

MARLBORO TOWNSHIP COUNCIL MEETING

April 18, 2024

The Marlboro Township Council held its regularly scheduled meeting on April 18, 2024 at 7:00 P.M. at the Marlboro Municipal Complex located at 1979 Township Drive, Marlboro, New Jersey.

Council President DiNuzzo 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 emailed to the Asbury Park Press, the Star Ledger, News Transcript and the Board of Education Office on April 16, 2024; published in the Asbury Park Press on December 26, 2023; posted on the Bulletin Board of the Municipal Building; filed in the Office of the municipal clerk and placed on the township's website and Channel 77.

Municipal Clerk Susan A. Branagan called the roll.

PRESENT: Council Vice President Milman, Councilman Qazi, Councilman Scalea, Councilwoman Viridi and Council President DiNuzzo

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

Presentation and Proclamation: After the presentation, Mayor Hornik introduced a proclamation recognizing Sikh Heritage Month.

Mayor Hornik announced a proclamation in recognition of Telecommunications/Dispatcher Awareness Month.

Citizen's Voice:

Judy Kushner of 31 Willow Lane and Paul Lorenz of 193 Pear Drive - Chairpersons of the Veteran Volunteer Committee spoke about the ceremony for Memorial Day this year and invited the council to join them in the Freehold Borough Memorial Day parade.

Frank Festa of 1727 Ramapo Way, Scotch Plains, New Jersey said that he has not received engineering approval for building on his commercial property.

Carolyn Kurland of 193 Route 79 expressed her concerns for the proposed new sidewalks on her road.

Hemesh Dogiparthi of 11 Bauers Lane expressed his concerns with the road flooding on his road and asked the council to help correct the grading issue causing the flooding.

Udhay Krishnamurthy of 322 Provincial Drive thanked council for paving Ticetown Road in Marlboro.

Council Speaks Out: Councilman Scalea congratulated Councilwoman Virdi's family on their presentation on Sikh Heritage Month and said that it was very informative. Councilwoman Virdi thanked the Mayor for the proclamation for Sikh Heritage Month and for his leadership. Councilman Qazi thanked the Mayor for bringing the Marlboro community together. Council Vice President Milman congratulated and thanked the dispatchers for their service. He congratulated the presenters of the Sikh Heritage Month presentation and wished the Jewish community a happy Passover. Council President DiNuzzo thanked the police Department and administration for their response to bomb threat emails received in the Township. She wished those who celebrate, a Happy Passover.

Administrative Report: Mayor Hornik recounted the events that took place earlier in the day when a bomb threat was called in targeting Memorial Middle School and Marlboro Board of Education. He expressed his thanks to the police, the Office of Emergency Management, state and county agencies, first responders and the school superintendent and administration for their cooperation and assistance. The mayor provided his support for grants listed on the agenda for roads, open space, walking trails and sidewalks. The mayor swore in two new police officers: Patrolman Asher Kantor and Patrolman Benjamin Pacuku. David Taglietta was promoted to Lieutenant and Gregory Battaglia was promoted to Sergeant. The mayor reminded everyone to license their dogs and cats and announced a business networking breakfast. He wished the Jewish community a happy Passover.

Council Vice President Milman moved that the Council meeting minutes of March 21, 2024 be approved. This was seconded by Councilman Qazi, and passed on a roll call vote of 4 - 0 in favor. Councilman Scalea abstained.

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-007 (Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank) this was seconded by Councilman Scalea and passed by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilman Qazi and passed by unanimous voice vote in favor.

The following Ordinance #2024-007 (Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank 2024) was introduced by reference, offered by Council Vice President Milman, seconded by Councilwoman Viridi and adopted on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-007

CALENDAR YEAR 2024

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-008 (Ordinance Authorizing General Capital Improvements and Issuance of Bonds or Notes) this was seconded by Councilman Scalea and passed by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilwoman Viridi and passed by unanimous voice vote in favor.

The following Ordinance #2024-008 (Ordinance Authorizing General Capital Improvements and Issuance of Bonds or Notes) was introduced by reference, offered by Council Vice President Milman, seconded by Councilwoman Viridi and adopted on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-008

BOND ORDINANCE PROVIDING FOR VARIOUS 2024 GENERAL
CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF
MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW
JERSEY; APPROPRIATING \$7,114,261 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$6,762,722 BONDS OR NOTES
TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Township") as general capital improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$7,114,261, which appropriation is inclusive of \$351,539 as the aggregate amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A.

40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$7,114,261 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$6,762,722 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$6,762,722 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

Description	Appropriati on	Authorizati on	Down Payment	Useful Life
(a) Road and Drainage Improvements - Various Road And Drainage Improvements Which Improvements Shall Include, But Not Be Limited To, As Applicable, Improvements To Various Township Roads; Improvements To Stormwater Basins, Drainage Improvements And/Or Resurfacing Of Parking Lots; The Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement; And Where Necessary, The Sealing Of Pavement Cracks; And Associated Repairing And/Or Installation Of Curb, Curb Ramps, Sidewalks, Driveway Aprons, Resetting Of Utility	\$3,653,820	\$3,473,275	\$180,545	20 years

Description	Appropriation	Authorization	Down Payment	Useful Life
Castings And Drainage Grates; Check Valve And Associated Drainage Improvements; Roadway Painting, Landscaping And Other Aesthetic Improvements;				
(b) Historic Sites - Replacement of Historic Markers And Related Equipment and Improvements;	\$11,384	\$10,821	\$563	5 years
(c) Misc. Improvements - Various Improvements To The Township Dog Park And The Farmers Market At Stattel Farm;	\$344,037	\$327,037	\$17,000	10 years
(d) Police Department - Acquisition of Various Equipment Including, But Not Limited To, Weapons, Traffic Control and Enforcement Equipment; Replacement of Office Furniture; And The Acquisition Of Various Vehicles, Including Related Equipment;	\$463,096	\$440,213	\$22,883	5 years
(e) Township Offices - Various Improvements To Township Offices Including, But Not Limited To, Replacement Of Furniture And Computer Hardware And Software And Improvements to HVACs, Audio Visual Equipment and Records Management;	\$437,893	\$416,254	\$21,639	5 years
(f) Public Works - Acquisition Of Various Equipment Including, But Not Limited to, A Vacuum	\$1,389,054	\$1,320,416	\$68,638	14.60 years

Description	Appropriati on	Authorizati on	Down Payment	Useful Life
Street Sweeper, Recycling Dumpsters, And Various Vehicles; Replacement Of Office Furniture; Improvements To Firehouse Property; And Various Improvements To Buildings And Grounds Including, But Not Limited to, Structural Repairs And Improvements to Heating Ventilation Air Conditioning Systems;				
(g) Township Library - Various Improvements To Township Library Including, But Not Limited to, Replacement Of Furniture; and	\$8,500	\$8,080	\$420	5 years
(h) Recreation - Various Recreational Improvements Including, But Not Limited to, Replacement Of Synthetic Turf And Playground Equipment and Flooring; Improvements to Walkways; Improvements to Lightening Detection System; Acquisition Of Various Vehicles and Other Recreational Equipment.	\$806,477	\$766,626	\$39,851	13.91 years
TOTALS	\$7,114,261	\$6,762,722	\$351,539	

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

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$6,762,722.

(d) The aggregate estimated cost of said improvements or purposes is \$7,114,261, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes in the aggregate amount of \$351,539.

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

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

SECTION 6. The capital budget of the Capital Fund of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing

full detail of the amended Capital Fund capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

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

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

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.82 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$6,762,722 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,420,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration

of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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

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

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

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-009 (Ordinance Authorizing Water Utility Capital Improvements and Issuance of Bonds or Note) this was seconded by Councilwoman Virdi and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilman Scalea and approved by unanimous voice vote in favor.

The following Ordinance #2024-009 (Ordinance Authorizing Water Utility Capital Improvements and Issuance of Bonds or Note) was introduced by reference, offered by Council Vice President Milman, seconded by Councilman Scalea and adopted on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-009

BOND ORDINANCE PROVIDING FOR VARIOUS 2024 WATER UTILITY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,843,809 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,843,809 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Township") as general capital improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$2,843,809, said sum being inclusive of all appropriations heretofore made therefor. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as the Water Utility of the Township is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,843,809 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$2,843,809 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are various water utility improvements throughout the Township including, but not limited to, Improvements to Various Utility Equipment/Facilities, Repair and/or Replacement of Water Mains, Improvements to Township Wells, Restoration of Harbor Road Lagoon, Acquisition of a Pick-Up Truck with Plow, Repair to and/or Replacement of Water Meters, Maintenance/Improvements and/or Acquisition and Installation, as applicable, of Hydrants, Valves and Pipes.

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

materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,843,809.

(d) The aggregate estimated cost of said improvements or purposes is \$2,843,809.

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

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

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

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

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

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 33.07 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Municipal Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,843,809 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$570,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

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

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

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

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

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-010 (Ordinance Authorizing Recreational Improvements and Issuance of Bonds or Notes) this was seconded by Councilman Scalea and approved by unanimous voice vote in favor. The Council President asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilwoman Virdi and approved by unanimous voice vote in favor.

The following Ordinance #2024-010 (Ordinance Authorizing Recreational Improvements and Issuance of Bonds or Notes) was introduced by reference, offered by Council Vice President Milman seconded by Councilwoman Virdi and adopted on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-010

BOND ORDINANCE PROVIDING FOR VARIOUS 2024 RECREATIONAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,750,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Marlboro, in the County of Monmouth, State of New Jersey (the "Township") as general capital improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$5,000,000, which appropriation is inclusive of \$250,000 as the aggregate amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$5,000,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$4,750,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$4,750,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, are various recreational improvements including, but not limited to, the acquisition and installation of a running track, bleachers, benches and fencing, and the installation of turf playing fields, including all applicable site and drainage requirements.

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

incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$4,750,000.

(d) The aggregate estimated cost of said improvements or purposes is \$5,000,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes in the aggregate amount of \$250,000.

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

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

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

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

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

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.00 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Municipal Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$4,750,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

or amount.

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

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

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

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

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-011 (Ordinance Appropriating Monmouth County Tennent Road Walking Trail Grant) this was seconded by Councilman Qazi and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilwoman Viridi and approved by unanimous voice in favor.

The following Ordinance #2024-011 (Ordinance Appropriating Monmouth County Tennent Road Walking Trail Grant) was introduced by reference, offered by Council Vice President Milman seconded by Councilman Qazi and adopted on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-011

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING A \$172,000 GRANT TO BE RECEIVED BY THE TOWNSHIP FOR THE TENNENT ROAD WALKING TRAIL IN AND FOR THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Councilman Scalea introduced a motion to open the public hearing for Ordinance #2024-012 (Ordinance Appropriating NJDOT Improvements to Robertsville Road Grant) this was seconded by Councilwoman Viridi and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilwoman Viridi and approved by unanimous voice vote in favor.

The following Ordinance #2024-012 (Ordinance Appropriating NJDOT Improvements to Robertsville Road Grant) was introduced by reference, offered by Council Vice President Milman seconded by Councilman Qazi and adopted on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-012

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING A \$209,528 GRANT TO BE RECEIVED BY THE TOWNSHIP FOR IMPROVEMENTS TO ROBERTSVILLE ROAD IN AND FOR THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Council Vice President Milman introduced a motion to open the public hearing for Ordinance #2024-013 (Ordinance Amending Ordinance #2010-18 Authorizing the Township of Marlboro to Acquire a Property known as 137 Route 9 South, Block 270, Lot 14 ("Marlboro Motor Lodge")) this was seconded by Councilman Scalea and approved by unanimous voice vote in favor. Council President DiNuzzo asked if anyone from the public wished to speak.

With no one from the public wishing to comment, Council Vice President Milman offered a motion to close the public hearing, seconded by Councilwoman Viridi and approved by unanimous voice vote in favor.

The following Ordinance #2024-013 (Ordinance Amending Ordinance #2010-18 Authorizing the Township of Marlboro to Acquire a Property known as 137 Route 9 South, Block 270, Lot 14 ("Marlboro Motor Lodge")) was introduced by reference, offered by Council Vice President Milman seconded by Councilwoman Viridi and adopted on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-013

AN ORDINANCE AMENDING ORDINANCE
2010-18 AUTHORIZING THE PURCHASE OF
137 ROUTE 9 SOUTH, MARLBORO, NEW
JERSEY FOR AFFORDABLE HOUSING
PURPOSES

The following Ordinance #2024-014 (Ordinance Appropriating \$750,000 New Jersey Department Of Environmental Protection Green Acres Grant, for the Preservation of Open Space in and by the Township Of Marlboro) was introduced by reference, offered by Council Vice President Milman, seconded by Councilwoman Viridi and passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-014

ORDINANCE APPROPRIATING \$750,000 NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION GREEN ACRES GRANT, FOR THE
PRESERVATION OF OPEN SPACE IN AND BY THE TOWNSHIP OF
MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than a majority of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. \$750,000 is hereby appropriated for the acquisition of open space parcels included in the Township's Open Space and Recreation Plan in and by the Township of Marlboro, in the County of Monmouth, New Jersey (the "Township"), consisting of a \$750,000 New Jersey Department of Environmental Protection Green Acres Grant.

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

The following Ordinance #2024-015 (Ordinance of the Township of Marlboro, in the County of Monmouth, New Jersey, Appropriating a \$450,000 Grant to be Received by the Township for Safe Routes to School in and for the Township Of Marlboro) was introduced by reference, offered by Council Vice President Milman, seconded by Councilwoman Viridi and passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-015

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN
THE COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING A \$450,000 GRANT TO BE RECEIVED
BY THE TOWNSHIP FOR SAFE ROUTES TO SCHOOL IN
AND FOR THE TOWNSHIP OF MARLBORO, IN THE COUNTY
OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than a majority of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The \$450,000 grant expected to be received by the Township from the NJDOT Transportation Projects Fund Program is hereby appropriated for the purpose of providing funds for Safe Routes to School, including all work and materials necessary therefor and incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect in accordance with law.

The following Ordinance #2024-016 (Ordinance Authorizing Acceptance of Deeds of Easement for Water Improvements - State of New Jersey Former Hospital Property) was introduced by reference, offered by Council Vice President Milman, seconded by Councilwoman Viridi and passed on a roll call vote of 5 - 0 in favor.

ORDINANCE #2024-016

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF MARLBORO TO ACKNOWLEDGE AND CONSENT TO AN EASEMENT BETWEEN THE STATE OF NEW JERSEY AND THE COUNTY OF MONMOUTH CONCERNING THE CONSTRUCTION AND USE OF THE PROPOSED HENRY HUDSON TRAIL EXTENSION PROJECT ON PROPERTY OWNED BY THE STATE AT BLOCK 159, P/O LOT 11, AND TO ACQUIRE A UTILITY EASEMENT DEDICATED FROM THE STATE OF NEW JERSEY FOR THE PURPOSE OF OPERATING AND MAINTAINING A WATER MAIN ON SAID PROPERTY IN PERPETUITY

WHEREAS, the Township of Marlboro (the "Township") is a public body corporate and politic in the County of Monmouth, State of New Jersey; and

WHEREAS, the State of New Jersey (the "State") is the owner of a certain parcel of land of approximately 411 acres in the Township on the grounds of the Former Marlboro Psychiatric Hospital, which is identified on the Township's Official Tax Map as Block 159, Part of Lot 11 (the "Property"); and

WHEREAS, the State wishes to dedicate to the County of Monmouth (the "County") a non-exclusive easement (the "County Easement") consisting of approximately 4.376 acres of land on the Property for the proposed Henry Hudson Trail Extension project, which will complete an approximately 1.6 mile gap on the old railroad bed to connect the northern and southern portions of the existing 24 mile trail on the Property; and

WHEREAS, the State has requested that the Township acknowledge and consent to Deed of Easement RPR18-14 attached hereto as Exhibit A, and the Township Council has determined that it is in the best interest of the Township to acknowledge and consent to the County Easement, which will permit the completion of the proposed trail extension and grant the general public a non-exclusive right to travel on, over, and across the new easement area for walking, hiking, and related purposes; and

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

WHEREAS, the State wishes to also grant to the Township a non-exclusive utility easement on the Property consisting of 221,785 square feet of land for the operation, maintenance, repair, and removal of a water line connecting the existing Township water supply to the Department of Human Services Group Homes to be located on the Property; and

WHEREAS, the Township's professionals have reviewed and approved Deed of Easement RPR 20-08, attached hereto as Exhibit B, which conveys the rights necessary to operate, maintain, repair, and remove said water line, and the Township Council has determined that it is in the best interest of the Township to execute said Deed of Easement in a form substantially

similar to the form attached hereto as Exhibit B, subject to the review of the Township Attorney; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Marlboro, in the County of Monmouth, State of New Jersey as follows:

1. The Mayor and the Municipal Clerk are authorized to acknowledge by execution Deed of Easement RPR 18-14 in a form substantially similar to the form attached hereto as Exhibit A, subject to the review of the Township Attorney, which, in connection with the proposed Henry Hudson Trail Extension project, grants to the County of Monmouth from the State of New Jersey (the "State"), a non-exclusive easement (the "County Easement") consisting of approximately 4.376 acres of land on property owned by the State of New Jersey known as Block 159, Part of Lot 11 on the Township's Official Tax Map, more commonly known as the grounds of the Former Marlboro Psychiatric Hospital (the "Property");
2. The Mayor and the Municipal Clerk are authorized to execute Deed of Easement RPR 20-08 in a form substantially similar to the form attached hereto as Exhibit B, and all documents necessary for the acceptance, subject to the review of the Township Attorney, which grants to the Township of Marlboro from the State a non-exclusive easement on the Property consisting of 221,785 square feet of land for the installation, operation, maintenance, repair, and removal of a water line connecting the existing Township water supply to the Department of Human Services Group Homes to be located on the Property.
3. If any section or provision of this Ordinance shall be held to be invalid by any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance.
4. All ordinances or part of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Council Vice President Milman introduced a motion to open the public hearing for the 2024 Municipal Budget, Resolution #2024-112 (Adoption of the 2024 Municipal Budget) this was seconded by Councilman Scalea and approved by unanimous voice vote in favor. The Council President asked if anyone from the public wished to speak.

John Gibardi of 1 Hudson Bay Terrace is happy this year's budget is under the 2% allowable increase and he congratulated the council on a job well done.

With no one else from the public wishing to comment, Councilman Scalea offered a motion to close the public hearing, seconded by Councilwoman Viridi and approved by unanimous voice vote in favor.

The following Resolution #2024-112 (Adoption of the 2024 Municipal Budget) was introduced by reference, offered by Councilman Scalea, seconded by Councilwoman Viridi and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2024-112

RESOLUTION AUTHORIZING THE ADOPTION OF THE
2024 MUNICIPAL BUDGET

WHEREAS, the 2024 Township of Marlboro Municipal Budget was introduced on March 21, 2024; and

WHEREAS, the required public hearing was scheduled and held on April 18, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Marlboro hereby adopts the 2024 Township of Marlboro Municipal Budget.

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

RESOLUTION #2024-113

A RESOLUTION AUTHORIZING YEAR 3 OF CONTRACT FOR THE DISPOSAL OF ASPHALT MILLING, CONCRETE, BRICK AND BLOCK FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS

WHEREAS, on May 19, 2022 (Resolution #2022-122) the Township Council of the Township of Marlboro awarded a contract to Freehold Cartage, Inc. FOR THE DISPOSAL OF ASPHALT MILLING, CONCRETE, BRICK AND BLOCK FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS (Bid #2022-05); and

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

WHEREAS, on May 18, 2023 (Resolution #2023-127) the Township Council of the Township of Marlboro approved the first one-year extension of the contract; and

WHEREAS, in a memo dated April 8, 2024, with the understanding that no minimum or maximum quantities are guaranteed in the bid specifications, the Director of Public Works has recommended that the Township approve a final one (1) year extension of the contract terminating on May 31, 2025; 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., PO BOX 5010, Freehold, New Jersey 07728 for the disposal of asphalt millings or pieces at the bid price of \$25.00 per ton, for the disposal of clean concrete at the bid price of \$7.50 per ton and the disposal of concrete encased in metal at the bid price of \$11.00 per ton, be extended for an additional one (1) year period in an amount not to exceed \$50,000.00.

BE IT FURTHER RESOLVED, funds in the amount of \$10,000.00 have been certified by the Chief Financial Officer in account 04-215-23-05D-060288, with additional amounts to be certified at the time materials are ordered.

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

- a. Freehold Cartage, Inc.
- b. Township Business Administrator
- c. Chief Financial Officer
- d. Director of Public Works

RESOLUTION #2024-114

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE PROVISION OF
WATER METERS FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2023 capital program (2023-500-16) authorized various water system improvements including the replacement of various water meters; and

WHEREAS, the Township of Marlboro accepted bids for the PROVISION OF WATER METERS (Bid 2024-05) and on February 14, 2024 received two (2) bids; and

WHEREAS, the Township Council rejected one bid received on February 29, 2024 pursuant to N.J.S.A. 40A:11-23.2(a), and made a

partial award to Ferguson Waterworks, whose address is 507 Oak Glen Road, Howell, NJ 07731 in the amount not to exceed \$25,562.15 for the PROVISION OF WATER METERS (Resolution #2024-084); and

WHEREAS, the Township of Marlboro accepted bids for the PROVISION OF WATER METERS (Bid 2024-05B) on a second occasion for the remaining items required, and on March 27, 2024, received one (1) proposal as follows:

**Core & Main LP
5142 Hurley Pond Road
Farmingdale, New Jersey 07727**

NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
Water Meters					
4	5/8" X 3/4" (7.5" Length) ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	50	Ea.	\$ 155.00	\$ 7,750.00
5	3/4" X 3/4" (7.5" Length) ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	50	Ea.	\$ 175.00	\$ 8,750.00
6	3/4" X 3/4" (7.5" Length) ELECTROMAGNETIC FLOW MEASUREMENT with metallic lead free threads (Sensus iPerl Meters or Equal)	50	Ea.	\$ 195.00	\$ 9,750.00
7	1" X 1" ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	50	Ea.	\$ 240.00	\$ 12,000.00
8	1" X 1" ELECTROMAGNETIC FLOW MEASUREMENT with metallic lead free threads (Sensus iPerl Meters or Equal)	50	Ea.	\$ 255.00	\$ 12,750.00
9	1.5" Ultrasonic Commercial & Industrial Water Meter (Sensus iPerl Meters, Sensus CordoneL or Equal)	1	Ea.	\$ 1,765.00	\$ 1,765.00
10	2" Ultrasonic Commercial & Industrial Water Meter (Sensus iPerl Meters, Sensus CordoneL or Equal)	1	Ea.	\$ 2,033.00	\$ 2,033.00
11	4" Ultrasonic Commercial & Industrial Water Meter (Sensus iPerl Meters, Sensus CordoneL or Equal)	1	Ea.	\$ 4,444.00	\$ 4,444.00
12	1.5" Omni C2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 1,405.00	\$ 1,405.00
13	2" Omni C2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 1,625.00	\$ 1,625.00
14	4" Omni C2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 3,575.00	\$ 3,575.00
15	6" Omni C2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 6,095.00	\$ 6,095.00
16	8" Omni C2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 9,315.00	\$ 9,315.00
17	10" Omni C2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 12,000.00	\$ 12,000.00
18	1.5" Omni T2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 900.00	\$ 900.00
19	2" Omni T2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 920.00	\$ 920.00
20	4" Omni T2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 2,590.00	\$ 2,590.00
21	6" Omni T2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 4,675.00	\$ 4,675.00
22	8" Omni T2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 7,915.00	\$ 7,915.00
23	10" Omni T2 ELECTROMAGNETIC FLOW MEASUREMENT (Sensus iPerl Meters or Equal)	1	Ea.	\$ 10,325.00	\$ 10,325.00
24	Sensus Water Meter Pit TRPL Conversion Wire 6'	1	Ea.	\$ 20.00	\$ 20.00
25	Sensus Water Meter Pit TRPL Conversion Wire 25'	1	Ea.	\$ 36.00	\$ 36.00

MXU / Accessories					
26	Sensus MXU Units or Equal (Model 510M single port or Equal)	1	Ea.	\$ 165.00	\$ 165.00
27	Sensus MXU Units or Equal (Model 510M dual port or Equal)	1	Ea.	\$ 220.00	\$ 220.00
28	Sensus MXU Units or Equal (Model 520M single port TR/PL or Equal)	1	Ea.	\$ 170.00	\$ 170.00
29	Sensus MXU Units or Equal (Model 520M dual port TR/PL or Equal)	1	Ea.	\$ 225.00	\$ 225.00
30	Handheld Device (Sensus 7502 or Equal)***	1	Ea.	\$ 12,185.00	\$ 12,185.00
31	Touch Gun with charger (Sensus 4090 or Equal)	1	Ea.	\$ 1,400.00	\$ 1,400.00
32	Sensus Command Link for MXU Programming			\$ 675.00	\$ 675.00
33	Sensus Touch Pad or Equal	5	Ea.	\$ 20.00	\$ 100.00
34	WIRE CONNECTORS - GELCAP BUTTSPLICE 22-26 AWG - YELLOW - 2 WIRE - GEL FILLED	1000	Ea.	\$ 0.25	\$ 250.00
35	Sensus Omni Replacement Electronic Communications Register 1.5"-10"	1	Ea.	\$ 405.00	\$ 405.00
36	VXU Unit (Sensus or Equal)****	1	Ea.	\$ 23,000.00	\$ 23,000.00
Meter Washers / Gaskets / Hardware					
41	4" EPDM Full Flange Water Meter Gasket	2	Ea.	\$ 30.00	\$ 60.00
42	6" EPDM Full Flange Water Meter Gasket	2	Ea.	\$ 44.00	\$ 88.00
43	8" EPDM Full Flange Water Meter Gasket	2	Ea.	\$ 65.00	\$ 130.00
44	10"EPDM Full Flange Water Meter Gasket	2	Ea.	\$ 75.00	\$ 150.00
45	1.5" Meter Installation Hardware Stainless Steel Bolt Pack	1	Ea.	\$ 33.00	\$ 33.00
51	3/4" EPDM Beveled Type Compression Fitting Washer	1000	Ea.	\$ 1.90	\$ 1,900.00
52	3/4" EPDM Water Meter Compression Yoke Washers	1000	Ea.	\$ 0.95	\$ 950.00
53	1" EPDM Beveled Type Compression Fitting Washer	1000	Ea.	\$ 2.35	\$ 2,350.00
54	1" EPDM Water Meter Compression Yoke Washers	1000	Ea.	\$ 1.00	\$ 1,000.00
TOTALS					\$ 166,094.00

; and

WHEREAS, in a memo dated April 2, 2024, the Director of Public Works has recommended that Core & Main LP whose address is 5142 Hurley Pond Road, Farmingdale, New Jersey 07727, as the sole responsible bidder be awarded a contract for the PROVISION OF WATER METERS in an amount not to exceed \$166,094.00 for a period of eleven months expiring on March 31, 2025 with the option to renew for one (1) two-year or two or (2) one-year extensions on the same terms and conditions at the exclusive option of the Township; 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 Core & Main LP whose address is 5142 Hurley Pond Road, Farmingdale, New Jersey 07727 in an amount not to exceed \$166,094.00 for the PROVISION OF WATER METERS, for a term of eleven months ending on March 31, 2025, with an option to renew for one two-year or two one-year extension as specified in the bid specifications, at the sole discretion of the Township.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness a contract with Core & 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, that the Chief Financial Officer has certified funds in the amount of \$166,094.00 for the aforesaid contract in Water Capital Accounts 06-215-21-05G-500297 and 06-215-22-08F-500297.

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

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

RESOLUTION #2024-115

A RESOLUTION AUTHORIZING CHANGE ORDER #1 TO A CONTRACT WITH MECO, INC. FOR THE 2023 ROADWAY IMPROVEMENT PROGRAM

WHEREAS, by Resolution #2023-195 the Township of Marlboro authorized the award of a contract to Meco, Inc. for the 2023 Roadway Improvement Program (Bid 2023-12) (the "Project"); and

WHEREAS, the contract included road and drainage work required on Harbor Road between State Highway Route 79 and a culvert owned by Monmouth County; and

WHEREAS, the necessary permits have now been issued by the New Jersey Department of Environmental Protection (NJDEP) to allow for the improvement of the remaining section of Harbor Road, from the Monmouth County Culvert to Tennent Road; and

WHEREAS, in order to complete the Harbor Road project, Change Order #1 has been prepared by the Township Engineer in the amount of \$197,105.00, increasing the total contract amount to \$3,008,108.50, an increase of 7.01 percent; and

WHEREAS, funds for the road improvement and drainage work required on Harbor Road were provided for in the 2020 and 2023 capital programs (2020-060-05 & 2023-060-01) authorized by the Township Council; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this Change Order in General Capital Account 04-215-23-05D-060288 for the project.

WHEREAS, the Mayor and Township Council of the Township of Marlboro is amenable to approving Change Order #1 in order for the remaining section of Harbor Road to be completed.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that Change Order #1 to the existing contract with Mecco, Inc. for the 2023 Roadway Improvement Program be and is hereby approved, increasing the original contract total of \$2,811,003.50 to \$3,008,108.50, a net increase of \$197,105.00.

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 Engineer
- d. Chief Financial Officer

RESOLUTION #2024-116

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE IMPROVEMENTS TO MURRAY HILL TERRACE FOR THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro as part of its 2023 capital program (2023-060-04) authorized improvements to Murray Hill Terrace located in Greenbriar (P-24-00013); and

WHEREAS, the Township of Marlboro advertised for the receipt of bids (2024-08) for the IMPROVEMENTS TO MURRAY HILL TERRACE for the Township of Marlboro Recreation Department Division (the "Services"), and on April 3, 2024 received nine (9) bids, as follows:

Contractor	Base Bid, Items 1-39
Fernandes Construction, Inc. 25 Stone Gate Dr. Monroe Twp., NJ 08831	\$614,911.85
S & G Paving Inc. 224C Forsgate Dr. Jamesburg, NJ 08831	\$658,917.90
Meco Inc. P.O. Box 536 Clarksburg, NJ 08510	\$661,583.50
L & L Paving Company, Inc. 89 Yellowbrook Rd. Farmingdale, NJ 07727	\$675,729.80

Z Brothers Concrete Contractors, Inc. 304 Jernee Mill Rd. Sayreville, NJ 08872	\$690,547.10
S Brothers, Inc. P.O. Box 317 South River, NJ 08882	\$714,844.00
Fiore Paving Co. Inc. 4 Fiore Ct. Ocean Port, NJ 07757	\$723,548.02
Black Rock Enterprises, LLC 1316 Englishtown Rd. Old Bridge, NJ 08857	\$750,000.00
Lucas Brothers, Inc. 80 Amboy Rd. Morganville NJ 07751	\$797,797.00

; and

WHEREAS, the Township Engineer has reviewed the bids received and in a memo dated April 3, 2024, recommends that the contract for the services be awarded to the lowest responsible bidder, Fernandes Construction, Inc., whose address is 25 Stonegate Drive, Monroe Township, New Jersey 08831, for the base bid, items 1 through 39, in an amount not to exceed \$614,911.85 for the IMPROVEMENTS TO MURRAY HILL TERRACE; and

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

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that the bid for the IMPROVEMENTS TO MURRAY HILL TERRACE for the Township of Marlboro be and is hereby awarded to Fernandes Construction, Inc., whose address is 25 Stonegate Drive, Monroe Township, New Jersey 08831 for the base bid, items 1 through 39, in a contract amount not to exceed \$614,911.85.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Municipal Clerk to witness, a contract with Fernandes Construction, Inc., whose address is 25 Stonegate Drive, Monroe Township, New Jersey 08831 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 sufficient funds are available in the Capital Accounts

#04-215-23-05D-060288, 04-215-16-02C-060288, 04-215-19-01D-060288 and 04-215-07-12D-060288.

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

- a. Fernandes Construction, Inc.
- b. Township Business Administrator
- c. Director of Recreation
- d. Chief Financial Officer

RESOLUTION #2024-117

REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR DONATIONS TO THE YOUTH EXCHANGE COMMITTEE PURSUANT TO NJSA 40A:5-29

WHEREAS, such permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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

The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to make expenditures from the Reserve for Youth Exchange Committee donations.

RESOLUTION #2024-118

REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE LEAD HAZARD CONTROL ASSISTANCE FUND PURSUANT TO NJSA 52:27D-437.16

WHEREAS, such permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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

The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to make expenditures from the Reserve for Lead Control Assistance Fund.

RESOLUTION #2024-119

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACTS 23-FLEET-34933, 17-FLEET-00719 & 17-FLEET-00760 FOR THE PURCHASE OF A FIRE INSPECTION VEHICLE AND RELATED EQUIPMENT FOR THE TOWNSHIP OF MARLBORO FIRE PREVENTION BUREAU

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-101-1 & 2024-104-2) authorized the purchase of a fire inspection vehicle and related equipment for the Marlboro Township Fire Prevention Bureau; 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, Nielsen of Morristown, whose address is 200 Ridgedale Ave, Morristown, NJ 07960, was awarded State Contract #23-FLEET-34933 for the 2023 Dodge Durango AWD Pursuit Vehicle with factory options, as identified in the supporting documents and vendor quotation dated March 14, 2024, in the amount of \$39,882.05; and

WHEREAS, additional window rain guards totaling \$195.00 are not included in the base vehicle cost nor the State Contract; and

WHEREAS, quotes were solicited for the \$195.00 of non-contract option where possible, and it has been determined that it is both more cost-effective and practical for these items to be obtained through Nielsen of Morristown; and

WHEREAS, Nielsen of Morristown, whose address is 200 Ridgedale Ave, Morristown, NJ 07960, was awarded State Contract #17-FLEET-00719 for the equipment identified on Schedule A to furnish the requested vehicle, as indicated in the supporting documentation and vendor quotations dated March 14, 2024 in an amount not to exceed \$1,329.78; and

WHEREAS, General Sales Administration, whose address is 47 N. Dell Avenue, Kenvil, NJ 07847, was awarded State Contracts #17-FLEET-00719 and #17-FLEET-00760 for the equipment identified on Schedule A to furnish the requested vehicle, as indicated in the supporting

documentation and vendor quotations dated May 3, 2023 in an amount not to exceed \$15,225.10; and

WHEREAS, the Township requires the identified equipment to be installed on the vehicle to make it fully operational for the Bureau's needs; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase the vehicle and required equipment for the FIRE PREVENTION BUREAU through the State Contracts; and

WHEREAS, the Fire Prevention Bureau generates revenues which offset the cost of operating a local agency responsible for enforcement of the New Jersey Uniform Fire Code, including the purchase of the proposed vehicle; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$56,631.93 from Fire Safety Trust Account # 12-228-55-051; and

WHEREAS, the Township Council desires to approve the purchase of the vehicle and related equipment for the FIRE PREVENTION BUREAU as described above.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the vehicle and equipment utilizing the State Contracts identified above in a total amount not to exceed \$56,631.93.

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

- a. Nielsen of Morristown
- b. General Sales Administration
- c. Township Administrator
- d. FIRE PREVENTION BUREAU
- e. Chief Financial Officer
- f. Insurance

RESOLUTION #2024-120

TAX LIEN REDEMPTIONS

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$3,282.09 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 \$3,282.09 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>
2023-036	300.01/1	Changsheng Lu 628 N Butrick Street Waukegan, IL 60085	2,333.24
2023-009	146/36	Thomas Bryggman 16 Radnor Rd Plainview, NY 11803	948.85

RESOLUTION #2024-121

REFUND OF TAX OVERPAYMENTS

WHEREAS, the attached list in the amount of \$16,824.61 known as Schedule "A", is comprised of amounts representing overpayments for taxes.

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

SCHEDULE A

BLOCK/LOT	PROPERTY INFORMATION	AMOUNT
252/23	25 Monroe Drive	\$ 16,824.61
		\$16,824.61

RESOLUTION #2024-122

RESOLUTION AUTHORIZING AWARD OF ESCNJ COOPERATIVE PRICING
SYSTEM #23/24-11 CONTRACT FOR THE PURCHASE OF BUILDING
INSPECTION VEHICLES AND RELATED EQUIPMENT FOR THE
TOWNSHIP OF MARLBORO CONSTRUCTION CODE ENFORCEMENT
DIVISION

WHEREAS, the Township of Marlboro as part of its 2024 capital program (2024-850-1) authorized the purchase of building inspection

vehicles and related equipment for the Marlboro Township Construction Code Enforcement Division; and

WHEREAS, the Township is authorized to purchase vehicles and related equipment from bids obtained from a cooperative pricing system such as the Educational Services Commission of New Jersey (ESCNJ) #23/24-11 pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, Nielsen Ford, whose address is 170 Ridgedale Avenue, Morristown, New Jersey 07960, was awarded ESCNJ Contract #23/24-11 for the 2024 Ford Bronco Sport 4x4 with factory options, as identified in the supporting documents and vendor quotation dated March 28, 2024, in the amount of \$29,997.81 per vehicle, with two vehicles at the price not to exceed \$59,995.62; and

WHEREAS, Nielsen Ford, whose address is 170 Ridgedale Avenue, Morristown, New Jersey 07960, was awarded ESCNJ Contract #23/24-11 for the 2024 Ford Bronco Sport Outer Banks 4X4 with factory options, as identified in the supporting documents and vendor quotation dated April 9, 2024, in the amount not to exceed \$34,649.22; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase the vehicles and required equipment for the Construction Code Enforcement Division through the ESCNJ Contract #23-24-11; and

WHEREAS, the Construction Code Enforcement Division generates revenues which offset the cost of operating a local agency responsible for enforcement of the New Jersey Uniform Construction Code, including the purchase of the proposed vehicles; and

WHEREAS, funds are available and have been certified by the Chief Financial Officer in an amount not to exceed \$94,644.84 from Uniform Construction Code Dedicated Trust Fund Account #16-201-56-850-297850; and

WHEREAS, the Township Council desires to approve the purchase of the vehicles and related equipment for the Construction Code Enforcement Division as described above.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase the vehicles and equipment utilizing the State Contracts identified above in a total amount not to exceed \$94,644.84.

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

- a. Nielsen Ford
- b. Township Administrator
- c. Construction Code Enforcement Division
- d. Chief Financial Officer
- e. Insurance

At 8:06 p.m., Councilman Scalea moved that the meeting enter into executive session for discussion of collective negotiations agreement. This was seconded by Councilwoman Viridi and Resolution #2024-123 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2024-123

CLOSED EXECUTIVE SESSION

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 18th day of April, 2024 to enter into a closed executive session for the purpose of discussing an item that is particularly exempt from the Open Public Meetings Act, collective negotiations agreement.

BE IT FURTHER RESOLVED, that the governing body shall adjourn to a closed executive session for the purpose of discussing said aforementioned item and that such closed executive session should take approximately 15 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 8:18 p.m., Council Vice President Milman offered a motion to return to regular business, which was seconded by Councilwoman Viridi and passed on a roll call vote of 5 - 0 in favor.

The following Resolution #2024-124 (Authorizing a Memorandum of Agreement Between the Township of Marlboro and CWA Local 1075) was introduced by reference, offered by Councilman Scalea, seconded by Councilwoman Viridi and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #2024-124

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT
BETWEEN THE TOWNSHIP OF MARLBORO AND CWA LOCAL 1075
(POLICE DISPATCHER/ANIMAL CONTROL UNIT)

WHEREAS, the Township and CWA Local 1075 Police Dispatcher Unit ("CWA") are parties to a collective bargaining agreement that will expire on December 31, 2023; and

WHEREAS, the Township and CWA engaged in negotiations for a successor collective bargaining agreement to cover employees in the CWA; and

WHEREAS, the terms of the settlement are set forth in a Memorandum of Agreement ("MOA"), attached hereto and made a part hereof; and

WHEREAS, such MOA will be incorporated in the successor collective bargaining agreement to the previous collective bargaining agreement that will expire on December 31, 2023, for an extended term of January 1, 2024 through December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Marlboro that it hereby approves the terms and conditions contained in the Memorandum of Agreement between the Township of Marlboro and CWA, attached hereto and made a part hereof and that such Memorandum shall be deemed the successor collective bargaining agreement to the collective bargaining agreement that will expire on December 31, 2023.

BE IT FURTHER RESOLVED, the Township Council of the Township of Marlboro that it hereby approves and ratifies the execution of the attached Memorandum of Agreement.

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro authorizes the execution of any documents necessary to implement the successor collective bargaining agreement.

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

- a. CWA LOCAL 1075 (Police Dispatcher/Animal Control Unit)
- b. Business Administrator
- c. Chief Financial Officer

At 8:18 p.m., Council Vice President Milman moved that the meeting be adjourned. This was seconded by Councilman Qazi, and as there was no objection. The Municipal Clerk was asked to cast one ballot.

MINUTES APPROVED: MAY 16, 2024

OFFERED BY: SCALEA

AYES: 5

SECONDED BY: MILMAN

NAYS: 0

SUSAN A. BRANAGAN,
MUNICIPAL CLERK

ANTOINETTE M. DINUZZO,
COUNCIL PRESIDENT