

MARLBORO TOWNSHIP REORGANIZATION MEETING

January 5, 2023

The Marlboro Township Council held its reorganization meeting on January 5, 2023 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Township Attorney David L. Minchello, Esq. opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this meeting of the Township Council of the Township of Marlboro was noticed to the Asbury Park Press, the Star Ledger, the News Transcript and the Marlboro Township Board of Education on January 3, 2023; published in the Asbury Park Press on December 21, 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: Councilwoman DiNuzzo, Councilwoman Marder, Councilman Milman, Councilman Scalea, and Councilman Qazi.

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

The following Resolution #2023-001 (Election of Council President) was introduced by reference, offered by Councilman Scalea, seconded by Councilman Milman and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2023-001

ELECTION OF COUNCIL PRESIDENT

BE IT RESOLVED, by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro Juned Qazi shall serve as the Council President of the Marlboro Township Council for a one-year term beginning January 1, 2023 to December 31, 2023.

The following Resolution #2023-002 (Election of Council Vice President) Councilman Scalea introduced a motion electing Councilwoman Marder as Council Vice President. Seconded by Councilwoman Marder. Motion was not carried on a roll call vote of 2 - 3. Council President Qazi, Councilwoman DiNuzzo and Councilman Milman voted no to the election of Councilwoman Marder as Council Vice President.

The following Resolution #2023-002 (Election of Council Vice President) was introduced by reference, offered by Councilman Milman, seconded by Councilwoman DiNuzzo and was passed on a roll call vote of 3 - 2 in favor.

RESOLUTION #2023-002

ELECTION OF COUNCIL VICE PRESIDENT

BE IT RESOLVED, by the Township Council of the Township of Marlboro that pursuant to Section 4-7 of the Code of the Township of Marlboro, Antoinette DiNuzzo shall serve as the Council Vice President of the Marlboro Township Council for a one-year term beginning January 1, 2023 to December 31, 2023.

The following Resolution #2023-003 (Appointment Class III member to Planning Board) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2023-003

RESOLUTION APPOINTING CLASS III
PLANNING BOARD MEMBER

BE IT RESOLVED, by the Township Council of the Township of Marlboro that pursuant to Section 220-9 of the Code of the Township of Marlboro, Michael Milman be and is hereby appointed to the Planning Board, as a Class III member for a one year term from January 1, 2023 to December 31, 2023.

The following Resolution #2023-004 (Confirming Appointment Agricultural Advisory Committee) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Milman and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2023-004

A RESOLUTION REAPPOINTING MEMBERS TO SERVE ON THE TOWNSHIP OF
MARLBORO AGRICULTURAL ADVISORY COMMITTEE

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

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

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

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

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

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

The following Resolution #2023-005 (Appointments to Zoning Board of Adjustment) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2023-005

RESOLUTION APPOINTING ZONING BOARD
OF ADJUSTMENT MEMBERS

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

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

WHEREAS, the Township Council wishes to appoint for ROBERT RENNA a four (4) year term; and

WHEREAS, the Township Council wishes to appoint JOANN DENTON to serve as Alternate #1 for a two year term; and

WHEREAS, the Township Council wishes to appoint ADELE SIMON-EHLIN to serve as Alternate #2 for an unexpired term;

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

That it hereby appoints ROBERT RENNA, JOANN DENTON, and ADELE SIMON-EHLIN, and to serve as members of the Marlboro Township Zoning Board of Adjustment in the positions specified above, and for the terms indicated above.

Resolution #2023-031 (Rules of Order for Conducting Business of Council Meetings) and Resolution #2023-034 (Authorizing Contract Auditor) were removed from the Consent Agenda and voted on separately.

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

RESOLUTION #2023-006

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO LOUIS N. RAINONE, ESQ. OF RAINONE COUGHLIN MINCHELLO, LLC FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, pursuant to N.J.S.A. 40A:69A-43, Mayor Jonathan Hornik appointed Louis N. Rainone, Esq. as Director of Law of the Township of Marlboro for the period of January 1, 2020 through December 31, 2023, such appointment receiving the advice and consent of the Township Council by Resolution #2020-3; and

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

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

WHEREAS, the Township received a proposal dated November 7, 2022 (the "Proposal") from RAINONE COUGHLIN MINCHELLO, LLC, 555 US Highway One South, Suite 440, Iselin, New Jersey, 08830, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be

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

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services contract to RAINONE COUGHLIN MINCHELLO, LLC, 555 US Highway One South, Suite 440, Iselin, New Jersey, 08830 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5.
2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1) (a) (i) and in accordance with the proposal received November 7, 2022, with the following terms of compensation:
 - (a) The Township Attorney shall be compensated at an hourly rate of One Hundred and Seventy Dollars (\$170.00) per hour for attorneys and Seventy Five Dollars (\$75.00) per hour for para-professionals and law clerks not to exceed Three Hundred Thousand Dollars (\$300,000.00).
 - (b) For litigation matters, other special projects, including, but not limited to Affordable Housing issues, and such other matters as may be assigned to the Township Attorney by the Township's Mayor and/or Council from time to time at an hourly rate of One Hundred and Seventy Dollars (\$170.00) per hour for attorneys and Seventy-Five Dollars (\$75.00) per hour for para-professionals and law clerks.
3. The Mayor and the Municipal Clerk are hereby authorized and directed to execute, seal and deliver said contract

for Professional Services on behalf of and in the name of the Township of Marlboro.

4. That notice of the award of this contract shall be published in accordance with law.
5. That a certified copy of this Resolution shall be provided to each of the following:
 - a. RAINONE COUGHLIN MINCHELLO, LLC
 - b. Business Administrator
 - c. Chief Financial Officer

RESOLUTION #2023-007

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO RAYMOND ALBERT RAYA, ESQ AS PUBLIC DEFENDER FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, in accordance with Chapter 4, Article XII, Section 4-63 of the Municipal Code of the Township of Marlboro, Louis Rainone, Esq., Director of Law, appointed Raymond Albert Raya as Public Defender for the Township of Marlboro for the period of January 1, 2023 through December 31, 2023; and

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

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

WHEREAS, the Township received a proposal dated October 10, 2022 (the "Proposal") from RAYMOND ALBERT RAYA, ESQ., 55 Cornell Court, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget.

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

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

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 10, 2022, not to exceed \$12,500.00; and

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

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

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

- a. RAYMOND ALBERT RAYA, ESQ.
- b. Business Administrator
- c. Chief Financial Officer
- d. Director of Law
- e. Municipal Court Administrator

RESOLUTION #2023-008

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO SUZANNE BRENNAN, ESQ AS ALTERNATE PUBLIC DEFENDER FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, in accordance with Chapter 4, Article XII, Section 4-63 of the Municipal Code of the Township of Marlboro, Louis Rainone, Esq., Director of Law, appointed from SUZANNE BRENNAN, ESQ, 59 Camelot Drive, Farmingdale, NJ 07727, as Alternate Public Defender for the Township of Marlboro for the period of January 1, 2023 through December 31, 2023; and

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

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

WHEREAS, the Township received a proposal dated November 6, 2022 (the "Proposal") from SUZANNE BRENNAN, ESQ, 59 Camelot Drive, Farmingdale, NJ 07727, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services contract to SUZANNE BRENNAN, ESQ, 59 Camelot Drive, Farmingdale, NJ 07727, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 6, 2022, not to exceed \$12,500.00; and

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

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

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

- a. SUZANNE BRENNAN, ESQ
- b. Business Administrator
- c. Chief Financial Officer
- d. Director of Law
- e. Municipal Court Administrator

RESOLUTION #2023-009

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ALTERNATE TOWNSHIP PROSECUTOR SERVICES TO MITCHELL JACOBS, ESQ OF CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, in accordance with Chapter 4, Article XII, Section 4-62 of the Municipal Code of the Township of Marlboro, Louis Rainone, Esq., Director of Law, appointed MITCHELL JACOBS, ESQ OF CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC as Alternate Township Prosecutor for the Township of Marlboro for the period of January 1, 2023 through December 31, 2023 and

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

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

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

WHEREAS, the Township received a proposal dated November 8, 2022 (the "Proposal") from CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget, and at the time that services, if any, are requested from the qualified professionals.

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

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

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 8, 2022, at an hourly rate of One Hundred and Sixty-Five Dollars (\$165.00) per hour for attorneys and Ninety Dollars (\$90.00) per hour for para-professionals and law clerks not to exceed Five Thousand Dollars (\$5,000.00); and

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

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

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

- a. CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC
- b. Business Administrator
- c. Chief Financial Officer
- d. Director of Law
- e. Municipal Court Administrator

RESOLUTION #2023-010

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO
ARCHER & GREINER, P.C. AS BOND COUNSEL FOR THE YEAR 2023
PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH
N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal dated November 10, 2022 (the "Proposal") ARCHER & GREINER, P.C., RIVERVIEW PLAZA, 10 HIGHWAY 35, RED BANK, NEW JERSEY 07701, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

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

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services contract to ARCHER & GREINER, P.C., RIVERVIEW PLAZA, 10 HIGHWAY 35, RED BANK, NEW JERSEY 07701 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5.

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the rates specified in its proposal dated November 10, 2022.

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

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

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

- a. ARCHER & GREINER, P.C.
- a. Business Administrator
- b. Chief Financial Officer

RESOLUTION #2023-011 WAS REMOVED FROM THE AGENDA

RESOLUTION #2023-012

RESOLUTION APPOINTING CME ASSOCIATES AS TOWNSHIP ENGINEER AND AWARDING A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal dated November 8, 2022 (the "Proposal") from CME ASSOCIATES, 1460 ROUTE 9 SOUTH, HOWELL, NEW JERSEY, 07731, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget, and at the time that services, if any, are requested from the qualified professionals.

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

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

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 8, 2022, not to exceed One Hundred Thirty Five Thousand Dollars (\$135,000.00) for Township Engineer services, with engineering inspections billed to project escrow accounts additionally at compensation ranges from a high of \$201 per hour for a Managing/Administrative Partner to a low of \$79 per hour for a Robotic Total Station; and

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

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

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

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

RESOLUTION #2023-013

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR
ALTERNATE TOWNSHIP ENGINEER SERVICES TO T & M Associates
FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal dated October 21, 2022 (the "Proposal") from T & M Associates, 11 Tindall Road, Middletown, NJ 07748, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget or at the time that services, if any, are requested from the qualified professional.

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

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services contract to T & M Associates, 11 Tindall Road, Middletown, NJ 07748 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5.

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 10, 2022 for Alternate Township Engineer services, with engineering inspections billed to project escrow accounts additionally at compensation ranges from a high of \$208 per hour for a Managing/Administrative Partner to a low of \$93 per hour for Administrative Support Staff; and

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

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

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

- a. T & M Associates
- b. Business Administrator
- c. Chief Financial Officer
- d. Township Engineer

RESOLUTION #2023-014

RESOLUTION APPOINTING CME ASSOCIATES AS TOWNSHIP PLANNER AND AWARDING A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal dated November 8, 2022 (the "Proposal") from CME ASSOCIATES, 1460 ROUTE 9 SOUTH, HOWELL, NEW JERSEY, 07731, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget, and at the time that services, if any, are requested from the qualified professionals.

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

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

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 8, 2022, not to exceed Sixty Thousand Dollars (\$60,000.00) at hourly rates from a high of \$201 for a Managing/Administrative Partner to a low of \$79 for a Robotic Total Station; and

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

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

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

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

RESOLUTION #2023-015

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR SPECIAL COUNSEL ON AFFORDABLE HOUSING TO KENNETH BIEDZYNSKI, ESQ. OF THE FIRM OF GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal dated November 7, 2022 (the "Proposal") from GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC, 4400 Route 9 South, Suite 220, Freehold, New Jersey 07728, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$30,000.00 are available in Affordable Trust Account 15-201-56-209-226209 for this purpose.

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

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

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 7, 2022, at an hourly rate of One Hundred and Seventy Dollars (\$170.00) per hour for attorneys and Seventy Five Dollars (\$75.00) per hour for para-professionals and law clerks not to exceed Thirty Thousand Dollars (\$30,000.00); and

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

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

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

- a. GOLDZWEIG, GREEN, EIGER & BIEDZYNSKI, LLC
- b. Municipal Housing Liaison
- c. Business Administrator
- d. Township Attorney
- e. Chief Financial Officer

RESOLUTION #2023-016

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR SPECIAL TAX COUNSEL SERVICES TO CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal dated November 8, 2022 (the "Proposal") from CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget, and at the time that services, if any, are requested from the qualified professionals.

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

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

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 8, 2022, at an hourly rate of One Hundred and Seventy Dollars (\$170.00) per hour for attorneys and Seventy-Five Dollars (\$75.00) per hour for para-professionals and law clerks not to exceed Seventy Thousand Dollars (\$70,000.00); and

3. The Mayor and the Municipal Clerk are hereby authorized and directed to execute, seal and deliver

said contract for Professional Services on behalf of and in the name of the Township of Marlboro; and

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

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

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

RESOLUTION #2023-017

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

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

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

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

WHEREAS, the Township received a proposal dated October 28, 2022 (the "Proposal") from Acrisure, LLC d/b/a North American Insurance Management Corporation ("NAIM"), 1460 Route 9 North, Suite 310, Woodbridge, New Jersey 07095, in response to a Request for Qualifications for insurance consulting and brokerage services issued by the Township on September 30, 2022 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. as amended requires that the Resolution authorizing the award of contracts which are treated in accordance with the requirements

for extraordinary unspecifiable services without competitive bids and the contract itself must be available for public inspection; and

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

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

1. The Township Council of the Township of Marlboro, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of an agreement with Acrisure, LLC d/b/a North American Insurance Management Corporation ("NAIM"), 1460 Route 9 North, Suite 310, Woodbridge, New Jersey 07095, regarding the provision of insurance consulting and risk management services, beginning January 1, 2023 and terminating on December 31, 2023, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(m), and in accordance with the terms of the Proposal and the annual budget adopted by the Monmouth Joint Insurance Fund; and

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

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

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

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

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

RESOLUTION #2023-018

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH FOUNDATION RISK PARTNERS, CORP., d/b/a FAIRVIEW INSURANCE AGENCY ASSOCIATES ("FAIRVIEW INSURANCE") FOR INSURANCE BROKERAGE SERVICES AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER N.J.S.A. 40A:11-5(M) PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

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

WHEREAS, the Township received a proposal dated November 10, 2022 (the "Proposal") from FOUNDATION RISK PARTNERS, CORP., d/b/a FAIRVIEW INSURANCE AGENCY ASSOCIATES ("FAIRVIEW INSURANCE") in response to a Request for Qualifications for insurance brokerage services issued by the Township on September 30, 2022 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. as amended requires that the Resolution authorizing the award of contracts which are treated in accordance with the requirements for extraordinary unspecifiable services without competitive bids and the contract itself must be available for public inspection; and

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

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

1. The Township Council of the Township of Marlboro, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of a FOUNDATION RISK PARTNERS, CORP., d/b/a FAIRVIEW INSURANCE AGENCY ASSOCIATES

("FAIRVIEW INSURANCE"), 25 Fairview Avenue, Verona, New Jersey 07044, regarding the provision of insurance brokerage services, beginning January 1, 2023 and terminating on December 31, 2023, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(m), and in accordance with the terms of the Proposal; and

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

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

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

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

- a. FOUNDATION RISK PARTNERS, CORP., d/b/a FAIRVIEW INSURANCE AGENCY ASSOCIATES ("FAIRVIEW INSURANCE")
- b. Township Business Administrator
- c. Chief Financial Officer

RESOLUTION #2023-019

RESOLUTION APPOINTING COMMUNITY GRANTS, PLANNING & HOUSING, LLC AS AFFORDABLE HOUSING AGENT AND AUTHORIZING AFFORDABLE HOUSING ADMINISTRATION SERVICES CONTRACT FOR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

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

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

WHEREAS, the Township received a proposal dated October 17, 2022 (the "Proposal") from COMMUNITY GRANTS, PLANNING & HOUSING, LLC ("CGP&H"), 1249 South River Road, Suite 301, Cranbury, NJ 08512, in response to a Request for Qualifications for the services of an Affordable Housing Administrative Agent issued by the Township on September 30, 2022 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

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

WHEREAS, COMMUNITY GRANTS, PLANNING & HOUSING, LLC, 101 Interchange Plaza, 1249 South River Road, Suite 301, Cranbury, NJ 08512, will provide the day-to-day Administrative Agent services for a fixed monthly rate of \$1,750.00 to be paid in equal monthly payments totaling \$21,000.00; and

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

Sale of Units	\$2,000.00 x 15	\$30,000.00
Allowance for Hamilton Park	at hourly rates not to exceed	\$10,000.00
Affordability Assistance	at hourly rates not to exceed	\$17,000.00
Rehabilitation Admin Services	at hourly rates not to exceed	\$12,578.00
Rehabilitation of Units	\$6,500.00 x 10	\$65,000.00
		\$155,578.00

WHEREAS, with the goal of maximizing the preservation of the Township's affordable unit housing stock, the Administrative Agent's fees associated with the resale of

units which are included under this contract will be absorbed by the Affordable Housing Trust Fund; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$155,578.00 are available in Affordable Trust Account 15-201-56-209-288209 for this purpose.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves of the award of contract to COMMUNITY GRANTS, PLANNING & HOUSING, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The contract shall provide for compensation at the rates set forth in the proposal dated October 17, 2022, a copy of which is attached hereto, in an amount not to exceed \$155,578.00; and

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

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

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

RESOLUTION #2023-020

RESOLUTION AUTHORIZING A CONTRACT WITH ADAMS, REHMANN & HEGGAN ASSOCIATES, INC FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO FOR THE YEAR 2023 AS AN EXCEPTION TO THE COMPETITIVE PUBLIC BIDDING PROCESS UNDER N.J.S.A. 40A:11-5(d) AND PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal dated November 10, 2022 (the "Proposal") from ADAMS, REHMANN & HEGGAN ASSOCIATES, INC ("ARH"), 215 Bellevue Avenue, Hammonton, New Jersey 08037, in response to a Request for Qualifications for THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO issued by the Township on September 30, 2022 which sets forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro, in accordance with the Local Public Contracts Law, hereby authorizes and approves the execution of an agreement with ADAMS, REHMANN & HEGGAN ASSOCIATES, INC., ("ARH"), 215 Bellevue Avenue, Hammonton, New Jersey 08037, FOR THE MAINTENANCE OF THE TAX MAP OF THE TOWNSHIP OF MARLBORO, beginning January 1, 2023 and terminating on December 31, 2023, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5, such services being an exception under N.J.S.A. 40A:11-5(d), and in accordance with the proposal dated November 10, 2022, in an amount not to exceed \$17,500.00.

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

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

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

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

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

RESOLUTION #2023-021

RESOLUTION OF THE TOWNSHIP OF MARLBORO
PRE-QUALIFYING PROVIDERS OF PROFESSIONAL REAL ESTATE
APPRAISAL SERVICES IN CONJUNCTION WITH PROPERTY ACQUISITION
INITIATIVES AND REAL PROPERTY TAX APPEALS ON AN AS-NEEDED
BASIS PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE
WITH N.J.S.A. 19:44A-20.5

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

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

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

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

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

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

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

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

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

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

(1) The Mayor and the Municipal Clerk are hereby authorized to execute contracts by and between the Township and the Qualified Firms on an as-needed basis, which contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Qualified Firms are called upon by the Township to render services.

(2) That a copy of this resolution and the contracts upon execution shall be placed on file with the Municipal Clerk.

(3) That notice of contracts executed by and between the Township and the Qualified Firms shall be published in accordance with law.

RESOLUTION #2023-022

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC FOR THE PROVISION OF CREATIVE SERVICES FOR THE OPERATION OF THE TOWNSHIP OF MARLBORO CABLE TELEVISION STATION FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

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

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

WHEREAS, the Township received a proposal on October 28, 2022 (the "Proposal") from CURT CIUMEI OF MV DIGITAL PRODUCTIONS, LLC, 55 Stevenson Drive, Marlboro, New Jersey 07746, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget.

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

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

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received October 28, 2022, not to exceed Twenty Nine Thousand Dollars (\$29,000.00); and

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

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

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

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

RESOLUTION #2023-023

RESOLUTION OF THE TOWNSHIP OF MARLBORO PRE-QUALIFYING
PROVIDERS OF
PROFESSIONAL ARCHITECTURAL SERVICES FOR EXECUTION OF THE
TOWNSHIP OF MARLBORO CAPITAL IMPROVEMENT PROGRAM PURSUANT
TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A.
19:44A-20.5

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

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

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

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

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

Netta Architects
1084 Route 22 West
Mountainside, NJ 07092

FVHD Architects
1515 Lower Ferry Road
Trenton, NJ 08618

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

(1) The Mayor and the Municipal Clerk are hereby authorized to execute contracts by and between the Township and the Qualified Firms on an as-needed basis, which contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Qualified Firms are called upon by the Township to render services.

(2) That a copy of this resolution and the contracts upon execution shall be placed on file with the Municipal Clerk.

(3) That notice of contracts executed by and between the Township and the Qualified Firms shall be published in accordance with law.

RESOLUTION #2023-024

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO ARH ASSOCIATES FOR THE PROVISION OF GIS INFRASTRUCTURE ENGINEERING SERVICES FOR THE YEAR 2022 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro Water Utility Division maintains a Geographic Information System (GIS) for the water system based upon available existing system information supplemented by GPS field location of hydrants and valves; and

WHEREAS, the Township is in need of professional GIS INFRASTRUCTURE ENGINEERING SERVICES for the Water Division for the expansion and maintenance of its GIS system ("Professional Services"); and

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

WHEREAS, the Township received a proposal dated November 10, 2022 (the "Proposal") from ARH ASSOCIATES, 215 BELLEVUE AVENUE, P.O. BOX 579, HAMMONTON, NJ 08037, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget, and at the time that services, if any, are requested from the qualified professionals.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services contract to ARH ASSOCIATES, 215 BELLEVUE AVENUE, P.O. BOX 579, HAMMONTON, NJ 08037, pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 10, 2022, not to exceed \$20,000.00; and

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

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

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

- a. ARH ASSOCIATES
- b. Business Administrator
- c. Chief Financial Officer
- d. Superintendent of Public Works

RESOLUTION #2023-025

RESOLUTION OF THE TOWNSHIP OF MARLBORO
PRE-QUALIFYING PROVIDERS OF FINANCIAL ADVISORY SERVICES
ON AN AS-NEEDED BASIS PURSUANT TO A FAIR AND OPEN
PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township of Marlboro desires to create a pool of qualified professionals to perform financial advisory services

("Services") for the Township as the need arises, using a fair and open process pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

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

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

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

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

Phoenix Advisors, LLC
625 Farnsworth Avenue
Bordentown, NJ 08505

NW Financial Group, LLC
2 Hudson Place, 3rd FLOOR
Hoboken, NJ 07030

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

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

(1) The Mayor and the Municipal Clerk are hereby authorized to execute contracts by and between the Township and the Qualified Firms on an as-needed basis, which contracts shall set forth the terms and conditions of, among other things, payment for Services at such time as the Qualified Firms are called upon by the Township to render services; and

(2) That a copy of this resolution and the contracts upon execution shall be placed on file with the Municipal Clerk; and

(3) That notice of contracts executed by and between the Township and the Qualified Firms shall be published in accordance with law.

RESOLUTION #2023-026

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO RAFTELIS FINANCIAL CONSULTANTS, INC. FOR THE PROVISION OF PUBLIC WATER RATE EXPERT SERVICES FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Marlboro Township Water Utility Division (MTWUD) purchases approximately 70% of its potable water requirement through a long term contract with the Middlesex Water Company (MWC), at a cost of approximately \$4.6 million over the 12 month period beginning October 1, 2021 and ending September 30, 2022; and

WHEREAS, MWC is regulated by the New Jersey Board of Public Utilities (NJBPU), and submits an application for an increase approximately every 2-3 years; and

WHEREAS, the Township regularly files to intervene in these rate cases before the NJBPU, and has historically partnered with the Old Bridge Municipal Utilities Authority (OBMUA) in doing so; and

WHEREAS, the rate petition process is subject to a statutory, fast-tracked timetable which places the "intervenors" (MTWUD and OBMUA) at a distinct disadvantage; and

WHEREAS, the increases awarded to MWC by the NJBPU have a significant impact upon the rates for water service paid by MTWUD and Gordons Corner Water customers; and

WHEREAS, when MWC files for an increase, the MTWUD and Township legal representatives require that a knowledgeable and experienced public water rate expert be in place and under contract in order to review MWC's cost of service presentation and provide testimony if required, such services to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

WHEREAS, such services are to be performed and rendered by a person or persons licensed and authorized to practice in the State of New Jersey, requiring knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized

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

WHEREAS, the Township received and opened a proposal on November 10, 2022 (the "Proposal") from RAFTELIS FINANCIAL CONSULTANTS, INC, 4 British American Boulevard, Second Floor, Latham, New York, 12110, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 Water Utility Budget, and at the time that services, if any, are requested from the qualified professionals; and

WHEREAS, RAFTELIS FINANCIAL CONSULTANTS, INC has performed such services for the Township and OBMUA satisfactorily in the past; and

WHEREAS, the Department of Public Works, Water Utility Division and Department of Administration recommend an award of contract to RAFTELIS FINANCIAL CONSULTANTS, INC, 4 British American Boulevard, Second Floor, Latham, New York, 12110 to perform the professional services described in the most efficient and cost-effective manner.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to RAFTELIS FINANCIAL CONSULTANTS, INC, 4 British American Boulevard, Second Floor, Latham, New York, 12110 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4.

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and shall provide for compensation at the rates set forth in a proposal dated November 10, 2022, a copy of which is attached hereto, in an amount not to exceed \$40,000.00 until December 31, 2023.

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

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

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

- a. RAFTELIS FINANCIAL CONSULTANTS, INC
- b. Township Administrator
- c. Water Utility Division
- d. Chief Financial Officer
- e. Township Attorney
- f. Old Bridge Municipal Utilities Authority

RESOLUTION #2023-027

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Marlboro, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-

referenced enforcement guidance and hereby directs the Municipal Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

RESOLUTION #2023-028

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

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

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

RESOLUTION #2023-029

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

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

WHEREAS, the Mayor and Township Council desire to appoint ROBERT MILLER as the Community Development Representative and JONATHAN CAPP as the Alternate Community Development Representative for the year 2023.

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

RESOLUTION #2023-030

RESOLUTION DESIGNATING JONATHAN CAPP AS COORDINATOR OF COMPLIANCE EFFORTS IN CONNECTION WITH THE AMERICANS WITH DISABILITIES ACT AND ROBERT MILLER AS DEPUTY OR ALTERNATE COORDINATOR FOR 2023

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

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

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

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

1. JONATHAN CAPP be and is hereby designated as Coordinator of compliance efforts in connection with the Americans with Disabilities Act; and
2. ROBERT MILLER is designated as Deputy/Alternate Coordinator of compliance efforts in connection with the Americans with Disabilities Act.

RESOLUTION #2023-032

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the following newspapers are hereby designated as the official newspapers of the Township of Marlboro for the year 2023:

NEWARK STAR LEDGER

THE ASBURY PARK PRESS

THE NEWS TRANSCRIPT

RESOLUTION #2023-033

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

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

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

Township of Marlboro; and

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

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

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

Fire Official/Inspector \$101.93 per hour
Engineering Inspector \$120.74 per hour
Construction Subcode Official/Inspector \$105.99 per hour; and

WHEREAS, the rate to be charged for such special inspections outside of the normal business hours and days of operation of the Township shall be charged at a minimum of two hours per discipline times the applicable rate.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey that the fees to be charged for inspections performed by the Department of Community Development outside of the normal business hours and days of operation of the Township of Marlboro shall be \$101.93 per hour for a Fire Official/Inspector, and \$120.74 per hour for an Engineer/Inspector and \$105.99 for a Subcode Official/Inspector with a minimum charge of two hours per discipline for such special inspections; and

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

- a. Township Business Administrator
- b. Township Chief Financial Officer
- c. Township Director of Community Development
- d. Township Engineer
- e. Construction Code Official
- f. Fire Official

RESOLUTION #2023-035

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	Elsy Monroy
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 and Michael Milman
Department of Public Works	Juned Qazi
Green Team	Michael Milman
Marlboro Board of Education	Debra Venedam

RESOLUTION #2023-036

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

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

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

; and

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

WHEREAS, in accordance with Township Code and State law, the Township Engineer has proposed changes listed in Attachment A to the Hunting Map dated 12/23/22 and approved January 5, 2023 (Attachment B) to incorporate the structures, and facilities that have been constructed or approved; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the Hunting Map be amended to reflect the changes proposed by the Township Engineer in the map dated 12/23/22 and included as Attachment A, pursuant to Section 177-1 of the Code of the Township of Marlboro.

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

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

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

RESOLUTION #2023-037

CONTINUATION OF BONDS FOR OFFICERS AND EMPLOYEES

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the bonds presently in effect for the officers and employees of the Township of Marlboro, which are required by Township Code Section 4-104, be continued for the year 2023.

RESOLUTION #2023-038

RESOLUTION ESTABLISHING A CASH MANAGEMENT PLAN
AND NAMING OFFICIAL DEPOSITORIES
FOR THE TOWNSHIP OF MARLBORO FOR 2023

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, County of Monmouth adopts a cash management plan including the official depositories for the Township of Marlboro, County of Monmouth for the calendar year 2023.

RESOLUTION #2023-039

RESOLUTION AUTHORIZING PETTY CASH FUND
FOR CALENDAR YEAR 2023

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

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

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

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

<u>DEPARTMENT</u>	<u>2022 LEVEL</u>	<u>2023 REQUEST</u>
FINANCE	\$ 200.00	\$ 200.00
RECREATION	\$ 1,500.00	\$ 1,500.00
POLICE	\$ 400.00	\$ 400.00

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

RESOLUTION #2023-040

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments and also permits the fixing of said rate at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum of any amount in excess of \$1,500.00 and allows an additional penalty of a flat 6% to be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

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

BE IT FURTHER RESOLVED that this resolution shall be effective as of January 5, 2023.

RESOLUTION #2023-041

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

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Marlboro that the Tax Collector is hereby

authorized to cancel all underpayment and overpayments of \$5.00 or less at year end.

The following Resolution #2023-031 (Rules of Order for Conducting Business of Council Meetings) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and was passed on a roll call vote of 4 - 1 in favor.

RESOLUTION #2023-031

BE IT RESOLVED, by the Township Council of the Township of Marlboro that the following rules of order shall govern the meetings of the Council for 2023:

Rule 1. The Regular Meetings of the Council shall be held on the first and third Thursday of each month at the Township of Marlboro Municipal Complex, located at 1979 Township Drive, Marlboro, New Jersey.

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

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

Rule 3. MANNER OF ADDRESSING COUNCIL: Upon recognition by the presiding officer, a person of the public shall proceed to the floor, and give their name and address in an audible tone of voice for the record. Statements shall be addressed to the presiding officer and not to any other member of the Council. A member of the Council shall not direct any question to a speaker addressing the Council, except through the presiding officer. The public comment period shall not exceed three (3) minutes for any one speaker listed on the Citizen's Voice sign in sheet.

Rule 4. DECORUM AT MEETINGS: While the Council is in session, the members shall preserve order and decorum, and a member shall neither by conversation or by otherwise delay or interrupt the proceedings. A member of the Council shall not disturb any member

while speaking or refuse to obey the orders of the Council or its presiding officer.

Any person making personal, impertinent or slanderous remarks or who becomes boisterous shall be barred by the presiding officer from further attendance at the meeting of the Council unless permission to continue is granted by the majority of the Council. No person shall operate a camera, tape recorder or other device for the reproduction of the proceedings of any meeting of the Township Council, unless such procedure shall have been specifically permitted by resolution previously adopted.

Any question concerning the organization, proceedings or decorum in connection with meetings of the Township Council not otherwise covered by these rules of procedure or general law, Robert's Rules of Order shall govern.

Rule 5. Matters listed on the Consent Agenda are considered to be routine and may be enacted by one motion and one roll call vote. If discussion is desired by a Councilmember, the item will be removed from the Consent Agenda and considered separately. All Consent Agenda items will be reflected in full in the minutes.

The following Resolution #2023-034 (Authorizing Contract Auditor) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Scalea and was passed on a roll call vote of 3 - 2 in favor.

RESOLUTION #2023-034

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO NISIVOCIA LLP AS INDEPENDENT AUDITOR FOR THE YEAR 2023 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5

WHEREAS, the Township requires the services of an independent auditor to provide the 2022 statutory audit of Township financial records and to perform the duties and render such services as may from time to time be requested by the Township Council, the Chief Financial Officer or the Township Administrator; and

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

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

WHEREAS, the Township received a proposal dated November 10, 2022 (the "Proposal") from NISIVOCCIA LLP, 200 Valley Road, Suite 300, Mt. Arlington, NJ 07856, in response to the Request for Qualifications for professional services issued by the Township on September 30, 2022 which set forth the terms and conditions under which such services are to be rendered under a contract to be awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A 19:44A-20.5; and

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

WHEREAS, certification of available funds shall be made by the Chief Financial Officer upon adoption of the 2023 budget.

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

1. The Township Council of the Township of Marlboro hereby authorizes and approves the award of a Professional Services Contract to NISIVOCCIA LLP, 200 Valley Road, Suite 300, Mt. Arlington, NJ 07856 pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

2. The Professional Services Contract is awarded without competitive public bidding pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-5(1)(a)(i) and in accordance with the proposal received November 10, 2022, not to exceed \$58,000.00 for the annual audit and not to exceed \$8,500.00 for expenses related to the transaction of a bond sale, for a total amount not to exceed of \$66,500.00; and

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

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

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

- a. NISIVOCCIA LLP
- b. Business Administrator
- c. Chief Financial Officer

Citizen's Voice - Dr. Paul Kovalski of 179 Highway 9 South wished everyone a Happy and Healthy New Year. He thanked the first responders for answering to an event that happened to his family. He announced that a fossil found by Rodney Felman was found in Marlboro.

Asad Noorzay of 400 Belmont Avenue, Ocean Township and Mehmet Karsenbas of 65 Overlook, Manalapan had concerns with an ongoing issue at Marlboro Muslim Memorial Cemetery.

Council Speaks Out - Councilman Scalea wished everyone a Happy New Year and voiced his wishes for the council to work in agreement during 2023.

Councilwoman Marder announced that she would be resigning from the council after the end of her term on December 31, 2023. She served sixteen years on council.

Councilman Milman said that it was his pleasure to serve with the council during 2022. He congratulated Councilwoman Marder for serving sixteen years on council.

Council President Qazi thanked Councilwoman Marder for her service. He said that he and the council look forward to serving the residents in the upcoming year.

Administrative Report - Mayor Hornik hoped that everyone had a joyful holiday season and wished everyone a happy and healthy 2023. He made announcements regarding recreation and swim club summer employment opportunities. He offered updates for Christmas tree pick up, recycling and bagged leaf collection

At 7:36 PM, Councilman Milman moved that the meeting be adjourned. This was seconded by Councilwoman Marder, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: JANUARY 19, 2023

OFFERED BY: MILMAN AYES: 4

SECONDED BY: MARDER NAYS: 0

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
011923

JUNED QAZI,
COUNCIL PRESIDENT