

MARLBORO TOWNSHIP COUNCIL MEETING

August 18, 2022

The Marlboro Township Council held a Council Meeting on August 18, 2022 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President Qazi opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regularly scheduled meeting of the Township Council of the Township of Marlboro was published in the Asbury Park Press on December 21, 2021; was sent to the Asbury Park Press, the Star Ledger, News Transcript and the Board of Education Office on August 16, 2022; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the Township website and Channel 77.

The Municipal Clerk called the Roll.

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

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

Council Speaks Out: Councilman Milman expressed his well wishes to everyone for a wonderful end of summer. Council Vice President DiNuzzo provided an overview of the pending applications before the Planning Board. Council President Qazi met with Marlboro's police Chief and Deputy Chief concerning school safety.

Administrative Report: Mayor Hornik bestowed a proclamation to two 12-year-old residents for alerting their neighbor, Chief Joe Chaplinski of the Marlboro Fire District #1, of a structural fire that occurred on July 24, 2022. Their actions prevented the fire from spreading to neighboring homes. The Mayor thanked Recreation Director Suzi Leifer for Marlboro's first successful vintage car show and concert. Marlboro Day will be held on September 18th.

In cooperation with the Prevention Coalition of Monmouth County and the Marlboro Drug Alliance, Mayor Hornik proclaimed August 31st as Overdose Awareness Day. The flags represent individuals who lost their lives due to a drug overdose. Marlboro is a stigma free community, supporting residents who need treatment for mental illness and substance abuse.

Mayor Hornik asked for the council's support for the following resolutions: Amending the budget by accepting \$15,951.87 from the state's opioid settlement. The monies will fund local treatment, prevention programs and other strategies designed to combat the opioid epidemic. Resolution for an award of contract for the reconstruction of Union Hill Road, Phase II. The project is partially funded through a \$205,000 NJDOT local Aid grant. Resolution for final payments for improvements to Nolan Road Park, which included a playground replacement and court resurfacing. Resolution authorizing an award of contract for playground equipment and resurfacing material for Recreation Way Park. Marlboro received a \$61,141.46 grant for this park.

Both Morganville and Marlboro First Aid Squads are seeking volunteers. The Teen Advisory committee will have their first meeting of the new school year on September 8th. This is a great organization that teaches teens leadership skills and community outreach. The police are seeking volunteers for their Domestic Violence Response Team offering confidential service to victims of domestic violence. The Economic Development Committee is expanding their membership, which supports businesses in town. The Marlboro Soccer Association will be having their 34th annual Kick Off tournament next weekend. The Mayor He congratulated MSA President, Brad Shapiro and its members. The Farmers Market is open Sunday 9 - 1 p.m. In closing, Mayor Hornik congratulated all Marlboro students heading off to college. Marlboro schools start on September 6th, and he wished the students a successful academic school year.

Councilman Milman moved that the regular Council meeting minutes of July 21, 2022 be approved. This was seconded by Councilwoman Marder, and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

Councilman Milman moved that the closed executive Council meeting minutes of July 21, 2022 be approved. This was seconded by Council Vice President DiNuzzo, and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

Council Vice President DiNuzzo introduced a motion to add new business as an additional item to the agenda. This was seconded by Councilman Milman, and passed on a roll call vote of 3 - 0 in favor. Councilwoman Marder voted no and Councilman Scalea was absent.

The following resolution #2022-184 (Authorizing Award of Bid - Lloyd Road Water Main Replacement (2022-08)) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

RESOLUTION #2022-184

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO EARLE ASPHALT CO. FOR THE LLOYD ROAD WATER MAIN REPLACEMENT PROJECT

WHEREAS, the Township of Marlboro as part of its 2021 and 2022 capital programs (500-1) authorized the Lloyd Road Water Main Replacement ("Project"); and

WHEREAS, the Township of Marlboro authorized the receipt of bids (#2022-08) for the LLOYD ROAD WATER MAIN REPLACEMENT PROJECT and on July 27, 2022 received eleven (11), summarized as follows:

| Bidder | Base Bid Items 1-59 |
|--|----------------------------|
| JVS Industrial & Commercial Contractors Inc. | \$2,125,647.00* |
| Earle Asphalt Co. | \$2,328,413.13 |
| Lucas Brothers Inc. | \$2,385,385.00 |
| J.F. Kiely Construction Co. | \$2,488,671.00 |
| Underground Utilities Corp. | \$2,498,088.00 |
| CRJ Contracting Corp. | \$2,835,940.00 |
| Montana Construction Corp. | \$2,929,295.00 |
| Hutton Construction LLC | \$3,077,317.21 |
| Pillari Brothers Construction Corp | \$3,194,110.26* |
| Waters & Bugbee Inc. | \$3,500,631.30 |
| MSP Construction Corp. | \$3,826,102.00* |
| * Computational error in bid submission | |

; and

WHEREAS, the submission of the lowest bidder, JVS Industrial & Commercial Contractors Inc. did not include the mandatory "List of Subcontractors and Items to be Subcontracted" form, a fatal defect which renders the proposal unresponsive and cannot be cured by the governing body, as per N.J.S.A 40A:11-23.2(d); and

WHEREAS, the Township Engineer has reviewed the bids received and in a memo dated August 3, 2022, recommends that the contract for the LLOYD ROAD WATER MAIN REPLACEMENT PROJECT be awarded to Earle Asphalt Company as the lowest and responsive bidder, whose address is P.O. Box 556, Farmingdale, NJ 07727, for the total bid price amount not to exceed \$2,328,413.13; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Capital Accounts 06-215-21-05A-500288 and 06-215-22-08A-500288 for the project.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid for the LLOYD ROAD WATER MAIN REPLACEMENT PROJECT for the Township of Marlboro be and is hereby awarded to Earle Asphalt Company, whose address is P.O. Box 556, Farmingdale, NJ 07727 for a contract amount not to exceed \$2,328,413.13.

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

- a. Earle Asphalt Company
- b. Township Business Administrator
- c. Township Director of Public Works
- d. Township Engineer
- e. Township Chief Financial Officer

The following resolution #2022-185 (Authorizing the Award of Contract - One (1) New and Unused Model Year 2023 Or Newer Type III Ambulance, Ambulance Conversion and Related Equipment (2022-06)) was introduced by reference, offered by Councilman Milman, seconded by Councilwoman Marder and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

RESOLUTION #2022-185

A RESOLUTION AWARDING CONTRACT TO VCI EMERGENCY VEHICLE SPECIALISTS, LLC FOR THE PROVISION OF ONE (1) NEW AND UNUSED MODEL YEAR 2023 OR NEWER TYPE III AMBULANCE, AMBULANCE CONVERSION AND RELATED EQUIPMENT FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2021 and 2022 capital programs (105-1) authorized the acquisition of replacement ambulances for the Department of Public Safety; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the PROVISION OF TWO (2) NEW AND UNUSED MODEL YEAR 2023 OR NEWER TYPE III AMBULANCE, AMBULANCE CONVERSION AND RELATED EQUIPMENT, (2022-06) and on June 8, 2022, received one (1) bid therefor; and

WHEREAS, the sole bid received was as follows:

| Company |
|---|
| VCI Emergency Vehicle Specialists, LLC 43 Jefferson Avenue Berlin, NJ 08009 |

| Description | PRICE |
|---|----------------------|
| One (1)2023 or Newer Type III Ambulance, Ambulance Conversion and Related Equipment | \$297,426.00 |
| Two (2)2023 or Newer Type III Ambulances, Ambulance Conversions and Related Equipment | \$594,852.00* |
| Option 1 - Trade - In 2007 E-350 Ambulance Approx. 110,000 miles - as-is condition | \$3,000.00 |
| Option 2 - Trade - In 2008 E-450 Ambulance Approx. 121,000 miles - as-is condition | \$5,000.00 |

*Computational error on bid form

; and

WHEREAS, in a memo dated August 3, 2022 the Director of Public works is recommending that the award be made to VCI Emergency Vehicle Specialists, LLC for one (1) 2023 or Newer Type III Ambulance & Ambulance Conversion with related equipment, based upon the available funds; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to VCI Emergency Vehicle Specialists, LLC, whose address is 43 Jefferson Avenue, Berlin, NJ 08009 for the base bid of ONE (1) NEW AND UNUSED MODEL YEAR 2023 OR NEWER TYPE III AMBULANCE, AMBULANCE CONVERSION AND RELATED EQUIPMENT, based on the amount of funds available, in an amount not to exceed \$297,426.00.

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

BE IT FURTHER RESOLVED, funds in the amount of \$297,426.00 have been certified in Capital Accounts #04-215-21-04D-105297 and #04-215-22-07C-105297 by the Chief Financial Officer.

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

- a. VCI Emergency Vehicle Specialists, LLC
- b. Township Business Administrator
- c. Township Director of Public Works
- d. Chief Financial Officer
- e. Insurance

The following resolution #2022-186 (Authorizing State Contract for the Replacement of Fuel Management System) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

RESOLUTION #2022-186

A RESOLUTION AUTHORIZING CONTRACT WITH AURORA ENVIRONMENTAL, INC. FOR THE INSTALLATION OF A NEW FUEL MANAGEMENT SYSTEM AT THE 1979 TOWNSHIP DRIVE, DEPARTMENT OF PUBLIC WORKS FACILITY FOR THE TOWNSHIP OF MARLBORO UNDER NJ STATE CONTRACT #42274

WHEREAS, the Department of Public Works submitted its 2022 capital plan which included a request (121-1) for the installation of a new fuel management system at the 1979 Township Drive, Department of Public Works facility; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, in a memo dated August 4, 2022 the Director of Public Works has recommended that AURORA ENVIRONMENTAL, INC. be awarded the contract based upon the quotation received under State Contract #42274 in an amount not to exceed \$74,650.00; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to contract with AURORA ENVIRONMENTAL, INC. whose address is 1102 UNION AVENUE, UNION BEACH, NJ 07735 for the installation of a new fuel management system at the 1979 Township Drive, Department of Public Works facility under NJ State Contract #42274 in an amount not to exceed \$74,650.00.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient funds in the amount of \$74,650.00 are available for the aforesaid contract in Capital Account 04-215-22-07G-121297.

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

- a. AURORA ENVIRONMENTAL, INC.
- b. Business Administration
- c. Director of Public Works
- d. Chief Financial Officer

The following resolution #2022-187 (Authorizing Award of Bid - Improvements to Union Hill - Phase II (2022-010)) was introduced by reference, offered by Council Vice President DiNuzzo, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

RESOLUTION #2022-187

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MECO
INC. FOR THE IMPROVEMENTS TO UNION HILL ROAD, PHASE II
PROJECT

WHEREAS, the Township of Marlboro as part of its 2021 and 2022 capital programs (21-060-09 & 22-060-05) authorized IMPROVEMENTS TO UNION HILL ROAD, PHASE II (State Highway 9 to Manalapan border) ("Project"); and

WHEREAS, the Township of Marlboro authorized the receipt of bids (#2022-10) for the IMPROVEMENTS TO UNION HILL ROAD, PHASE II PROJECT and on August 10, 2022 received nine (9) bids therefore, summarized as follows:

| Bidder | Base Bid Items 1-41 |
|--------------------------|----------------------------|
| Meco Inc. | \$558,603.50 |
| Earle Asphalt Co. | \$573,313.13 |
| Lucas Brothers Inc. | \$603,603.00 |
| Black Rock Enterprises | \$605,988.76 |
| Seacoast Construction | \$690,049.96 |
| S. Brothers Construction | \$694,811.00 |
| KM Construction | \$706,158.48* |
| S & G Paving Inc. | \$710,321.76 |
| Diamond Construction | \$1,279,846.00 |

*Computational error in Bid submission

;and

WHEREAS, the Township Engineer has reviewed the bids received and in a memo dated August 11, 2022, recommends that the contract

for the IMPROVEMENTS TO UNION HILL ROAD, PHASE II PROJECT be awarded to Mecco Inc. as the lowest and responsive bidder, whose address is P.O. Box 536, Clarksburg, NJ 08510, for the total bid price amount not to exceed \$558,603.50; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Capital Accounts 04-215-21-09A-060288 and 04-215-07A-060288 for the project.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid for the IMPROVEMENTS TO UNION HILL ROAD, PHASE II PROJECT for the Township of Marlboro be and is hereby awarded to Mecco Inc., whose address is P.O. Box 536, Clarksburg, NJ 08510 for a contract amount not to exceed \$558,603.50.

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

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

The following resolution #2022-188 (Authorizing Award of ESCNJ Cooperative Contracts for the Purchase and Installation of Replacement Playground Equipment and Surfacing) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

RESOLUTION #2022-188

RESOLUTION AUTHORIZING AWARD OF (ESCNJ) CONTRACT #20/21-06
TO MARTURANO RECREATION CO. AND (ESCNJ) CONTRACT #20/21-02
TO RUBBERCYCLE, LLC FOR THE PURCHASE AND INSTALLATION OF
REPLACEMENT PLAYGROUND EQUIPMENT AND SURFACING AT
RECREATION WAY PARK FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF RECREATION

WHEREAS, the Township of Marlboro as part of its capital program authorized the replacement of playground equipment and resurfacing material at Recreation Way Park (145-34); and

WHEREAS, the Township of Marlboro has received funding from the New Jersey Division of Local Government Services Local Recreation Improvement Grant program in the amount of \$75,000.00; and

WHEREAS, the Township is authorized to purchase goods and services from bids obtained from a cooperative pricing system such as the Educational Services Commission of NJ (ESCNJ) pursuant to the authority

provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, MARTURANO RECREATION CO. was awarded ESCNJ Cooperative Contract #20/21-06 for Playground Equipment, Site Furnishings, Outdoor Circuit Training Equipment and Related Products in an amount not to exceed \$61,171.46 per the attached quotation provided; and

WHEREAS, RUBBERCYCLE, LLC was awarded ESCNJ Cooperative Contract #20/21-02 for Playground Surfacing Materials, Installation and Inspections in an amount not to exceed \$13,352.03 per the attached quotation provided; and

WHEREAS, MARTURANO RECREATION CO. and RUBBERCYCLE, LLC have agreed to extend ESCNJ Cooperative Contract pricing to the Township of Marlboro; and

WHEREAS, the Recreation Department has recommended that the Township purchase replacement playground equipment from MARTURANO RECREATION CO., P.O. Box 106, Spring Lake, NJ 07762 under #ESCNJ 20/21-06, and RUBBERCYCLE, LLC, 1985 Rutgers University Boulevard, Lakewood, NJ 08701 under #ESCNJ 20/21-02 for a combined amount not to exceed \$74,523.49; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro to obtain said playground equipment and surface material from MARTURANO RECREATION CO. and RUBBERCYCLE, LLC; and

WHEREAS, the Township Council desires to approve the purchase and installation of replacement playground equipment.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, the Chief Financial Officer has certified that sufficient funds are available in Capital Account 04-215-22-020-145298 for the project based on the funds received from the New Jersey Division of Local Government Services Local Recreation Improvement Grant.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase replacement playground equipment from MARTURANO RECREATION CO., P.O. Box 106, Spring Lake, NJ 07762 under #ESCNJ 20/21-06 in an amount not to exceed \$61,171.46.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase replacement playground equipment from RUBBERCYCLE, LLC, 1985 Rutgers University Boulevard, Lakewood, NJ 08701 under #ESCNJ 20/21-02 in an amount not to exceed \$13,352.03.

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

- a. MARTURANO RECREATION CO.
- b. RUBBERCYCLE, LLC
- c. Township Administration
- d. Township Recreation Director
- e. Township Chief Financial Officer

The following resolution #2022-189 (Approving Close Out and Authorizing Final Payment and Acceptance for the Purchase and Installation of Replacement Playground Equipment and Surfacing (Nolan Road Park)) was introduced by reference, offered by Councilwoman Marder, seconded by Councilman Milman and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea was absent.

RESOLUTION #2022-189

RESOLUTION APPROVING CLOSE OUT AND AUTHORIZING FINAL
PAYMENT AND ACCEPTANCE FOR THE PURCHASE AND INSTALLATION
OF REPLACEMENT PLAYGROUND EQUIPMENT AND SURFACING FOR THE
TOWNSHIP OF MARLBORO RECREATION DEPARTMENT

WHEREAS, on April 22, 2021 (Resolution #2021-173), the Township of Marlboro as part of its 2020 and 2021 capital programs authorized the replacement of playground equipment at Wicker, Marlin and Nolan Parks (Projects 21-145-27, 21-145-28, 21-145-9 and 20-145-49); and

WHEREAS, funds for the project were previously certified as available by the Chief Financial Officer in the amount not to exceed \$296,802.28 in Capital Accounts #04-215-21-04L-145288 and #04-215-20-05G-145288.

WHEREAS, on December 29, 2021 (Resolution #2021-406), the Township of Marlboro approved final payment for improvements to Marlin Park and Wicker Park be made to Marturano Recreation Co. in the amount of \$147,785.09, and Rubbercycle LLC in the amount of \$29,917.00; and

WHEREAS, the improvements to Nolan Park have been completed, and the Township has received a Certification of Compliance from GameTime, the equipment manufacturer, covering the playground components certifying that the products identified comply with all rules, bans, and standards of regulations applicable to the product under the Consumer Product Safety Improvement Act of 2008, Sections 101, 102, 103 and 108; and

WHEREAS, in a communication dated July 14, 2022, GameTime, the equipment manufacturer has further confirmed that the installation of the playground equipment at Nolan Park was performed by certified installers per the manufacturer's specifications, which meet or exceed Consumer Product Safety Commission (CPSC) guidelines and ASTM International (formerly known as American Society for Testing and Materials) standards; and

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

WHEREAS, based upon the certification of the manufacturer, the Director of Recreation has recommended acceptance of the project improvements and the issuance of final payments to Marturano Recreation Co. in the amount of \$99,411.99 and to Rubbercycle, LLC in the amount of \$19,688.20; and

WHEREAS, the Mayor and Township Council are in agreement with the recommendation as presented.

NOW, THEREFORE, BE IT IS HEREBY RESOLVED, that the improvements be and are hereby accepted for the Project, and that final payment in the amount of \$99,411.99 be made to Marturano Recreation Co., Brook 35 Park, 2130 Route 35 Building B, Suite 222, Sea Girt, New Jersey 08750; and

BE IT FURTHER RESOLVED, that final payment in the amount of \$19,688.20 be made to Rubbercycle, LLC, 1985 Rutgers University Boulevard, Lakewood, New Jersey 08701.

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

- a. Marturano Recreation Co.
- b. Rubbercycle, LLC
- c. Business Administrator
- d. Chief Financial Officer
- e. Director of Recreation

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

RESOLUTION #2022-190

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACT #20-TELE-01510 TO DELL MARKETING FOR THE PURCHASE OF MICROSOFT SERVER AND CLIENT SOFTWARE FOR THE TOWNSHIP OF MARLBORO DIVISION OF INFORMATION TECHNOLOGY

WHEREAS, the Township of Marlboro as part of its 2022 capital program (033-1) authorized the acquisition of software licensing for the Marlboro Division of Information Technology ("IT"); and

WHEREAS, the Township utilizes Microsoft software and services for the vast majority of its computing needs; and

WHEREAS, in order to procure this software licensing in the most cost effective and efficient manner possible, the Township has previously entered into Enterprise Agreements with Microsoft via Dell on State Contract #89850; and

WHEREAS, purchasing software in this manner provides the Township with not only outright software ownership but the ability to upgrade to the latest version of all software for the term of the agreement; and

WHEREAS, additionally, this software upgrade ability, known as "Software Assurance" in Microsoft parlance, also comes with several other benefits including planning and deployment benefits, and special access to software used by IT; and

WHEREAS, this renewal represents an opportunity for the Township to take advantage of Microsoft 365 which is a bundle of Office 365 cloud services and Windows licensing; and

WHEREAS, the Chief Information Officer has recommended, in a memo dated June 8, 2022, that the Township purchase Microsoft Server and Client Software from Dell Marketing under State Contract #20-TELE-01510 in an amount not to exceed \$119,935.56; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the IT Division to obtain the Microsoft Server and Client Software from Dell Marketing; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$119,935.56 from Capital Account 04-215-22-07B-033297; and

WHEREAS, the Township Council desires to approve the purchase of Microsoft Server and Client Software from Dell Marketing.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase of Microsoft Server and Client Software from Dell Marketing, One Dell Way, Round Rock, TX 78682, under State Contracts #20-TELE-01510 in an amount not to exceed \$119,935.56.

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

- a. Dell Marketing
- b. Business Administration
- c. Chief Information Officer
- d. Chief Financial Officer

RESOLUTION #2022-191

A RESOLUTION AUTHORIZING YEAR 4 OF CONTRACT TO FREEHOLD
CARTAGE, INC. FOR COMMUNITY SPRING BULK PICK-UP FOR THE
TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on December 12, 2019 (Resolution #2019-367) the Township Council of the Township of Marlboro awarded a contract to FREEHOLD CARTAGE, INC., the low bidder for COMMUNITY SPRING BULK PICK-UP FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

WHEREAS, the bid specifications included the option to renew said contract for four (4) additional one (1) year periods in accordance with N.J.S.A. 40A:11-15(3) on the same terms and conditions at the exclusive option of the Township; and

WHEREAS, on December 17, 2020 (Resolution #2020-317) the Township Council of the Township of Marlboro approved the first one-year extension of the contracts; and

WHEREAS, on September 9, 2021 (Resolution #2021-289) the Township Council of the Township of Marlboro approved the second one-year extension of the contracts; and

WHEREAS, in a memo dated August 2, 2022 the Department of Public Works has recommended that the Township approve a third one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the contract with FREEHOLD CARTAGE, INC., whose address is PO BOX 5010, Freehold, NJ 07728 be renewed for a period of one year commencing on January 1, 2023 and expiring on December 31, 2023, in accordance with its low bid submission for a total amount not to exceed \$205,385.93, inclusive of and anticipating 1,000 tons of bulk waste collected at \$85.00 per ton.

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

BE IT FURTHER RESOLVED, that funds in the amount of \$205,385.93 will be made available and certified by the Chief Financial Officer upon adoption of the 2023 budget, as follows:

| | |
|----------------------|--------------|
| 01-201-26-117-233112 | \$120,385.93 |
| 01-201-32-170-233112 | \$ 85,000.00 |

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

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

RESOLUTION #2022-192

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT TO TELESEARCH STAFFING SOLUTIONS FOR THE PROVISION OF TEMPORARY PERSONNEL AGENCY SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW)

WHEREAS, on January 7, 2021 (Resolution #2021-049) the Township Council of the Township of Marlboro awarded a contract to TELESEARCH STAFFING SOLUTIONS for THE PROVISION OF TEMPORARY PERSONNEL AGENCY SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (DPW); and

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

WHEREAS, on September 9, 2021 (Resolution #2021-292) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated August 2, 2022, the Director of Public Works has recommended that the Township approve a second and final one (1) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to TELESEARCH STAFFING SOLUTIONS whose address is 251 Highway 206, Flanders, NJ 07836 for a period of one year beginning on January 1, 2023, through December 31, 2023, in a total amount not to exceed \$221,367.30.

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

BE IT FURTHER RESOLVED, that funds will be certified by the Chief Financial Officer upon the adoption of the 2023 budget.

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

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

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

RESOLUTION #2022-193

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

WHEREAS, on September 9, 2021 (Resolution #2021-289) the Municipal Council of the Township of Marlboro ("Township") authorized a shared services agreement with the Western Monmouth Utilities Authority ("WMUA") to provide for CONFINED SPACE RESCUE TEAM SERVICES FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS ("services"); and

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

WHEREAS, the Township of Marlboro ("Marlboro") and the Western Monmouth Utilities Authority ("WMUA") are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey

Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the WMUA has the personnel as well as the necessary contracts in place to provide the specified services; and

WHEREAS, the Township and the WMUA wish to extend the current agreement to include calendar year 2023; and

WHEREAS, the Township and WMUA have negotiated a Shared Services Agreement, a copy of which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein.

BE IT FURTHER RESOLVED, funds in the amount \$2,750.00 will be certified by the Chief Financial Officer in Water Operating Account #05-201-55-500-297000 upon adoption of the 2023 municipal budget; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Council of the Township of Marlboro as follows:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Municipal Clerk's office and shall take effect upon the adoption of a resolution and execution of the agreement by both parties.
3. The Mayor and Municipal Clerk are hereby authorized to execute the Shared Services Agreement annexed hereto as EXHIBIT A.
4. A copy of the finalized Shared Services agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.

RESOLUTION #2022-194

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

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for FARMING RIGHTS TO THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE "STATTEL FARM PROPERTY" (BLOCK 206/LOT 25) LOCATED ON STATE HIGHWAY 79 AT COUNTY ROUTE 520 AND THE "DIMEO PROPERTY" (BLOCK 159/LOT 1.01 & 1.02) LOCATED ON CONOVER ROAD (2022-

09), on August 3, 2022 the Township received one (1) bid summarized as follows:

| | | |
|---|---------------------|--|
| | | AKC Inc. 178 Highway 34 Holmdel, NJ 07733 |
| Item Description | Bid Price | |
| Leasing of Farmland at the "STATTEL FARM PROPERTY" (BLOCK 206/LOT 25) | Annual Price | |
| 2023 | \$2,653.00 | |
| 2024 | \$2,653.00 | |
| 2025 | \$2,653.00 | |
| Total | \$7,959.00 | |
| | | |
| Item Description | Bid Price | |
| Leasing of Farmland at the "DIMEO PROPERTY" (BLOCK 159/LOT 1.01 & 1.02) | Annual Price | |
| 2023 | No Bid | |
| 2024 | No Bid | |
| 2025 | No Bid | |
| Total | No Bid | |

; and

WHEREAS, in a memo dated August 10, 2022, the Director of Public Works is recommending a contract be awarded to AKC Inc. whose address is 178 Highway 34, Holmdel, NJ 07733 for a two year lease of the "STATTEL FARM PROPERTY" (BLOCK 206/LOT 25) LOCATED ON STATE HIGHWAY 79 AT COUNTY ROUTE 520; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that an agreement be executed with AKC Inc. whose address is 178 Highway 34, Holmdel, NJ 07733 for the FARMING RIGHTS TO THE PARCEL OF LAND OWNED BY THE TOWNSHIP OF MARLBORO KNOWN AS THE STATTEL FARM PROPERTY" (BLOCK 206/LOT 25) LOCATED ON STATE HIGHWAY 79 AT COUNTY ROUTE 520, for a period of two years beginning on January 1st, 2023, through December 31st, 2024, for an annual fee to be paid by the bidder in the amount of \$2,653.00, in a total amount not to exceed \$5,306.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, an agreement with AKC

Inc. in accordance with this Resolution, the bid specifications, and in a form to be approved by the Township Attorney.

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

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

RESOLUTION #2022-195

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR THE SITE IMPROVEMENTS AT THE SITE KNOWN AS STEVEN DICKMAN, BLOCK 106, LOT 6, LOCATED AT 17 THOMAS LANE, MORGANVILLE, MONMOUTH COUNTY, NJ 07751

WHEREAS, in accordance with *N.J.S.A. 40:55D-53*, the Township of Marlboro has received a request from Mr. Steven Dickman, for the release of the Township held Performance Guarantees in the form of a Bond and Cash Deposit for the site improvements ("Private Improvements") on the Site known as "Steven Dickman" (the "Site"), property known as Block 106, Lot 6, on the Official Tax Maps of the Township of Marlboro, Monmouth County, State of New Jersey, posted by Mr. Steven Dickman (the "Developer"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed the Township Engineer's report dated February 6, 2020, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the aforesaid report recommends that the current Performance Guarantee in the form of a Performance Surety Bond, Bond No. CE11510701337, in the original and current amount of \$28,681.00 issued by Philadelphia Indemnity Insurance Company, posted by the Developer and being held by the Township, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release; and

WHEREAS, the aforesaid report recommends that the current Performance Guarantee in the form of a Cash Deposit, Valley National Bank check no. 1475, in the original and current amount of \$3,186.87.00 (excludes accrued interest) posted by the Developer and being held by the Township, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release; and

WHEREAS, the Township Council now wishes to take the following action regarding the aforesaid Performance Guarantee.

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 above-described Cash Bond, in the original and current amount of \$3,186.87 (excludes accrued interest) posted by the Developer and being held by the Township, be released in its entirety, conditioned upon the payment of any and all outstanding review and/or inspection fee charges to the time of the performance guarantee release; and

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

- a. Steven Dickman
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Township Engineer
- e. Louis Rainone, Esq., Township Attorney

RESOLUTION #2022-196

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$23,601.00, which has been received by the municipality for the "2022 Highway Safety" Grant.

BE IT FURTHER RESOLVED that the amount of \$23,601.00 be hereby appropriated under the caption "2022 Highway Safety" Grant.

RESOLUTION #2022-197

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro, in the County of Monmouth, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$15,951.87, which has been received by the municipality for the "National Opioid Settlements".

BE IT FURTHER RESOLVED, that the amount of \$15,951.87 be hereby appropriated under the caption "National Opioid Settlements".

RESOLUTION #2022-198

A RESOLUTION AUTHORIZING THE EXTENSION OF GRACE PERIOD FOR
THE PAYMENT OF TAXES

WHEREAS, due to a delay in the Township receiving the certification of tax rates from the County of Monmouth, property tax bills for the upcoming year were mailed later than the statutory timeframe; and

WHEREAS, New Jersey State Statute provides for a minimum of twenty-five (25) days between the date of mailing and the property tax bill due date.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Marlboro that the grace period for payment of third quarter taxes be extended to August 22, 2022.

RESOLUTION #2022-199

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT
BY AND BETWEEN KRE LLOYD ROAD, LLC AND THE TOWNSHIP OF MARLBORO
FOR THE CONSTRUCTION OF A DEVELOPMENT CONSISTING OF 222 MARKET-
RATE RESIDENTIAL UNITS AND 63 AFFORDABLE HOUSING UNITS WITH A
CLUBHOUSE AND POOL.

WHEREAS, KRE Lloyd Road, LLC (the "Developer") is the contract purchaser and developer of certain real property known as Block 143, Lots 1.02 and 12 in the Township of Marlboro, County of Monmouth, State of New Jersey (hereinafter referred to as the "Property"); and

WHEREAS, an application was originally made by OHAD Associates, LLC (the "Original Applicant") to the Marlboro Township Planning Board ("Planning Board"), pursuant to a settlement and stipulation of dismissal between the Original Applicant and the Township of Marlboro (the "Township"), for Preliminary and Final Major Site Plan Approval through Application No. PB-452-88B to construct a development consisting of 222 market-rate residential units and 63 affordable housing units, with a clubhouse and pool, as outlined in Resolution No. PB-452-88B adopted on September 17, 2014 granting Preliminary and Final Major Site Plan Approval, and an application was subsequently made by the Original Applicant for Amended Preliminary and Final Major Site Plan Approval, as outlined in Resolution No. PB-452-88B adopted on June 1, 2016 granting Amended Preliminary and Final Major Site Plan approval (hereinafter the "Project"); and

WHEREAS, the approved Site Plans call for certain improvements, and, though the Developer is not the original applicant to the Planning Board, the Developer has agreed to be bound by all responsibilities and obligations as though the original applicant and to construct those improvements as shown on the approved plan and records before the Planning Board, all of which were made part of a Developer's Agreement memorializing the obligations and commitments of KRE Lloyd Road, LLC, which is attached hereto as Attachment A; and

WHEREAS, the Developer has requested water service for the Project from the Marlboro Township Water Utility Division; and

WHEREAS, the Township Attorney has reviewed the Developer's Agreement attached hereto as Attachment A and the Developer's Agreement for Water Services attached hereto as Attachment B; and

WHEREAS, after analysis and review, the Township has determined it is in its best interest to enter into both the Developer's Agreement and the Developer's Agreement for Water Services in form substantially similar to the attached agreements, subject to the review and approval of the Township Attorney; and

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

1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

2. The Mayor and Municipal Clerk be and are hereby authorized to execute the Developer's Agreement with KRE Lloyd Road, LLC, for the purpose of memorializing the obligations and commitments of KRE Lloyd Road, LLC, in a form substantially similar to the agreement attached as Attachment A, subject to the review and approval of the Township Attorney.
3. The Mayor and Municipal Clerk be and are hereby authorized to execute the Developer's Agreement for Water Services with KRE Lloyd Road, LLC, for the purpose of providing water service and memorializing the obligations and commitments of KRE Lloyd Road, LLC, in a form substantially similar to the agreement attached as Attachment B, subject to the review and approval of the Township Attorney.
4. This Resolution shall take effect immediately.

SO RESOLVED, as aforesaid.

RESOLUTION #2022-200

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S
AGREEMENT BY AND BETWEEN TENNANT REALCO, LLC AND THE
TOWNSHIP OF MARLBORO FOR THE CONSTRUCTION AND INSTALLATION
OF CERTAIN WATER SYSTEM IMPROVEMENTS RELATED TO A
DEVELOPMENT KNOWN AS "EXPRESS CAR WASH" ON BLOCK 122, LOT

33

WHEREAS, TENNANT Realco, LLC (the "Developer") is the developer of certain real property at or near NJ State Highway U.S. No. Route 9, known as Block 122, Lot 33 in the Township of Marlboro, County of Monmouth, State of New Jersey (hereinafter referred to as the "Property"); and

WHEREAS, Developer has proposed to construct a certain commercial development on the Property known and referred to as "Express Car Wash," and has requested water service for the Project from the Marlboro Township Water Utility Division; and

WHEREAS, the Township of Marlboro (the "Township") has determined that to ensure the availability of water service to the Developer, the Developer should be required to construct and install certain water system improvements; and

WHEREAS, the Township Attorney has reviewed the Developer's Agreement attached hereto as Attachment A; and

WHEREAS, after analysis and review, the Township has determined it is in its best interest to enter into the Developer's Agreement to

memorialize the terms and conditions associated therewith in a form substantially similar to the attached agreement, subject to the review and approval of the Township Attorney; and

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

5. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.
6. The Mayor and Municipal Clerk be and are hereby authorized to execute the Developer's Agreement with TENNANT Realco, LLC, for the purpose of providing water service and memorializing the obligations and commitments of TENNANT Realco, LLC, in a form substantially similar to the agreement attached as Attachment A, subject to the review and approval of the Township Attorney.
7. This Resolution shall take effect immediately.

SO RESOLVED, as aforesaid.

RESOLUTION #2022-201

A RESOLUTION AUTHORIZING ACCEPTANCE
OF DONATIONS FROM VARIOUS ENTITIES
FOR THE MARLBORO TOWNSHIP POLICE DEPARTMENT

WHEREAS, various entities detailed on the attached memo have made donations to the Marlboro Township Police Department for National Night Out; and

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

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

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

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

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

RESOLUTION #2022-202

A RESOLUTION AUTHORIZING YEAR 2 & 3 OF CONTRACT WITH CORE AND MAIN LP FOR THE PROVISION OF WATER METERS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, on March 18, 2021 (Resolution #2021-155) the Township Council of the Township of Marlboro awarded a contract to CORE AND MAIN LP FOR THE PROVISION OF WATER METERS FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION; and

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

WHEREAS, in a memo dated August 4, 2022, the Director of Public Works has recommended that the Township approve a two (2) year extension of the contract; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract to CORE AND MAIN LP, whose address is 61 Gross Avenue, Edison, NJ 08837 be extended for a period of two (2) years through March 31, 2024 for an annual amount of \$106,830.00, in a total amount not to exceed \$213,660.00.

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

BE IT FURTHER RESOLVED, the Chief Financial Officer has certified that funds in the amount of \$200,000.00 are Water Utility Capital Accounts No. 06-215-18-02A-500297 and 06-215-20-06D-500297 and the remaining amount of funds will be certified at the time materials are needed.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract extension with CORE AND MAIN LP in accordance with this resolution.

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

- a. Core and Main LP
- b. Township Business Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION #2022-203

A RESOLUTION AWARDING CONTRACTS TO SHANNON CHEMICAL CORP. FOR THE
SUPPLY OF ZINC ORTHOPHOSPHATE FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS WATER UTILITY DIVISION

WHEREAS, the Township of Marlboro has authorized the acceptance of bids (2022-07) for the Supply of Zinc Orthophosphate for the Township of Marlboro Water Utility Division, and on July 6, 2022 received two (2) bids; and

WHEREAS, the two (2) bids and one received were as follows:

| Contract | Chemical Name | Est. Annual Qty. | Unit | Coyne Chemical 3015 State Road Croydon, PA 19021 | | Shannon Chemical Corporation Post Office Box 376 Malvern, PA 19355 | |
|----------|---------------------|------------------|------|--|------------------|--|------------------|
| | | | | Unit Price (\$) | Total Price (\$) | Unit Price (\$) | Total Price (\$) |
| 1A | Zinc Orthophosphate | 90,000 | lbs. | 1.89 | 170,460.00 | 1.42 | 127,800.00 |

and;

WHEREAS, in a memo dated August 8, 2022, the Director of Public Works recommends that Shannon Chemical Corp. be awarded Contract 1A for the following items as the lowest responsible bidder for same:

| Type | Quantity: | Unit Price (\$) | Total Price (\$): NOT TO EXCEED |
|------------------------------------|------------|-----------------|---|
| Contract 1A Zinc Orthophosphate | 90,000 lbs | 1.42/lb. | 127,800.00 |

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

WHEREAS, the Chief Financial Officer has certified that funds for the 2022 portion of the contract in the amount of \$53,250.00 are available in the Water Utility Account #05-201-55-500-293020; and

WHEREAS, funds for the 2023 portion of each contract in the total amount of \$74,550.00 will be certified by the Chief Financial Officer for this purpose upon adoption of the 2023 Municipal Budget.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Contract 1A be awarded to Shannon Chemical Corp. whose address is P.O. Box 376, Malvern, PA 19355 for the Supply of Zinc Orthophosphate for the Township of Marlboro Water Utility Division, for a contract amount not to exceed \$127,800.00 and for a term of one (1) year beginning on September 1, 2022.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a Contract with Shannon Chemical Corp. in accordance with this Resolution, the bid specifications, and in a form to be approved by the Township Attorney.

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

- a. Channon Chemical Corp.
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION #2022-204

TAX LIEN REDEMPTIONS

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$72,271.57 as per Schedule "A".

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the amount of \$72,271.57 be refunded to the certificate holders as per Schedule "A".

SCHEDULE "A"

| <u>LIEN NO</u> | <u>BLOCK/LOT</u> | <u>LIENHOLDER</u> | <u>AMOUNT</u> |
|----------------|------------------|---|---------------|
| 2021-031 | 270.01/20 | Fig Cust FIGNJ19 LLC PO Box 54226 New Orleans, LA 70154 Assessed Owner: Barbieri, Marie | 2,046.20 |

| | | | |
|----------|---------------|---|-----------|
| 2021-027 | 214.03/19 | US Bank Cust/PC8 Firsttrust Bank 50 South 16 th St, Ste 2050 Philadelphia, PA 19102 Assessed Owner: Martorano, Salavotore & Christie | 2,136.48 |
| 2021-001 | 101.01/6 | Fig Cust FIGNJ19 LLC PO Box 54226 New Orleans, LA 70154 Assessed Owner: Krishnamurthy, U. & Ramalingam, J. | 2,913.29 |
| 2021-018 | 176/7 C0869 | Fig Cust FIGNJ19 LLC PO Box 54226 New Orleans, LA 70154 Assessed Owner: Jampala, Ramana V. & Mannava, Sumala | 1,571.98 |
| 2020-058 | 412/307 C0007 | US Bank Cust/PC8 Firsttrust Bank 50 South 16 th St, Ste 2050 Philadelphia, PA 19102 Assessed Owner: Provident Bank | 1,978.41 |
| 2020-016 | 172/35 | T & M Professional Services PO Box 335 Keyport, NJ 07735 Assessed Owner: Storer, Carol | 5,576.21 |
| 2019-016 | 172/35 | Trystone Capital Assets LLC PO Box 1030 Brick, NJ 08723 Assessed Owner: Storer, Carol | 8,314.63 |
| 2014-034 | 172/35 | FNA Jersey Lien Services LLC PO Box 1030 Brick, NJ 08723 Assessed Owner: Storer, Carol | 47,734.37 |

RESOLUTION #2022-205

DISABLED VETERAN STATUS TAX EXEMPTION

WHEREAS, the Tax Assessor has granted disabled veteran exemptions for the owners of the properties as per Schedule "A".

WHEREAS, pro-rated 2022 property taxes totaling \$27,176.19 need to be cancelled.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro to direct the Tax Collector to cancel \$27,176.19 for 2022 taxes.

SCHEDULE "A"

| BLOCK/LOT | EFFECTIVE DATE | PROPERTY INFORMATION | AMOUNT |
|--------------|----------------|---|-------------|
| 322/5 | 11/3/2021 | Cantor, Jeffrey A & Ava M 65 School Road West | \$10,583.50 |
| 412.08/6 | 1/25/2022 | Jew, Herman & Monica 11 Barn Swallow Boulevard | \$8,446.57 |
| 288/29/C0454 | 2/1/2022 | Pugliese, Thomas 454 Bayberry Court | \$2,648.62 |
| 289/9 | 4/26/2022 | Cafaro, Vincent & Patricia 429 Union Hill Road | \$5,497.50 |
| | | | \$27,176.19 |

RESOLUTION #2022-206

PAYMENT OF DELINQUENT SEWER CHARGES TO WESTERN MONMOUTH UTILITIES AUTHORITY (WMUA)

WHEREAS, delinquent sewer charges totaling \$168.19 were paid to the Township on behalf of Western Monmouth Utilities Authority as per Schedule "A".

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$168.19 be refunded to Western Monmouth Utilities Authority (WMUA).

Schedule A

| BLOCK | LOT | QUALIFIER | PROPERTY LOCATION | AMOUNT |
|------------------------|-----|-----------|-------------------|----------|
| 126 | 12 | | 23 Baldwin Avenue | \$168.19 |
| Total Refunded to WMUA | | | | \$168.19 |

Citizen's Voice: William Waple of 16 Calder Court expressed interest with having more services and events for the Township's Veterans.

Suzan Makofsky of 4 Regina Road requested that feeding wildlife be prohibitive on private properties.

Frank Festa of 1727 Ramapo Way, Scotch Plains, New Jersey inquired about the status of documents he submitted to the Township and Council for review.

Robert Renna of 48 Samantha Drive would like a request for qualifications sent out for an outside comparison study for the emergency dispatch equipment.

Walter Solomon of 43 Samantha Drive discussed his ongoing concerns with the construction at 606 Robert Court.

John Gibardi of 1 Hudson Bay Terrace thanked the Council for upgrading the Town's park by installing new equipment. He recommended an independent feasibility study for the emergency dispatch services.

At 8:09 p.m., Councilman Milman moved that the meeting be adjourned. This was seconded by Council Vice President DiNuzzo, and as there was no objection; the Municipal Clerk was asked to cast one ballot.

MINUTES APPROVED: SEPTEMBER 15, 2022

OFFERED BY: MARDER

AYES: 4

SECONDED BY: DINUZZO

NAYS: 0

ABSTAIN: SCALEA

SUSAN A. BRANAGAN,
MUNICIPAL CLERK
091522

JUNED QAZI,
COUNCIL PRESIDENT