complex Roof And Structural Repairs, Replacement Of Chiller Pipe And Improvements to Heating Ventilation Air Conditioning Systems Including, But Not Limited To, Replacement Of Automation System, Including Related Equipment; | \$382,500 | \$363,750 | \$18,750 | 15 years |

| <u>Description</u> | <u>Appropriation</u> | <u>Authorization</u> | <u>Down Payment</u> | <u>Useful Life</u> |
|---|----------------------|----------------------|---------------------|--------------------|
| (h) <u>Recreation</u> – Various Recreational Improvements Including, But Not Limited to, Replacement Of Synthetic Turf And Crumb Rubber, Including Related Equipment; and | \$586,500 | \$557,750 | \$28,750 | 15 years |
| (i) <u>911 Expenses</u> –Improvements to Police Communications System, Including Related Equipment. | \$4,396,307 | \$4,180,802 | \$215,505 | 15 years |
| TOTALS | <u>\$9,090,604</u> | <u>\$8,667,236</u> | <u>\$423,368</u> | |

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$8,667,236.

(d) The aggregate estimated cost of said improvements or purposes is \$9,090,604, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes in the aggregate amount of \$423,368.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity, make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth, and/or a private entity shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes

shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Capital Fund of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Fund capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.18 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$8,667,236 and the said

obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,800,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

The following Ordinance #2022-008 (Ordinance Authorizing Water Utility Capital Improvements and Issuance of Bonds or Notes) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Milman and passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2022-008

BOND ORDINANCE PROVIDING FOR VARIOUS 2022 WATER UTILITY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$4,500,444 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,500,444 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED, AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Township") as general capital improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$4,500,444, said sum being inclusive of all appropriations heretofore made therefor. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as the Water Utility of the Township is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$4,500,444 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$4,500,444 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are various water utility improvements throughout the Township including, but not limited to, Improvements to Various Utility Equipment/Facilities, Water Main Replacement at Various Locations including, but not limited to, Wyncrest Road and Brookside Circle, Mockingbird Lane and Peacock Lane, and Nolan Road to Route 79, Acquisition of a Pick-Up Truck with Plow, Improvements to Septic Field at Harbor Road Water Treatment Plant, Improvements to Commercial Water Meters, Travel Vac Valve Maintenance/Improvements, Acquisition and

Installation, as applicable, of Hydrants, Valves and Pipes; and Acquisition and Installation, as applicable, of Computer Hardware and Software for Offices.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$4,500,444.

(d) The aggregate estimated cost of said improvements or purposes is \$4,500,444.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity, make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth, and/or a private entity shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in

writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Capital Fund of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Fund capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 39.19 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$4,500,444 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$900,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township

shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

The following Ordinance #2022-009 (Ordinance Authorizing Recreation and Swim Utility Capital Improvements and Issuance of Bonds or Notes) was introduced by reference, offered by Councilman Scalea, seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2022-009

BOND ORDINANCE PROVIDING FOR VARIOUS 2022
RECREATION AND SWIM UTILITY IMPROVEMENTS, BY AND
IN THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING
\$236,348 THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$224,762 BONDS OR NOTES TO FINANCE PART OF THE
COST THEREOF

BE IT ORDAINED, AND ENACTED BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY
(not less than two-thirds of all the members thereof affirmatively
concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section
3 of this bond ordinance are hereby authorized to be undertaken by the
Township of Marlboro, in the County of Monmouth, State of New Jersey
(the "Township") as general capital improvements. For the said
improvements or purposes stated in Section 3, there is hereby
appropriated the sum of \$236,348, which appropriation is inclusive of
\$11,586 as the aggregate amount of down payment for said improvements
or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq.
(the "Local Bond Law"). Said down payment is now available therefor by
virtue of a provision or provisions in a previously adopted budget or
budgets of the Township for down payment or for capital improvement
purposes.

SECTION 2. For the financing of said improvements or purposes
described in Section 3 hereof and to meet the part of said \$236,348
appropriation not provided for by application hereunder of said down
payment, negotiable bonds of the Township are hereby authorized to be
issued in the principal amount of \$224,762 pursuant to the Local Bond
Law. In anticipation of the issuance of said bonds and to temporarily
finance said improvements or purposes, negotiable notes of the Township
in a principal amount not exceeding \$224,762 are hereby authorized to
be issued pursuant to and within the limitations prescribed by the Local
Bond Law.

SECTION 3. (a) The improvements hereby authorized and
purposes for the financing of which said bonds or notes are to be issued
are various improvements to Township Swim Clubs and Marlboro Country
Park including, but not limited to, Resurfacing of Basketball Courts at
Marlboro Swim Club and Aquatic Center Swim Club, Resurfacing of Walkway
at Marlboro Country Park, Replacement of Awnings, Sunbrella and
Concession Stand Equipment at Marlboro Swim Club, Repair and/or
Replacement of Pool Tank Tiles at Marlboro Swim Club, Improvements to
Concrete Pool Deck at Marlboro Swim Club, Restoration of Green Space at
Marlboro Swim Club and the Acquisition of Various Recreational Equipment
including, but not limited to, Basketball Poles and Backboards.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$224,762.

(d) The aggregate estimated cost of said improvements or purposes is \$236,348, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes in the aggregate amount of \$11,586.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity, make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth, and/or a private entity shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next

succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Capital Fund of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Fund capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 17.20 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$224,762 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$47,250 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property

within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

The following Ordinance #2022-010 (Ordinance Providing for the Lease Purchase Financing and Acquisition of Police Cars) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2022-010

ORDINANCE PROVIDING FOR THE LEASE PURCHASE
FINANCING AND ACQUISITION OF POLICE CARS FOR AND
BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township Council of the Township of Marlboro, in the County of Monmouth, State of New; Jersey (the "Township") hereby authorizes the lease purchase financing and acquisition of police cars for the Township pursuant to N.J.S.A. 40A:11-15(7) for a total principal cost of not to exceed \$200,000. The procurement of the police cars will be made in accordance with the Local Public Contracts Law. The rental payments will be paid over three years at an interest rate per annum to be approved by the Chief Financial Officer of the Township through a procurement process authorized herein and in accordance with law. The Chief Financial Officer of the Township is authorized to take financing bids or proposals or procure financing by other lawful means, including through a national purchasing cooperative, as she deems most cost effective for the Township.

Section 2. The Mayor and/or the Chief Financial Officer are hereby authorized to negotiate, execute and deliver, subject to the review of Bond Counsel, a lease purchase agreement (the "Lease") in accordance with the terms set forth in this ordinance, an agent or an escrow agreement, an assignment agreement, if necessary, and such other documents as may be necessary to consummate the transaction. The Township Council authorizes the Chief Financial Officer to establish an escrow account for the deposit of the lease proceeds and to direct the deposit and investment of the lease proceeds in the escrow for the term of the Lease in accordance with the requirements of law. The Township Council hereby authorizes and directs the Mayor or the Chief Financial Officer to execute the Lease and such other documents as may be required to consummate the transaction in forms approved by Bond Counsel, such approval to be evidenced by the execution of the Lease or such other documents by the Mayor or the Chief Financial Officer. The Clerk is authorized to attest to such documents under the seal of the Township. The Mayor and/or the Chief Financial Officer are also authorized and directed to take on behalf of the Township such other actions as shall be necessary and appropriate to accomplish the lease purchase financing of the police cars in accordance with the terms of the Lease and this ordinance and pursuant to the terms of the agreements and instruments authorized to be prepared hereby and to accomplish the performance of the obligations of the Township in respect thereto.

Section 3. The payment of rent or other monies due under the Lease shall be made from operating funds, subject to the availability of funds and appropriation annually of sufficient funds as may be required to meet the obligations of the Lease, and the Lease shall contain a clause making it subject to such appropriation or shall contain an annual cancellation clause. Neither the Township nor any agency, department or political subdivision thereof shall be obligated to pay any sum to the purchaser or lessor under the Lease from any taxing source for the payment of any sums due under the Lease unless an appropriation is made in a duly

approved budget of the Township. The obligations of the Township shall not constitute indebtedness of the Township or of any department, agency or political subdivision thereof. The Lease shall set forth the term of the Lease, the rental payments to be paid by the Township in respect thereof, and the dates on which such rental payments shall be due and payable.

Section 4. The Township Council hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of the interest portion of rental payments due on the Lease, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Lease, if applicable.

Section 5. The Township Council hereby declares its intent to issue the Lease in the expected maximum principal amount of the Lease set forth herein and to use the proceeds of the Lease to pay or reimburse expenditures for the costs of the purpose for which the Lease is authorized herein. This resolution is a declaration of intent within the meaning and for the purposes of Treasury Regulations Section 1.10-2 or any successor provisions of federal income tax law.

Section 6. This ordinance shall take effect 20 days following final publication after final adoption and otherwise as provided by law.

The following resolution #2022-142 (Authorizing the Execution of a Home Improvement Program Agreement Under the Township's Affordable Housing Rehabilitation Program (15 Diane Drive)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Sclea and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2022-142

RESOLUTION AUTHORIZING THE EXECUTION OF A HOME IMPROVEMENT
PROGRAM AGREEMENT UNDER THE TOWNSHIP'S AFFORDABLE HOUSING
REHABILITATION PROGRAM

WHEREAS, the Township re-petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan in July of 2010; and

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 income households; and

WHEREAS, the Township of Marlboro's Administrative Agent has received an application for housing rehabilitation assistance from Frances & Joseph Myers who resides at 15 Diane Drive, Morganville, NJ 07751 ("Applicant"); and

WHEREAS, the Administrative Agent has certified that the applicant has met the eligibility requirements of the Township's Affordable Housing Rehabilitation Program; and

WHEREAS, the Township wishes to address the needs of qualified households through its Affordable Housing Rehabilitation Program and supports this application.

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 the execution of a Home Improvement Program Agreement with Frances & Joseph Myers by the Mayor and Municipal Clerk in a form approved by the Township Attorney; and

2. A certified copy of this Resolution shall be provided to each of the following:

- a. Business Administrator
- b. Administrative Agent
- c. Municipal Housing Liaison
- d. Township Attorney
- e. Affordable Housing Attorney

The following resolution #2022-143 (Renewal of Liquor Licenses - July 1, 2022 to June 30, 2023) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Scalea and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2022-143

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the following Liquor Licenses be and they are hereby renewed for the period beginning July 1, 2022 through June 30, 2023:

- 1. Hituja Corp. 1328 44 001 007
T/A Marlboro Buy Rite Liquors
- 2. 476 Route 520 Corp. 1328 33 002 013
T/A Samvera Restaurant

| | | |
|-----|--|-----------------|
| 3. | Just Sports Bar & Grill T/A Fireside Grill & Bar | 1328 33 003 004 |
| 4. | Anthony's Bella Vista Country Club Inc. T/A Bella Vista | 1328 33 004 005 |
| 5. | S & A Route 79, Inc. T/A Crown Palace | 1328 33 005 008 |
| 6. | Marlboro BWW LLC T/A Buffalo Wild Wings Grill & Bar | 1328 33 007 006 |
| 7. | Pampini, LLC T/A Brioso | 1328 33 008 011 |
| 8. | M. S. D. Enterprise, Inc. T/A Morganville Liquors and Deli, LLC | 1328 44 009 004 |
| 9. | JSF Group LLC Il Nido Restaurant | 1328 33 010 004 |
| 10. | Morganville Ind. Vol. Fire Co. | 1328 31 012 001 |
| 11. | Morganville Vol. Fire Co. | 1328 31 013 001 |
| 12. | J.R.J. Hospitality Inc. T/A Nonna's | 1328 33 015 012 |
| 13. | Cambridge Spirits, Inc. | 1328 44 016 004 |
| 14. | Zin Marlboro, LLC T/A Tio Taco & Tequila Bar | 1328 33 017 004 |
| 15. | Rosalita's Roadside Cantina | 1328 33 018 002 |
| 16. | B & B Hospitality Group T/A Osteria Cucina Rustica | 1328 33 019 002 |
| 17. | Cuzin's Clam Bar LLC | 1328 33 020 004 |
| 18. | Exit 123 Liquors, LLC T/A Wine Academy | 1328 44 021 002 |
| 19. | Anthony's Coal Fired Pizza | 1328 33 022 001 |

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

The following resolution #2022-144 (Appointment of Council Liaisons) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Milman and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2022-144

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 | Michael Scalea & Michael Milman |
| W.M.U.A. | Joseph Pernice |
| Senior Advisory Committee | Juned Qazi |
| Freehold Regional Board of Education | Antoinette DiNuzzo & Michael Messinger |
| Environmental Commission | Randi Marder |
| Youth Exchange Advisory Committee | Michael Milman |
| Economic Development Committee | Juned Qazi |
| Veterans & Volunteers Committee | Michael Scalea |
| Teen Advisory Committee | Randi Marder |
| Historical Commission | Antoinette DiNuzzo |
| Marlboro Drug Alliance | Antoinette DiNuzzo & Michael Scalea |
| Affordable Housing | Michael Milman & Michael Scalea |
| Shade Tree Committee | Randi Marder |
| Local Emergency Planning Committee | Juned Qazi |
| Ethics Board | Antoinette DiNuzzo & Michael Scalea |
| Police Department | Juned Qazi & Michael Milman |
| Department of Public Works | Juned Qazi |
| Green Team | Michael Milman |

The following resolution #2022-145 (Authorizing Renewal of the Purchase of Leaf Bags Year 2 of 3 (Bid 2021-SSA)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2022-145

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO DANO ENTERPRISES, INC. FOR THE PURCHASE OF LEAF BAGS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro requires leaf bags for distribution to residents in order to facilitate the removal and disposal of yard waste and to promote clean and safe streets within the Township; and

WHEREAS, in order to secure the most advantageous pricing, the Township of Marlboro entered into a shared services agreement with the Township of Edison, with Edison serving as a lead agency, to conduct a public bid process in accordance with the Local Public Contracts Law (Resolution #2021-143); and

WHEREAS, on July 15, 2021 (Resolution #2021-233) the Township Council of the Township of Marlboro awarded a contract to DANO ENTERPRISES, INC. FOR THE PURCHASE OF LEAF BAGS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS at the low bid price of \$.465 per bag, not to exceed \$46,500.00; and

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

WHEREAS, in a memo dated April 20, 2022, the Director of Public Works has recommended that the Township approve the first 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 contract be renewed with DANO ENTERPRISES, INC. whose address is 4 Omega Drive, Stamford, CT 06907 for a period of one year commencing on August 1, 2022 and expiring on July 31, 2023, in a total amount not to exceed \$46, 500.00.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certify funds in the amount of \$46, 500.00 from Clean Communities Grant Account 02-213-19-703-123000.

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

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

The following resolution #2022-146 (Authorizing Award of Bergen County Cooperative Contract to Shi International Corp. for Webex Communication Software, Cloud Storage and Scanning Services and Spatial Data Logic Enterprise License and Portal) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Milman and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2022-146

RESOLUTION AUTHORIZING AWARD OF BERGEN COUNTY COOPERATIVE
CONTRACT #22-24 TO SHI INTERNATIONAL CORP. FOR WEBEX
COMMUNICATION SOFTWARE, CLOUD STORAGE AND SCANNING
SERVICES AND SPATIAL DATA LOGIC ENTERPRISE LICENSE AND
PORTAL FOR THE TOWNSHIP OF MARLBORO

WHEREAS, in response to the COVID-19 pandemic, the Township procured Cisco Webex remote meeting and event capability software to support police roll call, council and board meetings, and remote construction inspections; and

WHEREAS, the Township wishes to continue to utilize the remote meeting and event capability software by renewing the license with Webex; and

WHEREAS, in a memo dated June 3, 2022, the Marlboro Township Information Technology Division has recommended that the Township renew the Webex Communication Software from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under Bergen County Cooperative Contract #22-24 in an amount not to exceed \$7,892.00; and

WHEREAS, in 2017, the Township embarked on the establishment of a Township-wide Document Management System featuring cloud based storage with on-premise backup; and

WHEREAS, in an effort to continue to scan and store documents in the cloud and to additionally back up the documents to cloud based storage the Township wishes to purchase additional cloud storage and the document image scanning services; and

WHEREAS, in a memo dated June 3, 2022, the Marlboro Township Information Technology Division has recommended that the Township purchase the Cloud Storage and Scanning Services, from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under Bergen County Cooperative Contract #22-24 in an amount not to exceed \$21,216.25; and

WHEREAS, the Township of Marlboro currently utilizes Spatial Data Logic software extensively throughout the Township for permitting and service request tracking in several municipal departments; and

WHEREAS, the Township wishes to continue to utilize the software by renewing the Large Town Enterprise License of Spatial Data Logic; and

WHEREAS, to increase options available for pandemic related remote work capabilities and in alignment with a strategic shift to cloud computing in general, the Township wishes for Spatial Data Logic

to provide hosting services for the software; and

WHEREAS, in a memo dated June 3, 2022, the Marlboro Township Information Technology Division has recommended that the Township renew the Spatial Data Logic Enterprise License and Hosting Services, from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under Bergen County Cooperative Contract #22-24 in an amount not to exceed \$101,009.02; and

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

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to obtain the Webex Communication Software, Cloud Storage and Scanning Services, and Spatial Data Logic Enterprise License; and

WHEREAS, the Township Council has indicated their desire to approve the purchase of the software, services and licenses.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to obtain the Webex Communication Software, Cloud Storage and Scanning Services, and the Spatial Data Logic Enterprise License from SHI INTERNATIONAL CORP., 290 Davidson Ave, Somerset, NJ 08873 under Bergen County Cooperative #22-24 in an amount not to exceed \$130,117.27.

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$108,901.02 from Current Fund Account #01-201-20-033-281 and \$21,216.25 from Uniform Construction Code Trust Account #16-201-56-850-281850.

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

- a. SHI INTERNATIONAL CORP.
- b. Township Business Administrator
- c. Township Division of Information Technology
- d. Chief Financial Officer
- e. Township Construction Official

The following resolution #2022-147 (Authorizing Contract for Services between Low Income Household Water Assistance Program (LIHWAP) NJ Department of Community Affairs and Marlboro Township Water Utility) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilwoman Marder and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2022-147

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS TO PARTICIPATE IN THE LOW-INCOME
HOUSEHOLD WATER ASSISTANCE PROGRAM

WHEREAS, The New Jersey Department of Community Affairs (the "DCA") has established the Low Income Household Water Assistance Program (the "Program") to assist low-income households who have delinquent balances on their residential water bills; and

WHEREAS, in order to participate, the Marlboro Township Water Utility (the "Utility") must execute a vendor agreement, consisting of a Contract for Services and a Data Sharing Agreement, with the DCA; and

WHEREAS, once the agreements are executed, the Utility will receive payments directly from the Program, on behalf of those residential customers who qualify for the Program; and

WHEREAS, the Mayor and Township Council wish to utilize this program to assist eligible resident water customers with overdue balances.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Marlboro that the Mayor shall and hereby is authorized to execute and the Municipal Clerk to witness an agreement with the New Jersey Department of Community Affairs to participate in the Low-Income Household Water Assistance Program.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Councilwoman Marder, seconded by Council Vice President DiNuzzo and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2022-148

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO TRI COUNTY TURF, LLC
FOR THE PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE
TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on August 19, 2021 (Resolution #2021-255) the Township Council of the Township of Marlboro awarded a contract to TRI COUNTY TURF, LLC FOR THE PROVISION OF PARKING LOT SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, in a memo dated May 25, 2022, the Director of Public Works 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 contract be awarded to TRI COUNTY TURF, LLC whose address is 81 John White Road, Cranbury, NJ 08512 for a one (1) year period beginning on October 1, 2022, through September 30, 2023, for an amount not to exceed \$62,951.00.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$15,737.75 for the aforesaid contract in Current Account #01-201-26-119-288310.

BE IT FURTHER RESOLVED, funds for the 2023 portion in an amount of \$47,213.25 will be certified at the time of adoption of the 2023 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract extension with TRI COUNTY TURF, LLC in accordance with this resolution.

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

- a. TRI COUNTY TURF, LLC
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2022-149

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACTS TO L.J. PESCE, LLC
AND TRI COUNTY TURF, LLC FOR THE PROVISION OF SNOW REMOVAL
SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on September 17, 2020 (Resolution 2020-243) the Municipal Council of the Township of Marlboro awarded contracts to L.J. PESCE, LLC AND TRI COUNTY TURF, LLC FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, on August 19, 2021 (Resolution 2021-257) the Township Council of the Township of Marlboro approved the first one-year extension of the contracts; and

WHEREAS, in a memo dated May 31, 2022, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension of the contracts; 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 contracts be extended for a period of one (1) year beginning on September 1, 2022 through August 31, 2023:

| Vendor Name | Address | City | St | Total |
|----------------------|------------------|-------------|----|------------|
| L.J. Pesce, LLC | 100 Igoe Road | Morganville | NJ | 177,200.00 |
| Tri County Turf, LLC | 81 John White Rd | Cranbury | NJ | 309,100.00 |
| | | | | 486,300.00 |

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, contracts with L.J. PESCE, LLC AND TRI COUNTY TURF, LLC in accordance with this resolution, the bid specifications, and in a form to be approved by the Township Attorney.

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$97,500.00 are available in Current Account No. 01-201-26-119-288105 for the services for 2022.

BE IT FURTHER RESOLVED, funds for the 2023 portion in an amount of \$388,800.00 will be certified at the time of adoption of the 2023 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract extension with L.J. PESCE, LLC AND TRI COUNTY TURF, LLC in accordance with this resolution.

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

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

RESOLUTION #2022-150

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO TRI COUNTY TURF, LLC FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on October 15, 2020 (Resolution 2020-271) the Municipal Council of the Township of Marlboro awarded a contract to TRI COUNTY TURF, LLC FOR THE PROVISION OF SNOW REMOVAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, on August 19, 2021 (Resolution 2021-258) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated May 31, 2022, the Director of Public Works has recommended that the Township approve a second and final 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 contract to TRI COUNTY TURF, LLC whose address is 81 John White Road, Cranbury, NJ 08512 be extended for a period of one (1) year beginning on September 1, 2022 through August 31, 2023 in an amount not to exceed \$122,700.00.

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

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$21,180.00 are available in Current Account No. 01-201-26-119-288105 for the services for 2022.

BE IT FURTHER RESOLVED, funds for the 2023 portion in an amount of \$101,520.00 will be certified at the time of adoption of the 2023 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract extension with TRI COUNTY TURF, LLC in accordance with this resolution.

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

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

RESOLUTION #2022-151

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO CENTRAL JERSEY WASTE & RECYCLING, INC. FOR THE PROVISION OF RECYCLING COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on August 19, 2021 (Resolution 2021-256) the Municipal Council of the Township of Marlboro awarded a contract to CENTRAL JERSEY WASTE & RECYCLING, INC. FOR THE PROVISION OF RECYCLING COLLECTION AND DISPOSAL SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract for four (4) one-year extensions on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, in a memo dated May 25, 2022, the Director of Public Works has recommended that the Township approve the first 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 contract extension be awarded to CENTRAL JERSEY WASTE & RECYCLING, INC., whose address is 432 Stokes Avenue, Ewing, New Jersey 08638 for RECYCLING COLLECTION AND DISPOSAL SERVICES for a period of one year commencing on September 1, 2022 and expiring on August 31, 2023 in a total amount not to exceed \$739,484.88; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract extension with CENTRAL JERSEY WASTE & RECYCLING, INC. in accordance with this resolution; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds in the amount of \$246,494.96 are available for the aforesaid contract in Current Account #01-201-26-117-233112; and

BE IT FURTHER RESOLVED, that funds for the 2023 portion of the contract in the amount of \$492,989.92 will be certified by the Chief Financial Officer upon adoption of the 2023 Municipal Budget; and

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

- a. CENTRAL JERSEY WASTE & RECYCLING, INC.
- b. Township Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2022-152

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO ELECTRO MAINTENANCE, INC. FOR THE PROVISION OF ELECTRICAL REPAIR SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on August 13, 2020 (Resolution 2020-224) the Municipal Council of the Township of Marlboro awarded a contract to ELECTRO MAINTENANCE, INC. FOR THE PROVISION OF ELECTRICAL REPAIR SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, on August 19, 2021 (Resolution 2021-259) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated May 25, 2022, the Director of Public Works has recommended that the Township approve a second and final 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 contract to ELECTRO MAINTENANCE, INC., whose address is 5133 W. Hurley Pond Road, Building #3, Farmingdale, NJ 07727 be extended for a period of one (1) year beginning on September 1, 2022 through August 31, 2023 in a total amount not to exceed \$33,800.00 for labor only, parts are to be billed at the rate of ten percent (10%) above contractor's price.

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

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$11,266.66 are available in Current Account No. 01-201-26-122-288126 and Water Utility Operating Account No. 05-201-55-500-288020 for the services for 2022.

BE IT FURTHER RESOLVED, funds for the 2023 portion in an amount of \$22,533.34 will be certified at the time of adoption of the 2023 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract extension with ELECTRO MAINTENANCE, INC. in accordance with this resolution.

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

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

RESOLUTION #2022-153

A RESOLUTION AUTHORIZING YEAR 2 OF CONTRACT TO HERC RENTALS INC. FOR THE PROVISION OF DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on September 9, 2021 (Resolution 2021-290) the Municipal Council of the Township of Marlboro awarded a contract to HERC RENTALS INC. FOR THE PROVISION OF DUMP TRUCK WITH SNOW REMOVAL EQUIPMENT RENTAL FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS; and

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

WHEREAS, in a memo dated May 25, 2022, the Director of Public Works 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 contract be awarded to HERC RENTALS INC. whose address is 49 Wesley Street, South Hackensack, NJ 07606 for a one (1) year period beginning on September 1, 2022, through August 31, 2023, for an amount not to exceed \$64,200.00.

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified funds in the amount of \$16,050.00 for the aforesaid contract in Current Account #01-201-26-119-215105.

BE IT FURTHER RESOLVED, funds for the 2023 portion in an amount of \$48,150.00 will be certified at the time of adoption of the 2023 municipal budget; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract extension with HERC RENTALS INC. in accordance with this resolution.

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

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

RESOLUTION #2022-154

AUTHORIZATION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
"IMPROVEMENTS TO TICETOWN ROAD" PROJECT

WHEREAS, Ticetown Road in Marlboro Township between Greenwood Road and the Old Bridge Township border is a heavily utilized roadway which is in need of pavement resurfacing; and

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

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

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

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Improvements to Ticetown Road-00149 to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

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

RESOLUTION #2022-155

RESOLUTION APPOINTING AN INTERIM TAX SEARCH OFFICER IN THE
ABSENCE OF THE TAX SEARCH OFFICER UNDER THE FAMILY MEDICAL LEAVE
ACT

WHEREAS, Colleen Dolan, Marlboro Township Tax Collector and Tax Search Officer, will be taking a leave of absence from her position under the Family Medical Leave Act; and

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; and

WHEREAS, during Ms. Dolan's leave of absence it is necessary to appoint a qualified person to undertake the position of the Marlboro Township Tax Search Officer in order to ensure the continued functioning of the municipal government in this statutory position; and

WHEREAS, Lisette Montanez, a current employee of the Finance Department is a Certified Tax Collector (CTC) and qualified to assume the responsibility of Tax Search Officer on an interim basis.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, that Lisette Montanez is hereby appointed Tax Search Officer for the Township of Marlboro during the term of Colleen Dolan's leave of absence.

RESOLUTION #2022-156

A RESOLUTION AUTHORIZING ACCEPTANCE OF THE DONATION OF 300 COVID TEST KITS TO BE USED FOR MARLBORO TOWNSHIP

WHEREAS, the Monmouth County Health Department has donated 300 Covid Test kits for the Township of Marlboro; and

WHEREAS, the donated items will be used for the purposes of providing Covid Test kits for the employees of Marlboro Township; and

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

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

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

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

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

RESOLUTION #2022-157

AMENDING A SHARED SERVICES AGREEMENT WITH THE MARLBORO TOWNSHIP BOARD OF EDUCATION PROVIDING FOR BUS TRANSPORTATION SERVICES FOR THE MARLBORO DRUG AND ALCOHOL ALLIANCE PROGRAMS

WHEREAS, on March 10, 2022, the Township of Marlboro ("Township") adopted Resolution 2022-091 authorizing a shared service agreement with the Marlboro Township Board of Education (the "Board") for bus transportation services; and

WHEREAS, the Township has requested and the Board has agreed to provide transportation services for the Marlboro Drug and Alcohol Alliance ("Alliance") programs; and

WHEREAS, pursuant to N.J.S.A. 18A:39-22, the Board is authorized to permit the use of school buses it owns or leases for the purpose of transporting children and adults participating in a recreation or other program operated by the municipality in which the Board's School District is located; and

WHEREAS, the Township and the Board desire to amend the Shared Services Agreement to provide Transportation Services for the Marlboro Alliance programs for the period commencing on January 1, 2022 and terminating on December 31, 2022; and

WHEREAS, the costs of the Transportation Services for the Marlboro Alliance programs shall be paid by the Township to the Board in an amount not to exceed \$900.00; and

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

WHEREAS, the proposed Shared Services Agreement for the Transportation Services is on file in the Municipal Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-5(b); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Grant Account 02-213-22-721-135000 in a total amount not to exceed \$900.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized and directed to execute and witness, respectively, the proposed amendment to the Shared Services Agreement for the provision of transportation services for the Marlboro Alliance programs in accordance with the term and conditions described hereinabove.

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the shared services agreement authorized herein shall be filed with the Division of Local Government Services in the Department of Community Affairs for informational purposes.

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

BE IT FURTHER RESOLVED, that a duly certified copy of this resolution be forwarded to:

- a. Marlboro Township Board of Education
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Alliance Coordinator

RESOLUTION #2022-158

AUTHORIZING AMENDMENT TO A SHARED SERVICES AGREEMENT WITH THE
MARLBORO TOWNSHIP BOARD OF EDUCATION FOR CONCESSION SERVICES
FOR THE MARLBORO RECREATION DEPARTMENT

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

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

WHEREAS, the Township operates the Marlboro Swim Club ("Swim Club") for Marlboro Township and area residents which has a snack bar; and

WHEREAS, the Board contracts with Chartwells, Inc. ("Vendor") as its food service provider for the provision of food service within the schools that comprise the Marlboro Township School District; and

WHEREAS, the Board has agreed to be the lead agency and supply concession services to the Township under its existing service contract; and

WHEREAS, the Township and the Board previously entered into a Shared Services Agreement with a term of forty-five(45) days, commencing on or about May 15, 2022, with actual services to be provided from May 27, 2022 through June 30, 2022; and

WHEREAS, the Township and the Board wish to extend the Shared Services Agreement for a term of one year, commencing on or about July 1, 2022 and terminating on June 30, 2023, with actual services to be provided from July 1, 2022 through September 5, 2022; and

WHEREAS, the parties are of the opinion that the provision of such services can be more efficiently provided through a joint agreement which will ultimately benefit Marlboro residents; and

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

WHEREAS, the proposed Shared Services Agreement for the Concession Services is on file in the Municipal Clerk's office in accordance with the provisions of N.J.S.A. 40A:65-5(b); and

WHEREAS, the Mayor and Marlboro Township Council desire to enter into the proposed Shared Services Agreement with the Board of Education substantially in the form attached hereto and made a part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized and directed to execute and witness, respectively, the Shared Services Agreement; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the shared services agreement authorized herein shall be filed with the Division of Local Government Services in the Department of Community Affairs for informational purposes; and

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

BE IT FURTHER RESOLVED, that a duly certified copy of this resolution be forwarded to:

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

RESOLUTION #2022-159

LIEN REDEMPTIONS

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$94,901.10 as per Schedule "A"; and

WHEREAS, the holders of the above-mentioned tax sale certificates are entitled to the amount of the sale plus interest and costs.

SCHEDULE "A"

| <u>LIEN NO</u> | <u>BLOCK/LOT</u> | <u>LIENHOLDER</u> | <u>AMOUNT</u> |
|----------------|------------------|--|---------------|
| 2021-042 | 412/268 | Trystone Capital Assets, LLC PO Box 1030 Brick, NJ 08723 Assessed Owner: Lima, Vincent | 1,990.43 |
| 2021-014 | 157/36.01 | US Bank Cust for ProCap8 50 South 16 th Street, Suite 2050 | 90,156.65 |

Philadelphia, PA 19102
Assessed Owner:
Nova Ventures, LLC

2021-039 371/32 Fig Cust FIGNJ19 LLC 2,754.02
PO Box 54226
New Orleans, LA 70154
Assessed Owner:
Pomerantsev, Gregory & Anna

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the amount of \$94,901.10 be refunded to the certificate holders as per Schedule "A".

RESOLUTION #2022-160

REFUND OF TAX OVERPAYMENT

WHEREAS, the attached list in the amount of \$6,089.17 known as Schedule "A", is comprised of amounts representing overpayments for taxes.

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

SCHEDULE "A"

| <u>BLOCK/LOT</u> | <u>ASSESSED OWNER</u> | <u>REFUND</u> |
|------------------|---|---------------|
| 421.02/1 | Rodriguez, Jose & Kellee 2 Blake Drive Marlboro, NJ 07746 | \$6,089.17 |

Citizen's Voice:

Carol Mazzola of 612 Sydney Road stated that the previous council worked very hard and she is proud of what they accomplished.

Frank Festa of 1727 Ramapo Way, Scotch Plains, New Jersey inquired about the status of documents he submitted to the Township and Council for review. The Township Attorney stated that Mr. Festa must hire an engineer and submit an application for approvals.

Marlena Hendrickson of 96 Harbor Road, Morganville asked the Mayor and Council for help with late night disturbances at the Spring Valley Meadows section emanating from Jacques catering.

Walter Solomon of 43 Samantha Drive discussed his ongoing concerns with the construction at 606 Robert Court and the inspection process by the Township.

Bill Waple of 16 Calder Court does not think the \$45 increase in the budget was too much and he is in favor of the beekeeper ordinance adopted at the last meeting. He thanked the Mayor for addressing the future road projects in his administration report.

Geoffrey Krenkel 41 Samantha Drive discussed his concerns with the ongoing construction at 606 Robert Court.

Cheril Krenkel of 41 Samantha Drive expressed her concerns with the ongoing construction at 606 Robert Court.

Eileen Cartwright of 61 Harbor Road agreed with Marlana Hendrickson about the concerns located at the Spring Valley Meadows section of Wickatunk regarding late night disturbances arising from Jacques catering at the County Park.

Judy Kushner of 31 Willow Lane, chairperson of the Marlboro Veterans Committee informed the new councilmembers of the committee's hometown hero flags which would be located on polls throughout Marlboro honoring veterans, military volunteers, first responders, and police officers. She requested that the trees along the fence at the ball field behind her home not be trimmed because the trees serve as a buffer from the field lights and noise.

Daniel Materese of 485 Texas Road discussed his concerns over pay-to-play donations and contributions during municipal elections.

At 8:32 p.m., Councilwoman Marder moved that the meeting be adjourned. This was seconded by Councilwoman Milman, and as there was no objection, the Municipal Clerk was asked to cast one ballot.

MINUTES APPROVED: JULY 21, 2022

OFFERED BY: SCALEA AYES: 5

SECONDED BY: MARDER NAYS: 0

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
072122

JUNED QAZI,
COUNCIL PRESIDENT